

STATE OF NEW JERSEY
Department of Community Affairs

CITIZEN PARTICIPATION PLAN
CDBG-DISASTER RECOVERY

The primary goal of the New Jersey Citizen Participation Plan is to provide all New Jersey citizens with an opportunity to participate in the planning, implementation, and assessment of the State's CDBG-DR* Sandy recovery program(s). The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen involvement in the community development process. The State will provide all citizens with the opportunity to participate, with emphasis on low and moderate income individuals, and access by non-English speaking or those requiring special options due to disabilities, and in CDBG-DR targeted communities.

New Jersey has developed a specific Citizen Participation Plan to meet the requirements of the CDBG Disaster Recovery (CDBG-DR) funding for Superstorm Sandy. The Plan reflects the alternative requirements as specified by the U.S. Department of Housing and Urban Development (HUD) in the Federal Register (FR-5696-N-01) and notice of specific waivers. The State will ensure that any local governments or subrecipients who receive funds will have a citizen participation plan that meets the CDBG-DR regulations and takes into consideration the waivers and alternatives made available under CDBG-DR funding.

The New Jersey Citizen Participation Plan for CDBG-DR Sandy Recovery will be placed on official website of the Department of Community Affairs at www.state.nj.us/dca/.

In order to facilitate citizen participation requirements and to maximize citizen interaction in the development of the New Jersey Disaster Recovery Action Plan, substantial amendments to the Action Plan, and the quarterly performance reports, the State has laid out targeted actions to encourage participation and allow equal access to information about programs by all citizens, especially those of low and moderate income, those living in slum and blighted areas and in areas where Community Development Block Grant Disaster Recovery (CDBG-DR) funds are proposed to be used, non- English speaking persons, minorities, and those with disabilities. The State also encourages the participation of statewide and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) that are involved with or affected by the programs or activities covered by the Action Plan.

*As revised, the Plan also applies to Irene CDBG-DR funds. The state intends for the most recent Citizen Participation Plan to be followed for all CDBG-DR funds, as the most updated Citizen Participation Plan with the applicable CDBG-DR waivers.

I. Public Notices and Comment Period

While the citizen participation waivers provided by HUD permit a more streamlined public process, the State Citizen Participation Plan will ensure that there is reasonable and timely access for public notice, appraisal, examination, and comment on the activities proposed for the use of CDBG-DR grant funds. Although the waiver removes the requirement that a grant applicant must hold public hearings or meetings to disseminate information and collect citizen comments, the State has and will continue to coordinate outreach meeting with state entities, local governments, non-profits, private sector and involved associations. The State will also invite public comment to the New Jersey Disaster Recovery Action Plan and Substantial Amendments for a minimum seven (7) days, posted prominently and accessed on the Department of Community Affairs' official website. The State will use means such as press releases, posting notices on the Governor's website and links on other agency websites as appropriate, to maximize access of program information to the impacted citizens and businesses.

A. New Jersey Disaster Recovery Action Plan

The State will prominently post a notice and the proposed Disaster Recovery Action Plan ("Action Plan") on the official website of the Department of Community Affairs. The Action Plan includes the following:

1. The amount of assistance expected to be received, based on projected amounts provided by HUD;
2. The range of activities that can be undertaken including the estimated amount that will benefit persons of low and moderate income;
3. Plans to minimize displacement of persons and assist any persons displaced;
4. An anticipated time schedule for submission of the Action Plan to the Department of Housing and Urban Development; and
5. Incorporation of and response to public comments received during the public comment period.

The Action Plan (as proposed and then when approved) will be made available for public review at www.state.nj.us/dca/. It will be made available in English and Spanish.

For those that otherwise cannot obtain a copy of the Action Plan, DCA will make copies available upon request at the Department of Community Affairs.

New Jersey Department of Community Affairs
1st Floor Information Desk
101 South Broad Street
Trenton, New Jersey, 08625

The State will consider any comments or views received in writing or via email on the proposed Disaster Recovery Action Plan. The State will identify a deadline for the submittal of written comments on the proposed Plan; the period for the submittal of comments will be no less than seven (7) days. Written comments may be submitted to the Department of Community Affairs via email at Sandy.Recovery@dca.state.nj.us, or to Post Office Box 800, Trenton, New Jersey 08625-0800. A summary of all comments received and responses will be included in the final Action Plan.

B. Substantial Amendments to the Action Plan

The State has defined Substantial Amendments to the Action Plan as those proposed changes that require the following decisions:

- Addition or deletion of any allowable activity described in the approved application
- The allocation or re-allocation of more than \$1 million
- Change in the planned beneficiaries

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 New Jersey Department of Community Affairs' official website. Copies will be provided upon request at DCA, if otherwise not accessible for review by any residents. Citizens will be provided with no less than seven (7) days to review and comment on the proposed amendment. Written comments may be submitted to the Department of Community Affairs via email at Sandy.Recovery@dca.state.nj.us, or to Post Office Box 800, Trenton, New Jersey 08625-0800. A summary of all comments received responses will be included in the Substantial Amendment that is submitted to HUD for approval and posted to the Department of Community Affairs' official website.

Non-substantial Amendments to the Action Plan will be posted on the Department of Community Affairs' 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.

C. 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. Within three (3) days of submission to HUD, each QPR must be posted on the Department of Community Affairs' official website for public review and comment. 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-DR 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-DR funding. This information shall be posted on the grantee's official website www.nj.gov/dca/, and provided on request.

II. Technical Assistance

The State will provide technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low and moderate income. The level and type of technical assistance shall be determined by the applicant/recipient based upon the specific need of the community's citizens.

III. Citizen Complaint Procedures

The State will accept written citizen complaints from citizens related to the disaster recovery programs, the Action Plan, substantial amendments, or quarterly performance reports. Written complaints should be submitted via email to Sandy.Recovery@dca.state.nj.us or be mailed to:

New Jersey Department of Community Affairs,
Post Office Box 800,
Trenton, New Jersey 08625-0800
Attention: Commissioner

The State will make every effort to provide a timely written response to every citizen complaint within fifteen (15) working days of the receipt of the complaint, where practicable.

The State will require that its Subrecipients follow a Citizen Complaint procedure reflective of the goals of the Citizen Participation Plan. A copy and/or summary of the citizen complaints received by subrecipients will be forwarded to the Department of Community Affairs. The complainant must be made aware by the subrecipient that if she or he is not satisfied with the response, a written complaint may be filed with the Department of Community Affairs.

All citizen complaints relative to Fair Housing/Equal Opportunity violations involving discrimination will be forwarded to the Department of Law and Public Safety, Office of the Attorney General, Division on Civil Rights. To file a fair housing complaint in New Jersey, please call:

Trenton Regional Office

609-292-4605

TTY: 609-292-1785

Atlantic City Office

609-441-3100

TTY: 609-441-7648

Camden Office

856-614-2550

TTY: 856-614-2574

Newark Office

973-648-2700

TTY: 973-648-4678

IV. Citizen Participation Requirements for Subrecipients and Local Governments Participating in CDBG-DR Programs

To ensure that subrecipients and applicants comply with Section 508 of the Housing and Community Development Act of 1974, utilizing the citizen participation waivers HUD provided, all units of local government which receive CDBG-DR funds must have a written and adopted Citizen Participation Plan that includes the following:

- A. Encourages citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of areas in which CDBG-DR Funds are proposed to be used, and in the case of a grantee described in Section 106(a) of the Act, provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
- B. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed and actual use of funds under this program;
- C. Provides for technical assistance to groups representative of persons of low and moderate income who request assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- D. Provides for reasonable opportunities to obtain citizen views, comments and to respond to proposals and questions at all stages of the community development program including at least the development of needs, the review of proposed activities, and review of program performance. In order to comply with the citizen participation requirement, information must be posted on the subrecipient or unit of local government's official website. If a unit of local government does not have an official website, the information must be posted in public places in the jurisdiction with directions as to where the information may be inspected. In addition to web posting or advertising, the public can also be made aware of a grant information by public service announcements and bulletins posted at public places. All comments must be responded to and maintained;

- E. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
- F. Identifies how the needs of non-English speaking residents will be met where a significant number of non-English speaking residents can be reasonably expected to participate.

The provision and implementation of a Citizen Participation Plan may not be construed to restrict the responsibility or authority of the grantee for the development and execution of its community development program.

All subrecipients must adopt a Citizen Participation Plan and provide documentation of compliance throughout the term of the grant agreement. The components of the citizen participation plan and the kind of information necessary to meet the requirements are discussed in the following section.

Components of the subrecipient citizen participation plan

- A. **Program Design Phase.** The subrecipient shall determine plans and procedures to post and allow for public comment. Public comments shall be summarized and submitted with the information to the Department of Community Affairs, where practicable.
- B. **Implementation Phase.** During the term of the grant, the subrecipient 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 use of grant funds as well as contracts procured with CDBG-DR funding. Efforts should be made to post this information on the subrecipient's official website and provided on request.
- C. **Substantial Amendment to Approved Program.** The subrecipient shall make any substantial amendment to the programs available to the public on its website, where practicable, in addition to the already state inclusion of the Amendment on the Department of Community Affairs' website.
- D. **Close-out.** The subrecipient shall make all performance reports available to the public on its website and upon request.
- E. **Technical Assistance.** The subrecipient must provide technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low and moderate income. The level and type of technical assistance is determined by the applicant/recipient based upon the specific need of the community's citizens.
- F. **Complaint Procedures.** As stated earlier, each subrecipient must have written citizen and administrative complaint procedures. The procedure may be posted on the website or must provide citizens with the information relative to the location and hours at which they may obtain a copy of these written procedures.

Persons wishing to object to approval of a CDBG-DR programs may make such objection known to the Department of Community Affairs in writing. The State will consider objections made only on the following grounds:

- The applicant's description of needs and objectives is plainly inconsistent with available facts and data;
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
- The program does not comply with the requirements set forth in the Disaster Recovery Action Plan or other applicable laws.

Such objections should include identification of the requirements not met and, in the case of objections relative to item 1 on the previous page, supporting data.

G. Performance Hearings

Prior to close-out of the community development program, the subrecipient must have a public hearing to obtain citizen views and to respond to questions relative to the recipient's performance. This hearing shall be held after adequate notice, at times and locations convenient to actual beneficiaries and with accommodations for the disabled and non-English speaking persons provided.

Documentation must be maintained at the local level to support compliance with these requirements.