



DEPARTMENT OF  
**HOUSING**



# CDBG-DR

## CITIZEN PARTICIPATION PLAN

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PUERTO RICO DEPARTMENT OF HOUSING  
 CDBG-DR and CDBG-MIT PROGRAMS  
**CITIZEN PARTICIPATION PLAN**  
 VERSION CONTROL

<b>VERSION NUMBER</b>	<b>DATE REVISED</b>	<b>DESCRIPTION OF REVISIONS</b>
1	June 14, 2018	Original version.
2	September 27, 2018	Updated to include requirements for public comment period and substantial amendments included in 83 FR 40314.
3	August 9, 2019	Updated to include specific strategies to target low - and moderate - income citizens. Updated format and style.
4	October 1, 2020	Updated plan to include CDBG-MIT requirements and update template. Updated Plan to include technical content for CDBG and MIT from Program Area.
5	October 20, 2021	Updated plan to include CDBG-DR Electrical Power System Improvements and CDBG-DR Earthquake Allocation requirements, and technical content included in 86 FR 32681. Sections 7 and 8 included. Updated format and style.
6	November 10, 2022	Update to incorporate municipalities declared as most impacted areas affected by Federal Register Notices 86 FR 569 and 87 FR 6364 (earthquakes and Tropical Storm Isaías) and update the requirements and applicability of the Citizens Advisory Committee. For convenience and ease of reference, all edits are marked in gray.
7	December 02, 2022	Update to include citizen participation strategies and criteria for substantial and non-substantial amendments to the CDBG-DR Electrical System Enhancements & Improvements Action Plan.
8	May 21, 2024	Updated to incorporate revisions to the substantial and non-substantial thresholds for amendments for the CDBG-DR Electrical System Enhancements & Improvements Action Plan.

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## 1 Overview

The Puerto Rico Department of Housing (**PRDOH**) has developed a Citizen Participation Plan in compliance with 24 C.F.R. § 91.115 and applicable U.S. Department of Housing and Urban Development (**HUD**) alternative requirements as published in Federal Register Notices for Community Development Block Grant – Disaster Recovery (**CDBG-DR**) and Community Development Block Grant – Mitigation (**CDBG-MIT**), which supersede/waive and replace certain requirements with respect to citizen participation. These alternative requirements can be found in the Federal Register Notices listed below, and in any additional notices as applicable:

**Table 1:** Federal Register Notices and Alternative Requirements

CDBG-DR	CDBG-MIT
<ul style="list-style-type: none"> <li>• Federal Register Notices Vol. 83, No. 28 (Friday, February 9, 2018), 83 FR 5844;</li> <li>• Federal Register Notice Vol. 83, No. 157 (Tuesday, August 14, 2018), 83 FR 40314;</li> <li>• Federal Register Notice Vol. 85, No. 17 (Monday, January 27, 2020), 85 FR 4681;</li> <li>• Federal Register Notice Vol. 86, No. 3 (Wednesday, January 6, 2021), 86 FR 569;</li> <li>• Federal Register Notice Vol. 86, No. 117 (Tuesday, June 22, 2021), 86 FR 32681;</li> <li>• Federal Register Notice Vol. 87, No. 23 (Thursday, February 3, 2022), 87 FR 6364; and</li> <li>• Federal Register Notice Vol. 87, No. 100 (Tuesday, May 24, 2022), 87 FR 31636; and</li> <li>• Federal Register Vol. 87, No. 118 (Tuesday, June 21, 2022), 87 FR 36869.</li> </ul>	<ul style="list-style-type: none"> <li>• Federal Register Notice Vol. 84 No. 169 (Friday, August 30, 2019) 84 FR 45838; and</li> <li>• Federal Register Notice Vol. 85 No. 17 (January 27, 2020), 85 FR 4676.</li> </ul>

As both CDBG-DR and CDBG-MIT Programs are founded on the same regulatory framework of HUD's CDBG program, the citizen participation requirements contained in this plan apply to both programs, including CDBG-DR Electrical Systems Enhancements & Improvements and CDBG-DR Earthquakes and Tropical Storm Isaiás allocations, except where explicitly described as a unique requirement for a specific program.

It is important to emphasize that the allocations related to the 2019-2020 earthquakes and tropical storm Isaiás only benefit the municipalities mentioned in Table 2.

**Table 2:** Municipalities identified as MID areas as results of the earthquakes and tropical storm Isaiás

Earthquakes	Tropical storm Isaiás
<ul style="list-style-type: none"> <li>• Guánica</li> <li>• Ponce</li> <li>• Yauco</li> <li>• Peñuelas</li> <li>• Guayanilla</li> <li>• Lajas</li> </ul>	<ul style="list-style-type: none"> <li>• Mayagüez</li> </ul>

The Citizen Participation Plan outlines the requirements that are to be followed for citizen participation in activities related to the CDBG-DR/MIT programs, including CDBG-DR Electrical Systems Enhancements & Improvements and CDBG-DR Earthquakes and Tropical Storm Isaiás allocations. This Citizen Participation Plan is separate and distinct from Citizen Participation Plans utilized for the Consolidated Planning process or non-disaster recovery functions carried out by other agencies in Puerto Rico and is allowed by HUD to differ, as outlined in the Federal Register.

The Plan is intended to maximize the opportunity for citizen involvement in the planning and development of CDBG-DR/MIT programs, including but not limited to:

- The Action Plans
- The amount of assistance expected to be available to impacted communities;
- The range of eligible activities to be undertaken;
- Performance reports; and
- Other program activities.

The goal of the Citizen Participation Plan is to provide Puerto Rico's residents with an opportunity to provide feedback and participate in the planning and assessment of PRDOH's CDBG-DR/MIT programs. To facilitate citizen involvement, PRDOH has coordinated actions to encourage participation and allow equal access to information about the programs. PRDOH has additionally designated staff who serve as citizen participation coordinators.

PRDOH communicates with citizens, organizations, affected local governments, and other interested parties through a wide range of methods. As part of PRDOH's commitment to disseminate information across Puerto Rico, PRDOH will involve Municipalities, Government Agencies, Non-Profit and Non-Government Organizations as partners to distribute information to citizens, especially focus on low- and moderate-income citizens, living in slums and blighted areas, and in areas identified for recovery through CDBG-DR or mitigation through CDBG-MIT, as well as other disadvantaged populations. This includes, but is not limited to, sending direct communication to these

organizations via electronic mail, postal mail, or in person through stakeholder sessions for further transmittal to their constituents.

## 2 Applicability

As per 24 C.F.R. § 91.115 and alternative requirements published in the applicable Federal Register Notices, the Citizen Participation Plan must encourage citizen participation in the development of the Action Plans, any substantial amendments to the Action Plans, and performance reports. The Plan indicates opportunities for citizen participation and engagement in activities financed with funds from a CDBG-DR/MIT grant, administered by PRDOH, including activities carried out by local government in accordance with 24 C.F.R. § 91.115(e).

This Plan outlines areas for the participation of all citizens, including populations with disabilities or limited English proficiency (**LEP**). It conforms to the requirements of 83 FR 5844, 83 FR 40314, 84 FR 45838, 85 FR 4676, 85 FR 4681, 86 FR 569, 86 FR 32681, 87 FR 6364, and 87 FR 36869. Any additional special provisions established by regulations regarding citizen participation in relation to CDBG-DR/MIT grants will supersede what is outlined in this document.

## 3 Program Accessibility of Information for CDBG-DR/MIT

Information related to PRDOH's CDBG-DR/MIT grants, including Action Plans, Action Plan amendments, program policies and procedures, performance reports, citizen participation requirements, program information, and details of contracts and ongoing procurement policies, is publicly available in English and Spanish at <https://recuperacion.pr.gov/welcome/en/> and <https://recuperacion.pr.gov/welcome/>. Program information posted to the website will be accessible and available in both Spanish and English and will be made available in accessible formats, including those readable by screen readers. PRDOH will make information available in alternate formats, as needed and upon request, to ensure effective communication to persons with disabilities (24 C.F.R. § 8.6).

PRDOH may use a variety of communication methods to notify the public of information regarding the CDBG-DR/MIT programs. The methods listed below have been used by PRDOH prior to the disasters to communicate information across the Island. The use of these methods varies based on region and municipality. In addition to these outreach methods and an active online presence, PRDOH regularly provides CDBG-DR/MIT written outreach materials for all municipalities to use and communicate to their constituents.

These methods may include, but are not limited to:

- Print media, such as the newspaper;

- Social media;<sup>1</sup>
- Radio or television advertisements;
- Letters or emails to Municipalities, Government Agencies, Non-Profit and Non-Government Organizations;
- Notices posted to internet sites, including PRDOH's CDBG-DR/MIT webpage;
- Ads on billboards and bus stops;
- "Tumba coco" (a popular local method for communication which includes a vehicle with speakers used for promotion);
- Brochures and printed materials;
- Direct mail;
- Outbound call campaigns (live or automated);
- Email announcements;
- Community events or fairs;
- Webinars or web conferences;
- Web-based surveys;
- Focus groups or interviews;
- Community meetings;
- Press releases;
- Media events or interviews; and
- Other forms of communication accepted by HUD,

PRDOH will continue to coordinate outreach meetings with Municipalities, Government Agencies, Non-Profit and Community organizations, faith-based organizations, and other interested stakeholders to disseminate information related to PRDOH Action Plans, substantial Action Plan amendments, and CDBG-DR/MIT programs mentioned in the Action Plans.

### **3.1 Addressing Low- and Moderate-Income Citizens for CDBG-DR/MIT**

To promote access to information about the CDBG-DR/MIT programs among low-or-moderate-income citizens, PRDOH will organize special orientation events throughout the Island or use broad-based media campaigns. The use of direct communication with Municipalities, Government Agencies, Non-Profit and Non-Government Organizations is intended to increase residents' access to information about the CDBG-DR/MIT programs process. These partners' experience and firsthand knowledge of residents' particular needs allow PRDOH to enhance its reach by culturally addressing and engaging different types of population.

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<sup>1</sup> This may include the Department of Housing's Facebook page: <https://www.facebook.com/DeptVivienda/> or other methods.



Notwithstanding, the use of direct communication with these partners is supplemental to communication between PRDOH and residents. In addition to citizen involvement, PRDOH encourages the participation of regional and island-wide institutions.

Simultaneously, PRDOH will distribute informational material through its regional offices and public residential administrators. It will also strengthen the distribution of news information on the programs through regional media that operates in areas where CDBG-DR/MIT funds will be used. This is in accordance with the Plan's initiatives which aim to ensure equitable, community-based, accessible engagement efforts while strengthening access to information among low- or moderate-income citizens and members of minority or disabled groups.

#### 4 Methods for Citizen Participation for CDBG-DR/MIT

The following section describes methods which will be used for citizen participation in relation to the CDBG-DR/MIT programs. The methods described in this Plan are not intended to be exclusive of other methods of citizen participation allowed by HUD.



Figure 1

#### 4.1 Methods and Opportunities for Citizen Involvement for CDBG-DR/MIT

Methods and Opportunities for Citizen Involvement:

- Public Hearings;
- Communication via the PRDOH website;
- Information via the PRDOH website;
- Citizen Advisory Committee(s) (only applicable to CDBG-MIT);

- Participatory Engagement; and
- Other Methods for Citizen Participation.

Through these methods, citizens may receive information about the following:

- The amount of assistance available to impacted communities;
- The range of eligible activities to be undertaken;
- Performance reports;
- Action Plan, Action Plan Amendments, and comment periods;
- Program information, including how to request additional information;
- Upcoming Public Hearings, Webinars, or other stakeholder sessions;
- The Citizen Advisory Committee, including its Subcommittees (only applicable to CDBG-MIT);
- Information to request and receive technical assistance;
- How to comment on the Citizen Participation Plan; and
- How to file a complaint.

## **4.2 Communication via Internet for CDBG-DR/MIT**

Interested individuals are encouraged to comment at any time by sending an email to [infoCDBG@vivienda.pr.gov](mailto:infoCDBG@vivienda.pr.gov) for CDBG-DR inquiries and [CDBG-MIT@vivienda.pr.gov](mailto:CDBG-MIT@vivienda.pr.gov) for CDBG-MIT inquiries.

Additionally, citizens may comment by using the “Contact Us” tool included in PRDOH’s disaster recovery website.

This tool can be accessed directly through the link in English at <https://recuperacion.pr.gov/en/contact-us/contact/> or the link in Spanish at <https://recuperacion.pr.gov/contactanos/>.

### **4.2.1 CDBG-DR Information via the PRDOH Website**

Interested individuals are encouraged to visit the PRDOH website, which contains valuable information for the public to become informed and actively participate. The PRDOH landing page: <https://www.vivienda.pr.gov/> contains webpages dedicated to disaster recovery efforts.

Individuals can navigate to the CDBG-DR/MIT webpage from the PRDOH main website <https://www.vivienda.pr.gov/> by clicking on the “CDBG-DR-2017” tab.<sup>2</sup>

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<sup>2</sup> Graphics are subject to change and are included for illustrative purposes.



Figure 2

The CDBG-DR/MIT webpage is available in English and Spanish using the language bar at the top of the screen.

PRDOH's website provides information on how grant funds are used and administered, including links to Action Plans, Action Plans amendments, CDBG-DR/MIT Program policies and procedures, performance reports, citizen participation requirements, and program information for activities described in its Action Plans. Additionally, the website lists details of all contracts and ongoing procurement policies.

Public information and citizen participation requirements for CDBG-DR Electrical Systems Enhancements & Improvements are included in Spanish and English in a dedicated page within the PRDOH CDBG-DR/MIT Program website: <https://recuperacion.pr.gov/optimizacion-del-sistema-electrico/> (Spanish) and <https://recuperacion.pr.gov/en/electrical-system-enhancements/> (English). From this page, citizens and stakeholders in general, will be able to find more information, register for program-related notifications, and find a formal announcement for the CDBG-DR Electrical Systems Enhancements & Improvements Action Plan Substantial Amendments public comment period. Also, additional information on CDBG-DR Electrical Systems Enhancements & Improvements programs is available in the website.

Finally, public information and citizen participation requirements related to the Action Plan for the Use of CDBG-DR Funds in response to 2019-2020 Earthquakes and Tropical Storm Isaias are included in Spanish and English on the following page within the PRDOH CDBG-DR/MIT Program website: <https://resurge.pr.gov/> (Spanish) and <https://resurge.pr.gov/en/> (English).

#### 4.2.2 CDBG-MIT information via the PRDOH Website

The PRDOH landing page: <https://www.vivienda.pr.gov/> contains webpages dedicated to disaster recovery efforts. Individuals can navigate to the CDBG-DR/MIT webpage from the PRDOH main website by clicking on the “CDBG-DR-2017” tab. (See Figure 3)<sup>3</sup>



Figure 3

Once on the PRDOH CDBG-DR/MIT webpage, CDBG-MIT information can be found on a dedicated page within the website by clicking on the CDBG-MIT “View more” tab.<sup>4</sup>

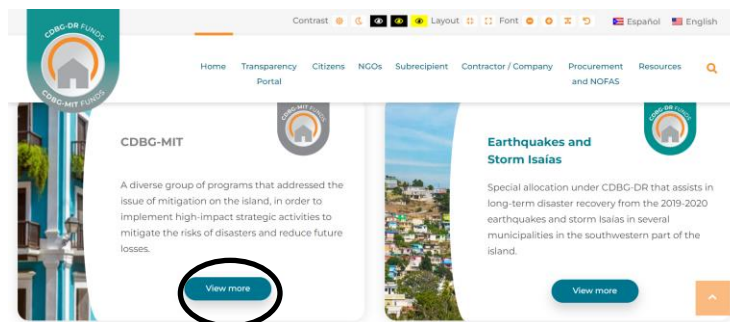


Figure 4

Public information and citizen participation requirements for CDBG-MIT are included in English and Spanish in a dedicated page within the PRDOH CDBG-DR/MIT Program website: <https://recuperacion.pr.gov/en/cdbg-mit/> (English) and <https://recuperacion.pr.gov/cdbg-mit/> (Spanish). On this page, entities and private citizen stakeholders can find more information and register for program-related

<sup>3</sup> Graphics are subject to change and are included for illustrative purposes.

<sup>4</sup> Graphics are subject to change and are included for illustrative purposes.

notifications. The CDBG-MIT Action Plan is available in English at <https://recuperacion.pr.gov/en/action-plans/action-plan-cdbg-mit/> and in Spanish at <https://recuperacion.pr.gov/planes-de-accion/plan-de-accion-cdbg-mit/>, where future CDBG-MIT Action Plans and substantial and non-substantial amendments will also reside.

### 4.3 Citizen Advisory Committee for CDBG-MIT

The Citizen Participation Plan recognizes the effort and work non-profit organizations, community organizations and components of the Third Sector have carried to promptly mobilize and inform a broad range of residents about opportunities for citizen participation.

After exploring various alternatives to enhance direct citizen participation and in compliance with 84 FR 45838, PRDOH created a Citizen Advisory Committee for CDBG-MIT Programs, which develops initiatives to ensure the active participation of citizens of areas vulnerable to disasters to promote a participatory and transparent process.

The Citizen Advisory Committee serves as a link between the CDBG-MIT Program and various sectors.

The Citizen Advisory Committee is set up as a voluntary, consultative, and advisory body of PRDOH, to which it is organizationally and functionally subordinate. The main functions of the Citizen Advisory Committee are to provide guidance and serve as a collaborator with, and to inform PRDOH of the needs, interests, and priorities of the individuals and sectors it represents during the development of the programs under CDBG-MIT. The Citizen Advisory Committee may be invited to participate in working groups related to the matters under discussion. The Citizen Advisory Committee promotes the objectives of programs related to vulnerable populations, and facilitates awareness of risk mitigation needs that should be a priority in the design and implementation of the plans outlined for the use of CDBG-MIT funds by the communities. The Committee members also support PRDOH through outreach efforts to those they represent by providing accurate information regarding CDBG-MIT programs, opportunities and benefits.

The Citizen Advisory Committee will comply with the requirements that govern the CDBG-MIT grant. HUD guidance at 84 FR 45838 provides that the Committee will meet at least **twice (2) per year** for the life of the grant, in an open forum to inform the public of the CDBG-MIT projects and programs and provide the public a platform from which to give feedback. This Committee shall meet in an open forum not less than **twice (2) annually** to provide increased transparency in the implementation of CDBG-MIT funds, to solicit and respond to public comment and input regarding the grantee's mitigation activities and to serve as an on-going public forum to continuously inform PRDOH's CDBG-MIT projects and programs. These meetings will provide the opportunity to solicit and respond to public comments on the mitigation activities.

The Citizen Advisory Committee Operational Guide for CDBG-MIT Program is available in English and Spanish on the PRDOH website at <https://recuperacion.pr.gov/en/download/citizen-advisory-committee-operational-guide/> and <https://recuperacion.pr.gov/download/guia-operativa-del-comite-de-asesoria-ciudadana/>.

#### **4.4 Participatory Engagement for CDBG-DR/MIT**

In addition to the methods above, PRDOH will, from time to time, convene other engagement sessions, roundtables, and presentations to associations and community organizations to promote information about CDBG-DR/MIT programs and gather input from outside participants. These sessions will occur at the discretion of PRDOH.

#### **4.5 Other Methods for Citizen Participation for CDBG-DR/MIT**

As part of the implementation of CDBG-DR/MIT programs, PRDOH will regularly interact with Municipalities, Non-Governmental Organizations, and the citizens of Puerto Rico. These methods may include but are not limited to:

- Web-based surveys;
- Coordination with municipalities, non-profit or community organizations, faith-based or other organizations;
- Focus groups or interviews; and
- Other in-person meetings, as requested by individuals or organizations.

#### **4.6 Performance Reports for CDBG-DR/MIT**

Within **three (3) days** of submission of the Quarterly Performance Report (**QPR**) to HUD, PRDOH will post the QPR on its website. Each QPR will include information about the uses of funds in activities identified in the Action Plans during the applicable quarter. This includes, but is not limited to project name, activity, national objective, location; funds budgeted obligated, drawn-down and expended; funding source, total amount of any non CDBG-DR/MIT funds to be expended on each activity; beginning and actual completion dates of completed activities; and achieved performance outcomes. The QPRs are available in English and Spanish on the PRDOH website at <https://recuperacion.pr.gov/en/transparency-portal/finance/reports/> and <https://recuperacion.pr.gov/portal-de-transparencia/finanzas/reportes/>.

#### **4.7 Participatory Engagement for CDBG-DR Electrical System Enhancements & Improvements**

Due to the nature of the activities and projects for the Electrical System Enhancements & Improvements Action Plan, participation and engagement of the community is needed to fully understand and address these communities' energy needs. PRDOH will continue to carry out participatory engagement strategies. Additionally, it will

collaborate with partners and implement the methods described herein. To promote information about the Electrical Systems Enhancements & Improvements programs and gather input to better address the communities need, PRDOH may convene other engagement sessions and roundtables; carry out presentations and/or public workshops; engage in focus groups and surveys, among other tools and techniques.<sup>5</sup> These strategies are not intended to be exclusive from other methods. The participatory engagement techniques described will occur at PRDOH's discretion and will be announced following procedures established in this Plan.

## 5 Comments and Suggestions on the Citizen Participation Plan

Citizen comments and suggestions are welcome on this Plan for the duration of CDBG-DR/MIT grants. Please contact PRDOH using the following methods:

- **Via telephone:** 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)  
Attention hours: Monday to Friday from 8:00am-5:00pm
- **Via email at:** [infoCDBG@vivienda.pr.gov](mailto:infoCDBG@vivienda.pr.gov) – for all CDBG-DR inquiries, or  
[CDBG-MIT@vivienda.pr.gov](mailto:CDBG-MIT@vivienda.pr.gov) – for all CDBG-MIT inquiries
- **Online at:** <https://recuperacion.pr.gov/en/contact-us/contact/> (English)  
<https://recuperacion.pr.gov/contactanos/contacto/> (Spanish version)
- **In writing at:** Puerto Rico CDBG-DR/MIT Program  
P.O. Box 21365  
San Juan, PR 00928-1365

## 6 Action Plan and Amendments for CDBG-DR/MIT

Action Plans bring together the strategies that will be used by PRDOH to promote the recovery from past disasters and mitigation of future disasters. Through the CDBG-DR, CDBG-DR Electrical Systems Enhancements & Improvements, CDBG-DR Earthquake and Tropical Storm Isaiás Allocation and CDBG-MIT Action Plans, the Government of Puerto Rico directs the implementation of these funds.

The PRDOH CDBG-DR Action Plan for hurricanes Irma & María and its amendments are located on the CDBG-DR/MIT website in English at: <https://recuperacion.pr.gov/en/action-plan/> and in Spanish at: <https://recuperacion.pr.gov/plan-de-accion/>.

The PRDOH CDBG-DR Action Plan Electrical Systems Enhancement & Improvements and its amendments are located on a dedicated page within the PRDOH CDBG-DR Program

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<sup>5</sup> More information regarding public engagement can be found at <https://www.hudexchange.info/programs/cdbg-dr/cpee-toolkit/introduction/> and <https://files.hudexchange.info/resources/documents/CPEE-Toolkit-Public-Engagement-Worksheet.pdf>.

website in English at: <https://recuperacion.pr.gov/en/action-plans/action-plan-electrical-system-enhancements/> and in Spanish at: <https://recuperacion.pr.gov/planes-de-accion/plan-de-accion-optimizacion-del-sistema-electrico/>.

The PRDOH CDBG-DR Action Plan for the Earthquakes and Tropical Storm Isaiás allocations and its amendments are located in English at: <https://recuperacion.pr.gov/en/action-plans/action-plan-earthquakes-and-storm-isaias/> and in Spanish at: <https://recuperacion.pr.gov/planes-de-accion/plan-de-accion-terremotos-y-tormenta-isaias/>.<sup>6</sup>

Finally, the PRDOH CDBG-MIT Action Plan and its amendments are located in English at <https://recuperacion.pr.gov/en/action-plans/action-plan-cdbg-mit/> and in Spanish at: <https://recuperacion.pr.gov/planes-de-accion/plan-de-accion-cdbg-mit/>.

## **6.1 Action Plan Public Hearing Requirements for CDBG-DR, CDBG-DR Electrical Systems Enhancement & Improvements, and CDBG-MIT**

### **6.1.1 Public Hearings for CDBG-DR**

Although 83 FR 40314 waived the requirement that public hearings must be held by grantees to disseminate information and collect citizen comments, PRDOH opted to host public hearings regarding development of the Action Plan in accordance with 83 FR 5844. If PRDOH determines to hold such hearings, they will be advertised as outlined above regarding public hearings. Public hearings will be conducted for Action Plans or substantial amendments for allocations over \$1 billion, or as required by Federal notices.

### **6.1.2 Public Hearings for CDBG-DR Electrical Power System Improvements**

According to HUD guidance at 86 FR 32681, grantees must hold at least **two (2) public hearings** on the proposed initial Action Plan. At least one **(1) of these public hearings** must occur prior to the publication of the Action Plan by the grantee on its website for public comment. The required public hearings may be virtual or in-person. Unless the grantee conducts a virtual hearing, all in-person hearings are to be convened at different locations that reflect geographic balance and ensure maximum accessibility. Virtual hearings must allow for questions in real time, with answers coming directly from the grantee's representatives to all attendees. For each virtual hearing, the grantee shall also provide reasonable notification and access for citizens, including those with disabilities, Limited English Proficient (**LEP**) individuals, Limited Spanish Proficient (**LSP**) individuals and deaf/hard of hearing, timely responses to all citizen questions and issues, and public access to all questions and responses. PRDOH will consider all comments, received orally or in writing, on the Action Plan or any substantial amendment. The initial public comment

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<sup>6</sup> An Action Plan for Administrative Costs related to CDBG-DR Earthquake and Tropical Storm Isaiás funding allocations is available through the same address.



period for the CDBG-DR Electrical Power System Improvements Action Plan was open for **forty-five (45) calendar days**. No public hearings are required for a substantial amendment to the CDBG-DR Electrical Systems Enhancements & Improvements Action Plan.

### 6.1.3 Public Hearings for CDBG-MIT

HUD guidance at 83 FR 45838 prescribes for CDBG-MIT grantees the number of public hearings that must be convened, based upon the amount of the grantee's allocation. PRDOH adheres to the guidelines for allocations of \$1 billion or more requiring at least **four (4) public hearings** in the HUD-identified most impacted and distressed area with at least **two (2) of these public hearings** occurring prior to the publication of the Action Plan for public comment. Since all of Puerto Rico has been designated by HUD as most impacted and distressed, PRDOH will select locations within each of the four (4) housing regions<sup>7</sup> utilized for the CDBG-DR Program to hold public hearing, public health conditions permitting (see Location of Public Hearings section below). The CDBG-MIT Action Plan public comment period was open for **sixty (60) calendar days**. No public hearings are required for a substantial amendment.

### 6.1.4 Location of Public Hearing Events for CDBG-DR/MIT

Public Hearings will be held in locations which are accessible to persons with disabilities<sup>8</sup> and, to the extent feasible, at times that are outside of standard business hours. Interpretation services for English and Spanish and sign language will be made available at Public Hearings. Other reasonable accommodations to assist individuals with disabilities will be made available at Public Hearings upon request. Requests for reasonable accommodations may be made using the communications methods outlined in the Individuals with Disabilities section below. When feasible, PRDOH will record public hearings, making them available for live viewing, and create archival footage of public meetings that will be placed on the PRDOH website.

Due to the COVID-19 health concerns, in early 2020 HUD provided guidance regarding alternative allowable measures related to public hearing requirements. In accordance with that guidance, and in lieu of the ability to conduct in-person events, if PRDOH chooses to conduct a public hearing, PRDOH will use mechanisms such as social media platforms and/or radio broadcasts to conduct public hearings. Residents will have the option of submitting comments during the public hearings through one or more of the following means, including the CDBG-DR/MIT website, webinar chat functions, radio call-ins, comments on social media and through the call center (1-833-234-CDBG or 1-833

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<sup>7</sup> For details about the regions and locations utilized to hold public hearings in the CDBG-DR Program, please refer to the CDBG-DR Action Plan. However, these regions could change according to the needs of CDBG-MIT.

<sup>8</sup> Grantees must give priority to alternative methods of product or information delivery that offers programs and activities to qualified individuals with disabilities in the most integrated setting appropriate under HUD's implementing regulations for Section 504 of the Rehabilitation Act, 29 U.S.C. § 794. (See 24 C.F.R. Part 8, Subpart C).

234-2324, TTY: 787-522-5950). Recordings of these events would be made available on the PRDOH website and/or social media within **five to ten (5-10) business days** of the event.

## 6.2 Action Plan Amendments for CDBG-DR/MIT

Any amendments to the Action Plans will be made in accordance with HUD requirements. Non-substantial amendments addressing minor administrative changes will be presented to HUD at least **five (5) business days** prior to being incorporated into the corresponding comprehensive Action Plan. Substantial amendments will be publicly posted at <https://recuperacion.pr.gov/welcome/en/index.html> (English) and <https://recuperacion.pr.gov/welcome/index.html> (Spanish) for no less than **thirty (30) calendar days** for CDBG-DR, CDBG-DR Electrical Systems Enhancements & Improvements, CDBG-DR Earthquake and Tropical Storm Isaiás Allocation, and CDBG-MIT Action Plans, to allow public input before finalizing and incorporating into the respective comprehensive Action Plan.

PRDOH will prominently post notice of amendments to the <https://recuperacion.pr.gov/> (English) and <https://recuperacion.pr.gov/welcome/> (Spanish) website. This may include the use of website pop-up banners, social media postings, and other methods for announcing and performing outreach to afford citizens, affected local governments, and other interested parties a reasonable opportunity to examine the plan or amendment's contents.

Changes made via substantial amendments to an Action Plan will be highlighted or otherwise identified within the context of the entire Action Plan. As required by 83 FR 40314, 84 FR 45838, 86 FR 569, 86 FR 32681, and 87 FR 6364 every substantial amendment will include the following:

- A section that identifies what content is being added, deleted or changed;
- Chart or table that clearly illustrates where funds are coming from and where they are moving to; and
- Revised budget allocation table that reflects all funds.

A substantial amendment is defined as an amendment that contemplates one (1) or more of the following:

- The addition of a covered project (applicable to CDBG-MIT only);
- Change in a program benefit or eligibility criteria;
- Addition or deletion of an activity;
- Addition or deletion of a component of the electrical power system improvements (applicable to CDBG-DR Electrical Systems Enhancements & Improvements only); and
- Allocation or reallocation of more than ten percent (10%) of grant funds.

The most current version of an approved Action Plan, including any substantial amendments, will be posted as a single document. Posting an Action Plan and any amendments as a single document allows the public to view the Action Plan as a whole, rather than the public having to view and cross-reference changes among multiple amendments.

### 6.2.1 CDBG-DR Allocation for Earthquakes and Tropical Storm Isaías

Notice 86 FR 569, which announced the first allocation of earthquake-related funds, exempted recipients from holding public hearings at the Action Plan planning stage. However, it required publication of the Action Plan for at least **thirty (30) calendar days** for public comment, which was satisfied by PRDOH.

Subsequently, under notice 87 FR 6364, HUD made a new allocation for Puerto Rico related to the earthquakes and included recovery funds to address the damage caused by Tropical Storm Isaías. Although HUD initially required, in notice 87 FR 6364, the publication of a separate Action Plan for these new allocations, it later amended this requirement through Federal Register Vol. 87, No. 118 (June 21, 2022), 87 FR 36869.

Notice 87 FR 36869, 36875, allows Puerto Rico to amend the CDBG-DR Action Plan (Earthquake Allocation), approved by HUD on September 23, 2021, to incorporate the new allocation of funds for earthquakes and Tropical Storm Isaías. HUD also required PRDOH to submit the document to a **thirty (30) calendar days** public comment period and 87 FR 6364 to convene at least one public hearing on the proposed Action Plan. PRDOH must also address each comment and publish them in a document that must also be submitted to HUD along with the Action Plan.

For this particular allocation, HUD allowed grantees to access administrative costs before submitting the required grant certifications. Therefore, following guidance provided by HUD, PRDOH published the Action Plan for Administrative Costs (Allocation for Earthquakes and Tropical Storm Isaías) on June 21, 2022. In addition, as required by 87 FR 6364, **seven (7) calendar days** were provided for public comments.

## 6.3 Action Plan Amendments for CDBG-DR Electrical Systems Enhancements & Improvements

Notice 86 FR 32681 established requirements for necessary expenses of electrical power system enhancements and improvements. It also requires grantees to account for the proposed expenditures for each of the components of the electrical power system. These components include the following items: “interconnected or autonomous set of transmission lines, distribution lines, substations, central power generation stations, other sources of power, distributed energy resources, or enabling technologies and services,

such as industry standard billing, accounting information technology, cybersecurity enhancements, microgrids and fuel transfer delivery systems, that are necessary for the provision of reliable, resilient, stable, and cost effective electrical service [...]”.<sup>9</sup>

PRDOH arranged the components into the following functional groupings:

1. Transmission & Distribution
2. Substations
3. Central Power Generation
4. Other sources of power, distributed energy, microgrids
5. Enabling Technology

The components were grouped as such to allow them to align with each program of the Action Plan. For example, a microgrid project may include localized improvements to transmission and distribution assets, which would be considered ancillary to the microgrid improvement.

Because activities under the Electrical Systems Enhancements & Improvements Action Plan will always address the electrical power system improvements, the regular CDBG-DR Action Plan amendment process for changes in budget between eligible activities is not viable. In addition, scopes in budget for the components and/or between components may vary from what is projected. Accordingly, PRDOH established an adaptable threshold between components.<sup>10</sup>

The Electrical Systems Enhancements & Improvements Action Plan has two (2) programs: Energy Grid Rehabilitation and Reconstruction (**ER1**) Cost Share Program and the Electrical Power Reliability and Resilience Program (**ER2**). Both programs contain budget distribution by functional component, as shown in Table 3. Amendments to the Action Plan will depend on the percent of budget reallocated or changed between components.

**Table 3** contains the projected budget by each functional grouping as established in the Action Plan:

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<sup>9</sup> See, 86 FR 32681, 32692.

<sup>10</sup> As stated in the Electrical Systems Enhancements & Improvements Action Plan “PRDOH has established a fungibility threshold between components, since budgeting at the component level for FEMA cost-share is currently unfeasible due to the scopes of work will be developed over time, not simultaneously, and scopes may have minor fluctuations in budget.

<b>Functional Grouping or Components</b>	<b>% of ER1 Program Budget \$500,000,000</b>	<b>ER1 Program Budget</b>	<b>% of ER2 Program Budget \$1,316,406,180</b>	<b>ER2 Program Budget</b>
1. Transmission & Distributions	70%	\$350MM	N/A	N/A
2. Substations	9.7%	\$48.5MM	N/A	N/A
3. Central Power Generation	11.3%	\$56.5MM	10%	\$131,640,618
4. Other Sources of Power; Distributed Energy; Microgrids	N/A	N/A	80%	\$1,053,124,994
5. Enabling Technology	9%	\$45MM	10%	\$131,640,618

Amendments to the Action Plan require a significant amount of time and resources. This process can be an administrative burden that hinders the celerity of the recovery process and project implementation. To address this, PRDOH's Action Plan establishes a fungibility threshold which allows for a flexible reallocation of budgets. As such, no amendment to the Action Plan will be required for the reallocation of budgets between components of 10% or less of the budget for each component. Any reallocations between components greater than 10% will trigger a non-substantial amendment.

PRDOH will use a "best-fit" approach for energy projects selection. PRDOH will work with other agencies and entities who provide funds to align the projects with the funding stream where they are best suited. The funding strategy, as stated in the Action Plan, is to primarily align federal assistance funding, to the greatest extent possible, through complementary programs. The "best fit" approach helps maximize the allocated assistance and overcome funding obstacles. Proposed projects may need to be aligned with appropriate program based on eligibility criteria, target area, among other program requirements. The different programs under the CDBG-DR/MIT portfolio are designed to tend these needs at different scales.

Detailed information about project selection and eligibility criteria is found in the Energy Systems Enhancements & Improvements Action Plan.

## 6.4 Access to Action Plan or Substantial Amendments for CDBG-DR/MIT

Citizens who cannot access the Action Plan or proposed substantial amendments through the website may request assistance from PRDOH:

- **Via telephone:** 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)  
Attention hours: Monday to Friday from 8:00a.m.-5:00p.m.
- **Via email at:** [infoCDBG@vivienda.pr.gov](mailto:infoCDBG@vivienda.pr.gov) – for all CDBG-DR inquiries, or  
[CDBG-MIT@vivienda.pr.gov](mailto:CDBG-MIT@vivienda.pr.gov) – for all CDBG-MIT inquiries
- **Online at:** <https://recuperacion.pr.gov/en/contact-us/contact/> (English)  
<https://recuperacion.pr.gov/contactanos/contacto/> (Spanish)
- **In writing at:** Puerto Rico CDBG-DR/MIT Program  
P.O. Box 21365  
San Juan, PR 00928-1365

## 7 Individuals with Disabilities

Individuals who have a disability, a record of having a disability, or are regarded as having a disability have the right to request a reasonable accommodation<sup>11</sup> that will help serve the individuals' needs and allow them to participate and have access to any CDBG-DR/MIT related activity or program. PRDOH employees and any subrecipient or contractor staff working on behalf of a PRDOH CDBG-DR/MIT Programs are required to accept and handle any reasonable accommodation request. All-reasonable efforts must be made to ensure that any disability related needs of requesting individuals are met to the maximum extent feasible, thus allowing them to participate in and have access to any public hearings and program participation.

Additionally, PRDOH will ensure that program materials and meetings provide for ready access and meaningful participation by persons with disabilities through the use of assistive technology or auxiliary aids as necessary. The Action Plans and other materials on the PRDOH website are provided in accessible formats, including those readable by screen readers to provide accessibility to the visually impaired. To request reasonable accommodation or additional assistance, you may do so through any of the following means:

- **Via telephone:** 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)  
Attention hours: Monday to Friday from 8:00a.m.-5:00p.m.
- **Via email at:** [infoCDBG@vivienda.pr.gov](mailto:infoCDBG@vivienda.pr.gov) – for all CDBG-DR inquiries, or

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<sup>11</sup> A change, exception, or adjustment to a rule, policy, practice, or service that may be necessary to avoid discrimination on the basis of disability and afford a person with disabilities an equal opportunity to use and enjoy a dwelling, public and common use spaces, or to participate in any government-assisted program or activity.

[CDBG-MIT@vivienda.pr.gov](mailto:CDBG-MIT@vivienda.pr.gov) – for all CDBG-MIT inquiries

- **Online at:** <https://recuperacion.pr.gov/en/contact-us/contact/> (English)  
<https://recuperacion.pr.gov/contactanos/contacto/> (Spanish)
- **In writing at:** Puerto Rico CDBG-DR/MIT Program  
P.O. Box 21365  
San Juan, PR 00928-1365

## 8 Language Access

In an effort to make all resources available to the public in order to fully enjoy the benefits of the CDBG-DR/MIT programs, PRDOH has implemented policies and procedures to facilitate communication between the agency and the public.<sup>12</sup> Given that the language predominately spoken in Puerto Rico is Spanish, CDBG-DR/MIT policies must ensure that Limited English Proficiency (**LEP**) individuals have meaningful access to programs, translation services, and activities by providing free language assistance services such as translation of vital document and having oral interpretive services where appropriate.<sup>13</sup> Puerto Rico also has a small population that is considered Limited Spanish Proficient (**LSP**), thus requiring that all CDBG-DR/MIT program materials, including plans and guidelines be available in English and Spanish.

For access to program materials in languages other than English or Spanish, citizens may call 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950) or send a request to [infoCDBG@vivienda.pr.gov](mailto:infoCDBG@vivienda.pr.gov) or [CDBG-MIT@vivienda.pr.gov](mailto:CDBG-MIT@vivienda.pr.gov). Materials will also be disseminated among program partners, including Municipalities, Government Agencies, Non-Profit and Non-Government Organizations to ensure that these materials are accessible locally.

## 9 Public Comment on CDBG-DR and CDBG-MIT Program Action Plans

Initial Action Plans are posted to the PRDOH program website <https://recuperacion.pr.gov/welcome/en/index.html> (English) <https://recuperacion.pr.gov/welcome/index.html> (Spanish) to allow an opportunity for public comment for no less than **thirty (30) calendar days** for CDBG-DR (including CDBG-DR Earthquakes and Tropical Storm Isaías), as required by 83 FR 40314 and 86 FR 569, and **forty-five (45) calendar days** for CDBG-MIT and CDBG-DR Electrical Systems Enhancements & Improvements, as required by 84 FR 45838 and 86 FR 32681. For the Action Plan for Program Administrative Costs (Earthquakes and Tropical Storm Isaías), HUD required, through notice 87 FR 6364, **seven (7) calendar days** for public comments. The posting is also communicated via e-mail and/or postal mail to non-profit organizations

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<sup>12</sup> Refer to Language Access Plan for all CDBG-DR/MIT Programs at <https://recuperacion.pr.gov/en/download/plan-de-acceso-al-idioma/> (English) and <https://recuperacion.pr.gov/download/plan-de-acceso-al-idioma/> (Spanish).

<sup>13</sup> Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

who work with vulnerable populations, municipalities, elected officials and others, and is announced through the PRDOH social media site on Facebook.

PRDOH will consider comments on the initial Action Plans or substantial amendments received in writing, via email, verbally via the Call Center or expressed in-person or at official public hearing events.

Additionally, in an effort to permit public examination and accountability, PRDOH will make publicly available the formal comments received regarding the initial Action Plans or substantial amendments, as well as PRDOH's responses to those comments, in English at: <https://recuperacion.pr.gov/en/action-plan/> or in Spanish at: <https://recuperacion.pr.gov/plan-de-accion/>.

By pressing the "CLICK HERE TO SUBMIT COMMENTS" button in English or Spanish during the comment period as indicated in the sample screenshot below, citizens will be directed to the URL containing the comment form. The comment form provides the public with a space to freely write their observations for the Action Plan and provide their name and email. A sample screenshot of the comment form is included below.

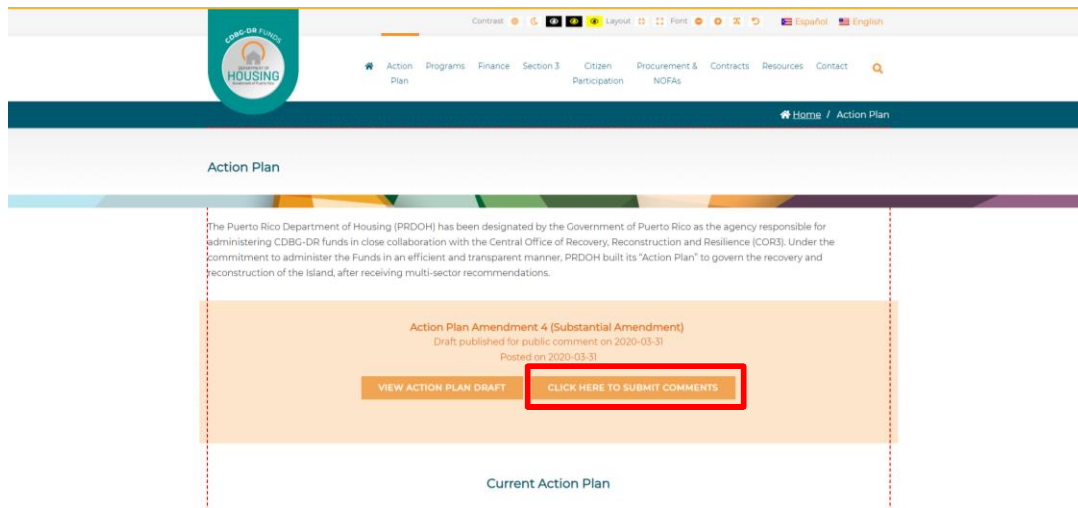


Figure 5



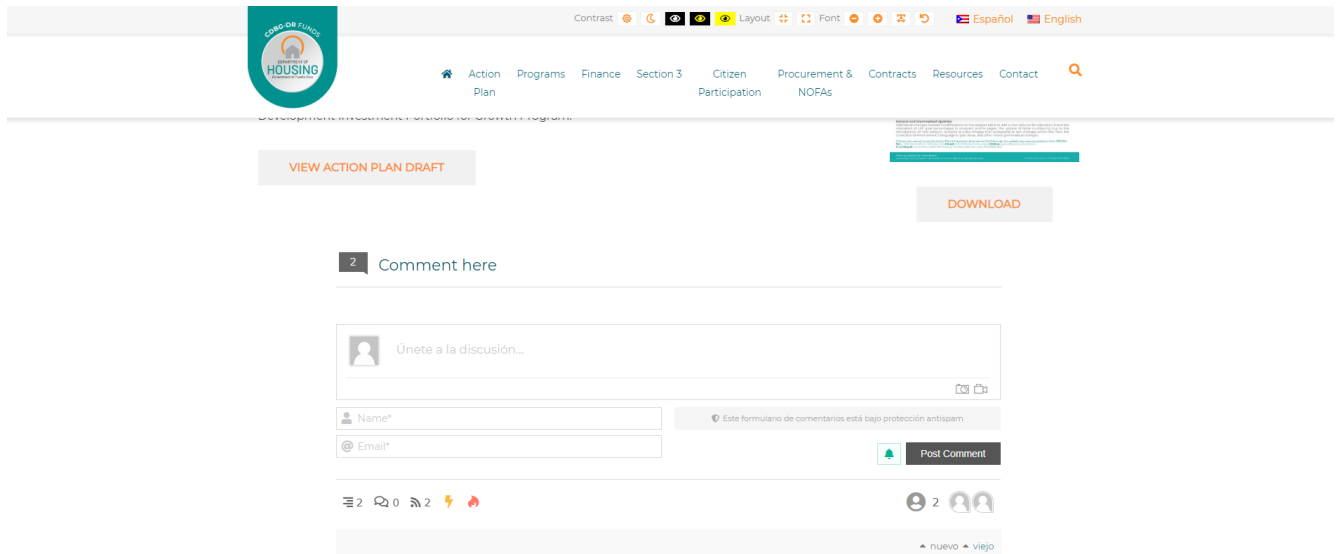


Figure 6

PRDOH's responses to comments regarding Action Plans or substantial amendments are also posted to the website within each previous Action Plan.

## 10 Citizen Complaints

As part of addressing Puerto Rico's long-term recovery needs, citizen complaints on any issues related to the general administration of CDBG-DR/MIT funds are welcome throughout the duration of the grants. It is PRDOH's responsibility, as grantee, to ensure that all complaints are dealt with promptly and consistently and at a minimum, to provide a timely, substantive written response to every **written** complaint within **fifteen (15) business days**, where practicable, as a CDBG grant recipient. See 24 C.F.R. § 91.115(h) and 24 C.F.R. § 570.486(a)(7).

Citizens who wish to submit formal complaints related to CDBG-DR/MIT funded activities may do so through any of the following means:

- **Via email at:** [LegalCDBG@vivienda.pr.gov](mailto:LegalCDBG@vivienda.pr.gov)
- **Online at:** <https://recuperacion.pr.gov/en/contact-us/complaints/> (English)  
<https://recuperacion.pr.gov/contactanos/quejas/> (Spanish)
- **In writing at:** Puerto Rico CDBG-DR/MIT Program  
Attn: CDBG-DR/MIT Legal Division - Complaints  
P.O. Box 21365  
San Juan, PR 00928-1365

Although formal complaints are required to be submitted in writing, complaints may also be received verbally and by other means necessary, as applicable, when PRDOH determines that the citizen's particular circumstances do not allow the complainant to

submit a written complaint. However, in these instances, PRDOH shall convert these complaints into written form. These alternate methods include, but are not limited to:

- **Via telephone\*:** 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)
- **In-person at\*:** PRDOH Headquarters Office or Program-Specific Intake Centers

\*Attention hours: Monday – Friday from 8:00 a.m. to 5:00 p.m.

The Citizen Complaints Policy and all CDBG-DR/MIT Program policies are available in English and Spanish on the PRDOH website at <https://recuperacion.pr.gov/en/resources/policies/general-policies/> and <https://recuperacion.pr.gov/recursos/politicas/politicas-generales/>.

## 11 Anti-Fraud, Waste, Abuse or Mismanagement

PRDOH, as grantee, is committed to the responsible management of CDBG-DR/MIT funds by being a good advocate of the resources while maintaining a comprehensive policy for preventing, detecting, reporting, and rectifying fraud, waste, abuse, or mismanagement.

Pursuant to 83 FR 5844, 83 FR 40314, 84 FR 45838, 86 FR 32681 and 87 FR 6364, PRDOH implements adequate measures to detect and prevent fraud, waste, abuse, or mismanagement in all programs administered with CDBG-DR/MIT funds, as well as encouraging any individual who is aware or suspects any kind of conduct or activity that may be considered an act of fraud, waste, abuse, or mismanagement, regarding the CDBG-DR/MIT Programs, to report such acts to the CDBG-DR/MIT Internal Audit Office, directly to the Office of Inspector General (**OIG**) at HUD, or any local or federal law enforcement agency.

The Anti-Fraud, Waste, Abuse, or Mismanagement Policy (**AFWAM Policy**) is established to prevent, detect, and report any acts, or suspected acts, of fraud, waste, abuse, or mismanagement of CDBG-DR/MIT funds. This Policy applies to any allegations or irregularities, either known or suspected, that could be considered acts of fraud, waste, abuse, or mismanagement, involving any citizen, previous, current or potential applicant, beneficiary, consultant, contractor, employee, partner, provider, subrecipient, supplier, and/or vendor under the CDGB-DR/MIT Programs.

<b>REPORT FRAUD, WASTE, ABUSE, OR MISMANAGEMENT DIRECTLY TO CDBG-DR/MIT INTERNAL AUDIT OFFICE</b>	
CDBG-DR/MIT Hotline	787-274-2135 (English/Spanish/TTY)
Postal Mail	Puerto Rico Department of Housing

	CDBG-DR/MIT Internal Audit Office P.O. BOX 21355 San Juan, PR 00928-1355
Email	<a href="mailto:hotlineCDBG@vivienda.pr.gov">hotlineCDBG@vivienda.pr.gov</a>
Online	Filling out the <b>AFWAM Submission Form</b> available in English and Spanish at <a href="https://recuperacion.pr.gov/app/cdbgdrpublic/Fraud">https://recuperacion.pr.gov/app/cdbgdrpublic/Fraud</a> or <a href="https://recuperacion.pr.gov/app/cdbgdrpublic/Fraud?culture=es-ES">https://recuperacion.pr.gov/app/cdbgdrpublic/Fraud?culture=es-ES</a> .
In person	Request a meeting with the Deputy Audit Director of the CDBG-DR/MIT Internal Audit Office located at PRDOH's Headquarters at 606 Barbosa Avenue, Building Juan C. Cordero Davila, Río Piedras, PR 00918.

<b>REPORT FRAUD, WASTE, ABUSE, OR MISMANAGEMENT DIRECTLY TO HUD OIG</b>	
HUD OIG Hotline	1-800-347-3735 (Toll-Free) 787-766-5868 (Spanish)
Postal Mail	HUD Office of Inspector General (OIG) Hotline 451 7th Street SW Washington, D.C. 20410
Email	<a href="mailto:HOTLINE@hudoig.gov">HOTLINE@hudoig.gov</a>
Online	<a href="https://www.hudoig.gov/hotline">https://www.hudoig.gov/hotline</a>

The AFWAM Policy and all CDBG-DR/MIT Program policies are available in English and Spanish on the PRDOH website at <https://recuperacion.pr.gov/en/resources/policies/> and <https://recuperacion.pr.gov/recursos/politicas/>.

**End of Plan.**