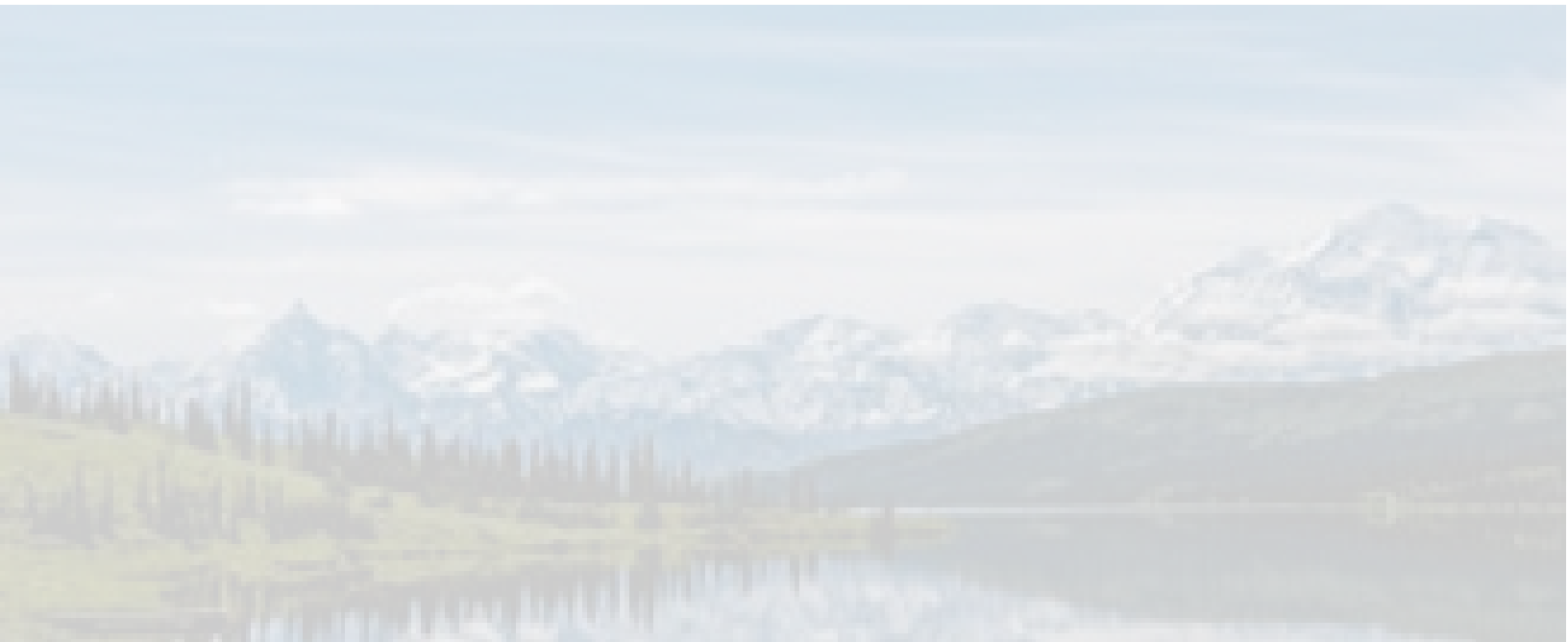




# **THE STATE OF ALASKA CDBG-MITIGATION CITIZEN PARTICIPATION PLAN**

2018 Cook Inlet Earthquake

(Point MacKenzie Earthquake)





## Version History

Version	Date	Notes
1.0	10/XX/2022	Publication of Version 1.0 of The State of Alaska CDBG-Mitigation Citizen Participation Plan



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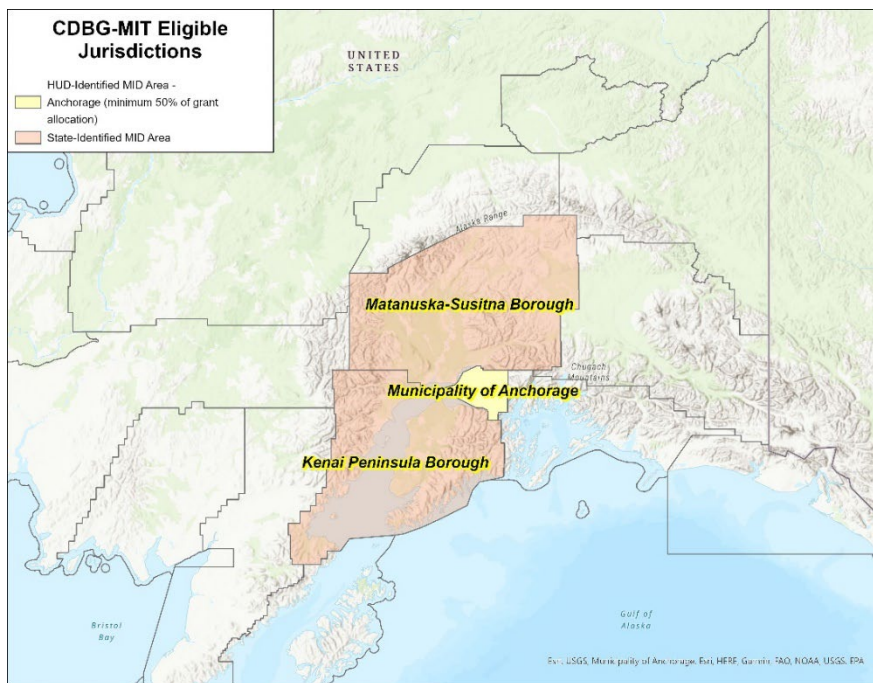


# 1. State of Alaska Citizen Participation Plan for Community Development Block Grant Mitigation (CDBG-MIT) Programs

## 1.1 Purpose

The State of Alaska Department of Commerce, Community and Economic Development (DCCED) has adopted a Citizen Participation Plan (CPP) that sets forth the State’s procedures for citizen participation in the development and implementation of the U.S. Department of Housing and Urban Development (HUD) CDBG-MIT activities and programs. The overall purpose of the CPP is to provide for and encourage citizens to participate in an advisory role in the planning, implementing, and assessing of Alaska’s CDBG-MIT funded programs. The CPP has been developed to comply with the requirements outlined in 24 CFR Part 91.115 (Citizen Participation Plan for States) and the HUD requirements for allocating funds for mitigation contained within the Federal Register Notice issued on 1/6/2021 (86 FR 561).

## 1.2 HUD Identified Most Impacted and Distressed (MID) Areas from 2018 Disaster (DR-4413)



**HUD MID AREAS**

Municipality of Anchorage

**STATE MID AREAS**

Matanuska-Susitna Borough

Kenai Peninsula Borough



## 1.3 Stakeholder Consultation During Plan Development

To ensure consistency of the Action Plan with applicable regional redevelopment plans and other recovery initiatives, DCCED will consult with the following stakeholders:

- Indian tribes
- Local governments
- Federal partners
- Nongovernmental organizations
- Private sector
- Other affected parties in the surrounding geographic area
- Organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster
- Relevant government agencies including the State and local emergency management agencies that have primary responsibility for the administration of FEMA funds

## 1.4 CDBG-MIT Action Plans – Public Notice and Comment Periods

The State of Alaska is the recipient of HUD CDBG-MIT funds allocated in response to the federally declared earthquake disaster in 2018. Citizen participation requirements for the CDBG-MIT Action Plan are in the Federal Register Notice issued 1/6/2021 (86 FR 561). The Federal Register Notice waives regular citizen participation requirements and states requirements for notifying the public regarding use of the disaster CDBG-MIT funds and provides an alternative streamlined process.

## 1.5 CDBG-MIT Citizen Participation Waiver (86 FR 561, 01/06/2021)

This section outlines the citizen participation waiver and alternative requirement. To permit a more streamlined process and ensure mitigation grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, and 24 CFR 91.115(b) and (c), with respect to citizen participation requirements, are waived and replaced by the requirements below. The streamlined requirements require the State to include public hearings on the proposed action plan and provide a reasonable opportunity (at



least 45 days) for citizen comment and ongoing citizen access to information about the use of grant funds. The streamlined citizen participation requirements for a grant under this notice are:

- The State must publish the action plan and provide an opportunity for public comment and substantial amendment criteria. Before the State adopts the action plan for this grant or any substantial amendment to the action plan, the State will publish the proposed plan or amendment.
- The manner of publication must include prominent posting on the State's official website and must afford citizens, affected agencies, and other interested parties a reasonable opportunity to examine the plan or amendment's contents.
- The topic of mitigation should be navigable by citizens from the State's (or relevant agency's) homepage.
- The State will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations.
- Plan publication efforts must meet the effective communications requirements of 24 CFR 8.6 and other fair housing and civil rights requirements, such as the effective communication requirements under the Americans with Disabilities Act.



## 2. CDBG-MIT Action Plan

### 2.1 Background

DCCED will post the draft initial CDBG-MIT action plan or any substantial amendment for **at least 45 days of public comment on the CDBG-MIT website** [www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx](http://www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx).

Additionally, DCCED will convene at least two public hearings (including in person and/or virtual hearings) on the draft CDBG-MIT action plan after being posted on its website for public comment and prior to submission to HUD. Notice of all hearings will be posted a minimum of 10 business days prior to public hearings.

DCCED makes every effort to publish the draft CDBG-MIT action plan in a manner that affords citizens, units of general local governments, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. The plan will remain available on DCCED's [website](#).

To notify the public of the plan's availability, public notification is provided through the following methods:

- Direct email notice to individuals who had signed up for updates on CDBG-MIT plan development.
- Email notices to local and tribal governments and nonprofit/community-based organizations that have been active in supporting survivors in mitigation, e.g., Long Term Recovery Groups, AARP, disability service advocates, and culturally-specific organizations.
- Press release to all major news outlets state-wide.
- Announcements on agency-managed social media accounts.
- Formal notice and public announcement on DCCED's [website](#).

The public announcement explains that interested parties are given a reasonable opportunity to examine the contents of the plans and submit comments, as DCCED will also provide a copy of the plans to interested parties upon request.

DCCED considers any comments or views of citizens and units of general local government received in writing or orally in preparing the final CDBG-MIT action plan. DCCED will address the substance of any comments rather than only acknowledging receipt. A summary of these comments and the State's response, including those not accepted and reasons, will be attached to the final CDBG-MIT action plan and uploaded in the Disaster Recovery Grant Reporting system.



## 2.2 Website

To notify the public of the CDBG-MIT Plan's availability, DCCED will post the CDBG-MIT action plan and substantial amendments on the CDBG-MIT website [www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx](http://www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx), which is linked to the State's main website [www.alaska.gov](http://www.alaska.gov).

To ensure the public knows how all funds are used and administered, DCCED will also post all performance reports, citizen participation plan, procurement policies, contracts that will be paid with CDBG-MIT funds, and a description of goods or services currently being procured on the CDBG-MIT website. For further information regarding the website content see Appendix A – Website Policy and Procedures.

## 2.3 Public Hearings

Per the Federal Register's approach for CDBG-MIT, at least one public hearing is required during the 45-day comment period. The process below will be followed for a public hearing regarding use of the CDBG-MIT funds or a substantial amendment.

All public hearings will be held at a time and accessible location convenient to potential and actual beneficiaries, and with accommodations for persons with disabilities or limited English proficiency (LEP). Both in-person and webinar hosted hearings will be promoted for at least 10 business days prior to the hearing.

Additionally, public hearing notification is provided via:

- Direct email notice to individuals who had signed up for updates on CDBG-MIT plan development.
- Email notices to local and tribal governments and non-profit/community-based organizations that have been active in supporting survivors in mitigation, e.g., Long Term Recovery Groups & AARP, disability service advocates, and culturally-specific organizations.
- Press release to all major news outlets state-wide.
- Announcements on agency-managed social media accounts.
- Formal notice and public announcement on DCCED's [website](#).





## 2.4 Time Period for Comments

DCCED provides at least 45 days for public comment from citizens and units of local government on the CDBG-MIT action plan. Written public comments may be made to DCCED by emailing [ced.cra.cdbgmit@alaska.gov](mailto:ced.cra.cdbgmit@alaska.gov) or by mail to **DCCED, 550 West 7th Ave., Ste 1650, Anchorage, AK 99501.**

The CDBG-MIT action plan will be available on the DCCED CDBG-MIT website [www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx](http://www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx) and the State's main website [www.alaska.gov](http://www.alaska.gov) from **October 31, 2022 to December 15, 2022.**

## 2.5 Consideration of Comments

DCCED considers any comments or views of citizens and units of local government received either in writing or orally when preparing the final CDBG-MIT action plan. DCCED will address the substance of any comments rather than acknowledging receipt. A summary of those comments and the State's response will be attached to the final action plan or substantial amendment and uploaded in DRGR.

## 2.6 Substantial Amendment

Substantial amendments to the CDBG-MIT action plan will require at least 30 days of public notice. The public notice will be made in the same manner as prescribed in this document. An amendment shall be considered substantial (requiring public notification and comment period) if the following events:

- A change in program benefit or eligibility criteria
- The addition or deletion of an activity
- A proposed reduction in the overall benefit requirement
- The allocation or reallocation which constitutes a change of 15 percent or greater of a program budget

Those amendments which meet the definition of a Substantial Amendment are subject to public notification and public comment procedures. Citizens and units of local government will be provided with reasonable notice and an opportunity to comment on proposed Substantial Amendments to the Action Plan. A notice and copy of the proposed Substantial Amendment will be posted on the Alaska's DCCED official website. Copies will be provided upon request at DCCED, if otherwise not accessible for review by any residents. Citizens will be provided with no less than



thirty (30) days to review and comment on the proposed Substantial Amendment. Written comments may be submitted to the Department of Commerce, Community and Economic Development, Division of Community Affairs via email at [atced.cra.cdbgmit@alaska.gov](mailto:atced.cra.cdbgmit@alaska.gov) or to **DCCED, 550 West 7th Ave., Ste 1650, Anchorage, AK 99501.**

A summary of all comments received will be included in the Substantial Amendment that is submitted to HUD for approval and posted to the DCCED official website.

Non-substantial Amendments are amendments that do not meet the threshold for a substantial amendment and do not require a public comment period. Non-substantial amendments to Action Plan will be posted on the DCCED official website after notification is sent to HUD and the amendment becomes effective. Every Amendment to the Action Plan (substantial and non-substantial) will be numbered sequentially and posted on the website.

## 2.7 Performance Reports

The State must submit a Quarterly Performance Report (QPR) through HUD's Disaster Recovery Grant Reporting (DRGR) system no later than thirty (30) days following the end of each calendar quarter. QPRs will be posted on the Department of Community Affairs' official website for public review within three (3) days of submission to HUD. The State's first QPR is due after the first full calendar quarter after the grant award. QPR's will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported.

Each QPR will include information about the uses of funds in activities identified in the Action Plan as entered in the DRGR reporting system. This includes, but is not limited to: project name, activity, location, and national objective; funds budgeted, obligated, drawn down, and expended; the funding source and total amount of any non-CDBG-MIT funds to be expended on each activity; beginning and actual completion dates of completed activities; achieved performance outcomes such as number of housing units complete or number of low and moderate income persons benefiting; and the race and ethnicity of persons assisted under direct-benefit activities. The State must also record the amount of funding expended for each contractor identified in the Action Plan. Efforts made by the State to affirmatively further fair housing will also be included in the QPR.

During the term of the grant, the grantee will provide citizens, affected local governments, and other interested parties with reasonable and timely access to information and records relating to the approved program and to the grantee's use of grant funds as well as contracts procured with CDBG-MIT funding. This information shall be posted on the grantee's official website and provided on request.



## 2.8 Citizen Participation Plan and Accessibility for CDBG-MIT

To ensure LEP individuals and persons with disabilities have prior notice and access to the public hearings, DCCED will take the following actions:

- Announce public hearings to organizations that represent minorities and persons with disabilities at least 10 business days prior to the public hearing date(s).
- Include a statement in public hearing notices indicating that participants may request language interpretation to assist in their participation, via email or phone.
- Include a statement in notices of public hearings that location of the meetings is accessible to person with physical disabilities.
- Include a statement in public hearing notices that attendees can request reasonable accommodations from DCCED to participate in the public meetings.
- DCCED will make a reasonable effort to translate significant documents to accommodate LEP communities, and the Municipality of Anchorage Office of Emergency Management's website will include a language translation feature.

Residents who require special accommodations to attend the hearing, should contact DCCED by emailing [ced.cra.cdbgmit@alaska.gov](mailto:ced.cra.cdbgmit@alaska.gov) or by mail to **DCCED, 550 West 7<sup>th</sup> Ave., Ste 1650, Anchorage, AK 99501** to make advance arrangements. For hearings that are held in areas that meet the minimum threshold for LEP accommodations, translations will be provided.

DCCED provides guidance to its units of local government and subrecipients on developing a local language access plan (LAP). Provisions for interpretation shall be made for LEP citizens to encourage and ensure meaningful access to participation for public hearings, communication materials, websites, and public comments. DCCED's LAP indicates the concentration of populations speaking only Spanish is high enough to warrant translation services for this group. DCCED will ensure each public hearing includes an option for live Spanish interpretation and that hearing materials will be available in Spanish prior to and following the hearings.

## 2.9 Availability to the Public

DCCED will provide the action plan, substantial amendments, all performance reports, citizen participation plan, procurement policies, contracts that will be paid with CDBG-MIT funds, and a description of goods or services currently being procured to the public, including materials in a form accessible to persons with disabilities and LEP individuals. These documents are made available to the public on the DCCED CDBG-MIT website



[www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx](http://www.commerce.alaska.gov/web/dcra/GrantsSection/CDBG-MIT.aspx) to ensure the public knows how all funds are used and administered.

## 2.10 Access to Records

Citizens, public agencies, and other interested parties are given reasonable and timely access to the information and records relating to the State's CDBG-MIT action plan and the State's use of assistance under the programs covered by the plan. Presentation materials, resources used to compile the information in the plan, comments compiled at public hearings, and all other related materials are available to the public upon request.

## 2.11 Complaints

To comply with the requirements regarding complaints, the State has designated an appropriate and practicable procedure to handle complaints from citizens related to the CDBG-MIT action plan, substantial amendments, and performance reports. Upon receiving a complaint, The Alaska Ombudsman will provide a timely, substantive written response within a 15 working day period.

**Complaints should be sent via email or by U.S. Postal Mail to:**

Alaska Ombudsman  
1500 West Benson Blvd  
Anchorage, AK 99503  
Email: [ombudsman@akleg.gov](mailto:ombudsman@akleg.gov)  
Telephone: 907-269-5290

Complaints regarding fraud, waste, or abuse of government funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1- 800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).

Complaints regarding accessibility can be reported to the State's 504 Coordinator. The Alaska Department of Commerce, Community, and Economic Development (DCCED) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood or disability. The Department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments Act of 1972. Plan publication efforts must meet the effective communications requirements of 24 CFR 8.6 and other fair housing and civil rights requirements, such as the effective communication requirements under the Americans with Disabilities Act.



**State 504 Coordinator:**

David Newman, State 504 Coordinator  
P.O. Box 110800  
Juneau, AK 99811-0800  
Email: david.newman@alaska.gov  
Phone: 907-465-2500  
TDD: 907-465-5437  
Fax: 907-465-5442

## 2.12 Citizen Advisory Committee

Following acceptance of the Action Plan, the State and borough leadership will form three Citizen Advisory Committees, one for each borough eligible for CDBG-MIT funds, that will meet in an open forum at least bi-annually, either virtually or in-person. The goal of the Citizen Advisory Committees is to serve as an ongoing public forum to inform CDBG-MIT projects and programs, leading to transparency.

## 2.13 Use of Citizen Participation Plan

DCCED will follow the citizen participation plan in full and to the best ability possible, as described above.



## 3. Requirements for Local Government Receiving CDBG-MIT Funds

### 3.1 Summary of Requirements

Recipients of CDBG-MIT funds must comply with the State Citizen Participation Plan for CDBG-MIT requirements as found in 86 FR 561. All applicants and recipients of grantfunds shall be required to conduct all aspects of the program in an open manner with access to records on the proposed and actual use of funds for all interested persons. All records of applications and grants must be kept at the recipient's offices and be available during normal business hours. Any activity of the State regarding the CDBG-MIT project, except for confidential matters relating to housing and economic development programs, shall be open to examination by all citizens.

The applicant/recipient must provide technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals at the level of expertise available at governing offices. All application materials and instructions shall be provided at no cost to any such group requesting them. Citizens shall be provided adequate and timely information, to enable them to be meaningfully involved in important decisions at the various stages of the program, including at least the determination of needs, the review of the proposed activities, and the review of past program performance, in the following manner:

- 1) At least one public hearing shall be held prior to the submission of an application for housing and/or non-housing needs being submitted to the DCCED for funding through the CDBG-MIT program. Hearings shall be scheduled at a time and location felt to be most likely possible of the majority of interested citizens to attend without undue inconvenience. The development of needs and the review of the proposed activities and their possible environmental impact must be addressed at this hearing as reflected by minutes of the hearing. The hearing cannot be more than six months prior to application submittal.
- 2) Notification of all hearings shall be given a minimum of five full days (actually, seven days, as the day of the notice and the day of the hearing cannot be counted as one of the five full days) in advance to allow citizens the opportunity to schedule their attendance. Notification shall be in the form of display advertisements in the local newspaper with the greatest distribution, and/or by posting letters, flyers, and any other forms that are clearly documented with wide circulation.

All hearings must be accessible to handicapped persons. Provisions for interpretation shall be made at all public hearings for non-English speaking residents if such residents are expected to be in attendance. The chief elected official's office shall receive and relate to appropriate



persons or groups any views or proposals submitted to aforesaid office within the decision-making time. Any criticism submitted in writing at any time should be answered in writing within fifteen working days by the chief elected official's office. If the complaint is not resolved, it shall be referred to the governing body for final disposition.



## 4. Appendix A: State of Alaska Website Policies and Procedures for CDBG-MIT

### 4.1 Website Purpose

A separate website will be developed for the CDBG-MIT Program instead of adding it to the DCCED website as a tab. This is being done to make it easier for individuals and communities to access the information in a straightforward manner.

### 4.2 Website Content

Per guidance contained in the CDBG-MIT announcement the web site will contain the following information.

- The Action Plan and any amendments. It will include communication from HUD regarding the Action Plan and any comments received from the public as well as documented responses to the comments received.
- Each Performance Report from DRGR. This will be compiled and delivered by our Finance Division as well as documentation provided by the staff person in charge of the CDBG-MIT program.
- The Citizen Participation Plan. This will be specifically geared towards the CDBG-MIT Program. DCCED has specific requirements for communities which receive CDBG funding for projects. At a minimum there will be a public hearing in each of the jurisdiction that were designated in the HUD notice. Hearing notices will be in both Spanish and English and any other languages which may be necessary. Special outreach will be made to senior citizens, low and moderate income households and ethnic minorities within the jurisdiction.
- Procurement Processes and Procedures.
- Policies and Procedures regarding the duplication of benefits.
- Policies and Procedures to detect fraud, waste and abuse.
- All executed contracts with subrecipients.
- A description and status of services or goods being procured by subrecipients.
- Environmental review documents related to programs. We will not post the ER review documents for individual families, businesses or applicants.





- All applications for assistance so that the public will be able to determine what documentation they will need to access assistance. This will be especially important because of the documentation that is needed to ensure the non duplication of benefits.
- Descriptions of all the programs being funded and the policies and procedures associated with each.
- Contact information for all subrecipients, as well as for DCCED staff associated with the programs.
- The DCCED will not only ensure that public hearings will be in both Spanish and English as necessary as well as an ability for individuals to utilize translation through [www.lep.gov](http://www.lep.gov).

### 4.3 Website Process

It is anticipated that the web site will be updated on a regular basis perhaps as frequently as weekly in the beginning of the CDBG-MIT process as much of the information will be developed and implementation will get underway. Thereafter the web site will be updated at a minimum on a quarterly basis.

**Website Coordinator:**

Jason Whipple, Publication Specialist  
Alaska Department of Commerce, Community & Economic Development  
550 West 7<sup>th</sup> Ave., Ste 1650  
Anchorage, AK 99501  
Email: [DCCED.publication@alaska.gov](mailto:DCCED.publication@alaska.gov)  
Phone: 907-269-4560



## 4.4 Quarterly CDBG-MIT Website Update Checklist

<b>Website Reviewer</b>	
<b>Date of Review</b>	
<b>Date Updates Complete</b>	

<b>Required Content</b>	<b>Date Posted</b>	<b>Update Needed</b>	<b>Date Updated</b>	<b>Comments</b>
CDBG-MIT Action Plan (DRGR Version)				
CDBG-MIT Substantial Action Plan Amendment				
CDBG-MIT Non-Substantial Action Plan Amendment				
DRGR Performance Report				
Citizen Participation Plan				
Procurement Policies and Procedures				



<b>Current Contracts with Vendors and Subrecipients</b>				
<b>Type of Contract</b>	<b>Contract Posted?</b>	<b>Contracts Current?</b>	<b>Closed Contracts Archived</b>	<b>Comments</b>
CDBG-MIT Contracts (Vendors)				
CDBG-MIT Subrecipient Agreements				
<b>Active Procurements by Status</b>				
<b>List Open Solicitations</b>	<b>Date Solicitation Opened</b>	<b>Date Solicitation Closed</b>	<b>Date Solicitation Awarded</b>	<b>Date Contract Posted to Website</b>