Amendments to Citizen Participation Requirements for the State’s Annually Appropriated Federal Programs, Plans, and Reports

I. State Citizen Participation Requirements (24 CFR 91.115)

6. Virtual Public Hearings – General

In the event of an unforeseen and unpreventable event that renders in-person public gatherings impossible or inadvisable, such as a natural disaster or pandemic, public hearings may be held as a virtual hearing. Hearing formats may include webinars, webcasts, telecasts, radio or audio broadcasts, or other virtual communication tools as appropriate for the meeting format. Virtual hearings will provide, at a minimum, an opportunity for members of the public to publicly ask questions and for the presenter or public officials to make public response. All questions and responses will be documented, either in written form, such as meeting minutes or chat scripts, or recorded, or as appropriate for the meeting format. Virtual hearings will be publicly noticed, and in the event traditional noticing tools are unavailable or will not effectively reach the public, alternative public noticing efforts will be made and documented. The Department will encourage the participation of all residents, including elderly, persons with limited English proficiency, and persons with disabilities, through the public noticing process. The Department will solicit in the hearing notification requests for translation services and for auxiliary aides and services to allow non-English speaking residents and residents with disabilities an equal opportunity to access and participate in such hearings.

C. Expedited Procedures authorized by the CARES Act and FR-6218-N-01

The following expedited procedures apply to any consolidated planning submissions (ConPlan and AP and amendments to these plans) describing the use of fiscal year 2019 or 2020 annual formula funds for CPD programs, and for CDBG-CV and ESG-CV funds provided under the CARES Act.

i. Expedited Public Comment Period: The Department will provide notice and a minimum of 5 calendar days for comments on the ConPlan, AP and amendments to these plans.

ii. Virtual Public Hearings: For as long as national or local health authorities recommend social distancing and limiting public gatherings for public health reasons, the Department will hold virtual hearings in lieu of in-person public hearings. Virtual public hearings will provide access for residents, timely responses from the Department to all resident questions and issues, and
public access to all questions and responses, as described above in “Virtual Public Hearings – General”.

III. Citizen Participation Requirements for Local Governments Receiving CDBG Funds (24 CFR 91.115(e))

C. Virtual Public Hearings – General

In the event of an unforeseen and unpreventable event that renders in-person public gatherings impossible or inadvisable, such as a natural disaster or pandemic, public hearings may be held as a virtual hearing. Hearing formats may include webinars, webcasts, telecasts, radio or audio broadcasts, or other virtual communication tools as appropriate for the meeting format. Virtual hearings must provide, at a minimum, an opportunity for members of the public to publicly ask questions and for the presenter or public officials to make public response. All questions and responses must be documented, either in written form, such as meeting minutes or chat scripts, or recorded, or as appropriate for the meeting format. Virtual hearings must be publicly noticed, and in the event traditional noticing tools are unavailable or will not effectively reach the public, alternative public noticing efforts must be made and documented.

H. Expedited Procedures authorized by the CARES Act and FR-6218-N-01

The following expedited procedures apply to the citizen participation requirements for units of general local government receiving fiscal year 2019 or 2020 CDBG annual funds, or CDBG-CV funds, allocated by the State through a method of distribution.

i. Virtual Public Hearings: For as long as national or health authorities recommend social distancing and limiting public gatherings for public health reasons, the local government will hold virtual hearings in lieu of in-person public hearings. Virtual public hearings will provide access for residents, timely responses from the local government to all resident questions and issues, and public access to all questions and responses, as described above in “Virtual Public Hearings – General”.

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