

# Draft Substantial Amendment to the State of California's Community Development Block Grant (CDBG) Program 2015-2016 Action Plan:

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Under the authority of 24 CFR 91.505, California is submitting this Substantial Amendment to its 2015-2016 Action Plan pertaining to the State's CDBG Program Method of Distribution.

## **CDBG Method of Distribution**

The Method of Distribution (MOD) for the 2015 Notice of Funding Availability (NOFA), as stated in the 2015-16 Annual Plan, will remain unchanged. However, due to the emergent need for immediate direct relief to mitigate the effects of the ongoing California Drought Disaster, as declared by Governor Brown in his 2014 [Drought Declaration](#), the Department of Housing and Community Development (the "Department") is amending the 2015-16 Annual Action Plan for the Community Development Block Grant (CDBG) program. This amendment will add a MOD to implement a special drought-related NOFA for eligible CDBG non-entitlement cities and counties highly affected by the drought.

Approximately \$5,000,000 will be made available via the **CDBG 2015 Drought NOFA** for CDBG-eligible activities which are documented as providing immediate direct relief and/or mitigation of the effects of the Drought for Californians in CDBG eligible non-entitlement areas.

### **1. AUTHORITY**

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- a. Pursuant to 25 CCR 7056(a) and (c)(1), the Department has the authority to issue special NOFAs within any funding cycle.
- b. Pursuant to 25 CCR 7065.5(a) when the Governor declares an emergency, the Department may issue Emergency Disaster Assistance funding subject to the following special conditions:
  - (1) The project or activity shall be designed to alleviate existing conditions which pose a serious actual or impending threat to the health or welfare of the community.
  - (2) The applicant shall demonstrate that it is unable to finance the project or activity on its own and that other sources of funding are unavailable.
  - (3) The proposed project or activity shall be otherwise eligible for funding under this Subchapter, or eligible pursuant to HUD eligibility criteria related to the emergency.

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## 2. ELIGIBLE APPLICANTS

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All **non-entitlement** CDBG jurisdictions located in California that can demonstrate project eligibility are eligible to apply. See Section 3 below for details on project eligibility.

### *Threshold Requirements*

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Pursuant to State CDBG Regulations at 25 CCR 7065.5, when the Governor declares an emergency, the Department has the authority to waive State Regulations that do not effect federal compliance and that may expedite the funding of activities to address emergent needs.

Pursuant to State CDBG Regulations, Section 7060, all eligibility criteria remain unchanged from the current MOD; with the exception that for the purposes of the 2015 CDBG Drought NOFA the following threshold criteria are waived:

- A. *State and Federal submittal requirements of OMB Circular A-133, Single Audit Report by the NOFA application due date.***
- B. *Compliance with State regulations at 25 CCR 7060(a)(3) pertaining to the 50% Rule by the application due date are being waived.***
- C. *Housing Element submittal and approval by HCD requirements under Health and Safety Code 50829 and 50830.***

At the time of application submission, the Department will review all applications from eligible applicants, as defined above, for the following eligibility criteria:

- a.** All eligibility threshold criteria currently being used in the 2015 NOFA and found in State CDBG Regulation at 25 CCR 7060 – Eligible Applicants other than those described above in Section 2 - *Threshold Requirements*.
- b.** Documentation substantiating a direct link between the current drought and the requested activity.
- c.** All eligibility threshold criteria pursuant to State CDBG Regulation at 25 CCR 7065.5 – Emergency Disaster Assistance, which include:
  - i.** Documentation that the requested activity will alleviate the existing conditions which pose a serious and immediate threat to the health or welfare of the community, which are of recent origin (issue must not have existed more than 18 months prior to the final application filing date).

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- ii. Documentation that the applicant is unable to finance the activity on its own.
- iii. Documentation that other sources of funding are not available to meet such needs.
- d.** Documentation that the applied for activity will meet an eligible National Objective.

### **3. FUNDING LIMITS AND PROJECT ELIGIBILITY**

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The only eligible activity under this NOFA is **Housing Rehabilitation for installation of water laterals near existing or proposed water systems (14A), including abatement of dry private water wells.**

**Project Eligibility** will be based on the individual home having a water well that is dry or that has been determined to be unusable due to contamination, and that the homes is able to hook up via lateral connection to a water system. Each application must document the number of homes within their jurisdiction that meet these criteria and the estimated costs to install the lateral connections.

The minimum application amount is \$150,000. There will not be a maximum application amount as all funds will be awarded on a first-come first-served basis upon demonstration of need and eligibility.

Any unallocated funds from the CDBG 2015 Drought NOFA will be re-allocated to 2016 or future CDBG NOFA awards.

### **4. NATIONAL OBJECTIVES**

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All National Objectives (Low/Mod Benefit, Slums and Blight, and Urgent Need) are open for use for purposes of the CDBG 2015 Drought NOFA. However, the Department anticipates using only the **Urgent Need National Objective.**

### **5. AVAILABILITY OF NECESSARY DOCUMENTS AND FORMS**

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As with all CDBG NOFAs, the Department will place the CDBG 2015 Drought NOFA, Application Forms and all other related documents on its Current NOFA page at: <http://www.hcd.ca.gov/fa/cdbg/CurrentNOFAs.html>.

# Draft Substantial Amendment to the State of California's Community Development Block Grant (CDBG) Program 2015-2016 Action Plan:

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF FINANCIAL ASSISTANCE  
FEDERAL PROGRAMS BRANCH  
Community Development Block Grant Program

2020 W. El Camino Ave, Suite 500  
Sacramento, CA 95833  
P. O. Box 952054, MS 500  
Sacramento, CA 94252-2054  
(855) 333-CDBG (2324) / FAX (916) 263-2762

EDMUND G. BROWN JR., Governor



## FOR IMMEDIATE POSTING

### DRAFT SUBSTANTIAL AMENDMENT TO THE 2015/2016 ANNUAL ACTION PLAN OF THE STATE OF CALIFORNIA'S FIVE YEAR CONSOLIDATED PLAN (2015 – 2020) PERTAINING TO THE METHOD OF DISTRIBUTION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

#### PUBLIC COMMENT PERIOD ANNOUNCEMENT

The State of California, Department of Housing and Community Development (Department), is soliciting public review and comment to the Draft Substantial Amendment of the 2015/2016 Annual Action Plan for the State of California's Consolidated Plan FY 2015-2020 (Substantial Amendment). The Substantial Amendment is a result of changes made to the State's Method of Distribution of its Community Development Block Grant Program (CDBG) funding. The U. S. Department of Housing and Urban Development (HUD) is authorized to administer the CDBG funds. In accordance with the State's Public Participation Plan for its Consolidated Plan, the Substantial Amendment must be published for no less than 30 calendar days for public comment before it is submitted to HUD.

The State of California's Method of Distribution required changes to improve programmatic flexibility, efficacy, and efficiency.

**The public comment period will begin Tuesday, August 4, 2015 and end at 5:00pm Thursday, September 3, 2015.** The Draft Substantial Amendment of the 2015/2016 Annual Action Plan for the State of California's Consolidated Plan FY 2015-2020 will be available for public review on the Department's website: [CDBG Public Notices](#), or at the Department's Community Development Block Grant Program in Suite 500; at planning departments of counties with at least one non-entitlement jurisdiction, and at the following depository libraries:

California State Library, Government Publications (Sacramento)  
California State University, Meriam Library (Chico)  
California State University, Library- Government (Long Beach)

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Free Library, Government Publications (Fresno County)  
Public Library, Serials Division (Los Angeles)  
Public Library (Oakland)  
Public Library, Science & Industry Department (San Diego)  
Public Library, Government Documents Dept (SF)  
Stanford University Libraries, Green Library, Government Docs  
University of California, Government Documents Library (Berkeley)  
University of California, Shields Library, Government Documents (Davis)  
University of California, Research Library (LA)  
University of California, Government Documents (San Diego/La Jolla)  
University of California, Government Publications (Santa Barbara)

All written comments can be submitted via electronic mail ([cdbg@hcd.ca.gov](mailto:cdbg@hcd.ca.gov)), facsimile (916-263-2762), or mailed to the following address:

**Department of Housing and Community Development**

Division of Financial Assistance. P.O. Box 952054  
Sacramento, California 94252-2054  
Attention: Stoyan Elitzin

If you have questions or are in need of translators or special services, please contact the Department's Community Block Grant Program at (916) 333-CDBG or (916) 263-1622. This proposal has been determined EXEMPT from CEQA (Public Resources Code Section 21080.10(b)) and CATEGORICALLY EXCLUDED from NEPA (Title 24 Code of Federal Regulations 50.20(o)(2)).

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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
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## PARA PUBLICACIÓN INMEDIATA

PROYECTO DE MODIFICACIÓN SUSTANCIAL AL PLAN ANUAL 2015/2016 DE EL PLAN DE ACCIÓN DEL ESTADO DE CALIFORNIA DE CINCO AÑOS AL PLAN CONSOLIDADO (2015 - 2020) RELATIVA A LA FORMA DE DISTRIBUCIÓN PARA EL PROGRAMA DEL DESARROLLO COMUNITARIO (CDBG)

### ANUNCIO DEL PERÍODO DE COMENTARIOS PÚBLICOS

El Estado de California, Departamento de Vivienda y Desarrollo Comunitario (Departamento), solicita la revisión y comentarios del público sobre el proyecto de modificación sustancial del Plan de Acción Anual 2015/2016 para el Estado de California Plan Consolidado del año fiscal 2015-2020 (modificación sustancial). La modificación sustancial es el resultado de los cambios realizados en el Método del Estado de Distribución de su Programa de Subsidios para el Desarrollo Comunitario (CDBG) de financiación. El Departamento de Vivienda y Desarrollo Urbano de EE.UU. (HUD) está autorizado para administrar los fondos del CDBG. De acuerdo con el Plan de Participación Pública del Estado por su Plan Consolidado, la modificación sustancial se debe publicar por no menos de 30 días para comentario público antes de ser sometido a HUD.

El Método de Distribución del estado de California requiere cambios para mejorar la flexibilidad programática, la eficacia y la eficiencia.

**El periodo de comentarios públicos empezará el martes, 4 de agosto 2015 y finalizará a las 5:00pm el jueves, 3 de septiembre 2015.**

El proyecto de modificación sustancial al Plan de Acción Anual 2015/2016 para el Estado de California Plan Consolidado el año fiscal 2015-2020 estará disponible para revisión pública en la página web del Departamento: [CDBG Public Notices](#), o al Programa del Desarrollo Comunitario del Departamento en Suite 500; en los departamentos de planificación de los condados con al menos una jurisdicción no de derecho, y en las siguientes bibliotecas:

Biblioteca del Estado de California, Publicaciones del Gobierno (Sacramento)  
Universidad del Estado de California, Meriam Biblioteca (Chico)  
Universidad del Estado de California, Biblioteca del Gobierno (Long Beach)  
Biblioteca Gratis, Publicaciones del Gobierno (Condado de Fresno)

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Biblioteca Pública , División de Publicaciones Seriadas (Los Angeles)  
Biblioteca Pública (Oakland)  
Biblioteca Pública de Ciencia y Departamento de Industria (San Diego)  
Biblioteca Pública, Departamento de Documentos Gubernamentales (San Francisco)  
Bibliotecas de las Universidades de Stanford, biblioteca verde, Documentos Gubernamentales  
Universidad de California, Documentos Gubernamentales Biblioteca (Berkeley)  
Universidad de California, Shields Biblioteca, documentos gubernamentales (Davis)  
Universidad de California, Biblioteca de Investigación (LA)  
Universidad de California, Documentos Gubernamentales (San Diego/La Jolla)  
Universidad de California, Documentos Gubernamentales (Santa Barbara)

Todos los comentarios escritos pueden enviarse por correo electrónico ([cdbg@hcd.ca.gov](mailto:cdbg@hcd.ca.gov)), fax (916-263-2762), o por correo a la siguiente dirección:

### **Department of Housing and Community Development**

Division of Financial Assistance. P.O. Box 952054

Sacramento, California 94252-2054

Atención de: Stoyan Elitzin

Si usted tiene preguntas o necesita un traductor o servicios especiales, por favor póngase en contacto con el Departamento de Vivienda y Desarrollo Comunitario (CDBG) al (916) 333-CDBG o (916) 263-1622. Esta propuesta se ha determinado EXENTA de CEQA (Sección del Código de Recursos Públicos de 21.080,10 (b)) y categóricamente EXCLUIDA de NEPA (Título 24 del Código de Regulaciones Federales 50.20 (o) (2)).