

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF DISASTER RECOVERY AND MITIGATION

SUBJECT: Citizen Participation Plan

NUMBER: 2.10.14

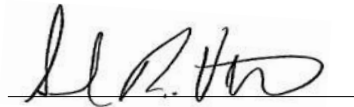
EFFECTIVE: April 2013

AMENDED: February 2015
September 2023
June 2026

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APPROVAL:



Samuel R. Viavattine
Deputy Commissioner

POLICY:

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 Community Development Block Grant – Disaster Recovery (CDBG-DR) program(s). The plan sets forth policies and procedures for citizen participation that are designed to maximize the opportunities for citizen involvement in the community development process. The State will provide all citizens in CDBG-DR-targeted communities with the opportunity to participate, with a particular emphasis on including low- and moderate-income individuals and ensuring access by non-English-speaking persons or those requiring special accommodations due to disabilities.

New Jersey has developed a specific citizen participation plan to meet the requirements of the CDBG-DR funding for Superstorm Sandy and Hurricane Ida and comply with the requirements outlined in 24 CFR part 91.115. 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 6326-N-01) and notice of specific waivers. The State will ensure that any local governments receiving funds will be required to follow this citizen participation plan.

The New Jersey Citizen Participation Plan for CDBG-DR will be placed on the official website of the New Jersey Department of Community Affairs (DCA) at <https://www.nj.gov/dca/>.

The State has outlined targeted actions to facilitate citizen participation requirements and maximize citizen interaction in developing the New Jersey Disaster Recovery Action Plan for Hurricane Ida, substantial amendments to the Action Plans of Hurricane Ida and Superstorm Sandy, and the quarterly performance reports for Hurricane Ida and Superstorm Sandy. These actions are designed to encourage participation and allow equal access to information about programs by all citizens, especially low- and moderate-income individuals; those living in slum and blighted areas and in areas where CDBG-DR funds are proposed to be used; and non-English-speaking persons, minorities, and individuals 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.

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I. Public Notices and Comment Period

While the citizen participation waivers provided by HUD permit a more streamlined public process, the New Jersey 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. The State has and will continue to coordinate outreach meetings with State entities, local governments, nonprofits, private sector and involved associations, and other stakeholders. The State will also invite public comment to the New Jersey Disaster Recovery Action Plan and substantial amendments for a minimum of 30 days, posted prominently and accessible on the DCA official website.

Per the Federal Register’s approach for CDBG-DR, at least one public hearing is required during the 30-day comment period for the initial Action Plan. A public hearing is not required for subsequent substantial and non-substantial amendments to the Action Plan. The process below will be followed for a public hearing.

All public hearings will be held at a time and accessible location convenient to potential and actual beneficiaries, with accommodations for persons with disabilities or limited English proficiency (LEP). If the State holds more than one public hearing, the second hearing will be in a different location within the area deemed “Most Impacted and Distressed” (“MID”) and will be selected to promote geographic balance and maximize accessibility. Public hearings could also be hosted virtually. If the public hearing is held virtually, the State will allow questions in real time, with answers coming directly from the grantee representative to all attendees. Both in-person and virtual hearings will be promoted for at least 10 business days prior to the hearing.

New Jersey Hurricane Ida Disaster Recovery Action Plan

The State will prominently post a notice and the proposed New Jersey Hurricane Ida Disaster Recovery Action Plan (“Action Plan”) on the official website of the DCA. 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 with low and moderate incomes.
3. Plans to minimize displacement of persons and assist any displaced persons.
4. An anticipated time schedule for submission of the Action Plan to HUD.
5. Incorporation of and response to public comments received during the public comment

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period.

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

For those who cannot obtain a copy of the Action Plan, the DCA will make copies available upon request.

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 Action Plan. The State will identify a deadline of no less than 30 days for submitting written comments on the proposed plan. Written comments may be emailed to the DCA at DisasterRecoveryandMitigation@dca.nj.gov or mailed to Post Office Box 800, Trenton, New Jersey, 08625-0800. A summary of all comments and responses will be included in the final Action Plan.

Substantial Amendments to the Action Plan

Substantial amendments to the CDBG-DR Action Plan for Hurricane Ida and Superstorm Sandy will require at least 30 days of public notice. The public notice procedures are described within this section. HUD has defined substantial amendments to the Action Plan as proposed changes that require the following decisions:

- A change in program benefit or eligibility criteria.
- Addition or deletion of any allowable activity described in the approved application.
- The allocation or reallocation of more than \$10 million.
- A proposed reduction in the overall benefit requirement.

Amendments that 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 DCA official website. Copies will be provided upon request at the DCA, if otherwise not accessible for review by any residents. Citizens will be provided with no less than 30 days to review and comment on the proposed substantial amendment. Written comments may be emailed to the DCA at DisasterRecoveryandMitigation@dca.nj.gov or mailed to Post Office Box 800, Trenton, New Jersey, 08625-0800. A summary of all comments received will be included in the substantial amendment that

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is submitted to HUD for approval and posted to the DCA official website.

Non-substantial amendments are amendments that do not meet the threshold for a substantial amendment; non-substantial amendments do not require a public comment period. Non-substantial amendments to either the Hurricane Ida or Superstorm Sandy Action Plan will be posted on the DCA 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.

Performance Reports

The State must submit a quarterly performance report (QPR) through HUD's Disaster Recovery Grant Reporting system no later than 30 days following the end of each calendar quarter for both Superstorm Sandy and Hurricane Ida. QPRs will be posted on the DCA official website for public review within 3 days of submission to HUD. The State's first QPR is due after the first full calendar quarter after the grant is awarded. QPRs 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 use of funds in activities identified in the Action Plan as entered in the HUD Disaster Recovery Grant Reporting system. This information 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 completed 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 will be posted on the grantee's official website, www.nj.gov/dca/, and provided upon request.

II. Citizen Participation Plan and Accessibility for CDBG-DR

To ensure that limited English proficiency (LEP) individuals and persons with disabilities have prior notice and access to the public hearings, the DCA will take the following actions:

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- Include a statement in public hearing notices indicating that participants may request language interpretation via email or phone to assist in their participation.
- Include a statement in public hearing notices indicating that the location of the meetings is accessible to persons with physical disabilities.
- Include a statement in public hearing notices that attendees can request reasonable accommodations from the DCA to participate in the public meetings.
- Make a reasonable effort to translate significant documents and include a Google Translate button on the State's website to accommodate LEP communities.

III. Technical Assistance

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

IV. Citizen Complaint Procedures

The State will accept written complaints from citizens related to the disaster recovery programs, the Action Plan, substantial amendments, or quarterly performance reports. Written complaints should be emailed to DisasterRecoveryandMitigation@dca.nj.gov or mailed to:

New Jersey Department of Community Affairs
Post Office Box 823
Trenton, New Jersey 08625-0823
Attention: *Deputy Commissioner Sam Viavattine*

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

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 DCA. The complainant must be made aware by the subrecipient that if they are not satisfied with the response, a written complaint may be filed with the DCA at any one of the following offices:

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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

Complaints regarding accessibility can be reported to the State's 504 coordinator (see below). 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.

Tina Williams, State 504 Coordinator
Tina.Williams@dca.nj.gov
(609) 766-9323

V. Citizen Participation Requirements for Local Governments Participating in CDBG-DR Programs

To ensure that local governments comply with citizen participation requirements in 24 CFR 570.486, the State must describe those requirements in its own citizen participation plan. To further advance public participation in the CDBG-DR programs, the State is also setting out requirements for units of local government funded directly by the State.

All units of local government that receive CDBG-DR funds must have a written and adopted citizen participation plan that includes the following. The plan must:

- 1) Provide for and encourage citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas and areas in which CDBG-DR funds are proposed to be used.
- 2) Ensure that residents will be given reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at [24 CFR part 8](#), and the Americans with Disabilities Act and the regulations at [28 CFR parts 35](#) and [36](#), as applicable, as well as information and records relating to the unit of local government's proposed and actual use of CDBG funds.
- 3) Furnish citizens' information, including but not limited to:

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- a) The amount of CDBG-DR funds expected to be made available for the current fiscal year (including the grant and anticipated program income).
 - b) The range of activities that may be undertaken with CDBG funds.
 - c) The estimated amount of CDBG funds proposed to be used for activities that will meet the national objective of benefiting low- and moderate-income persons.
 - d) The proposed CDBG activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR [§ 570.488](#).
- 4) Provide technical assistance to groups that are representative of low- and moderate-income persons that request assistance in developing proposals (including proposed strategies and actions to affirmatively further fair housing) in accordance with the procedures developed by the State. Such assistance need not include providing funds to said groups.
 - 5) Provide a minimum of two public hearings, each during a different stage of the program, for the purpose of obtaining residents' views and responding to proposals and questions. Together, the hearings must cover community development and housing needs (including affirmatively furthering fair housing), development of proposed activities, and a review of program performance. The public hearings that cover community development and housing needs must be held before submission of an application to the State. There must be reasonable notice of the hearings, and they must be held at times and accessible locations convenient to potential or actual beneficiaries, with accommodation for persons with disabilities. Public hearings shall meet the needs of non-English-speaking residents when a significant number of non-English-speaking residents can reasonably be expected to participate.
 - 6) Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the State and, for grants already made, activities that are proposed to be added, deleted or substantially changed from the unit of general local government's application to the State. Note that "substantially changed" means changes made relating to purpose, scope, location, or beneficiaries as defined by criteria established by the State.
 - 7) Provide citizens with the address, phone number, and times for submitting complaints and grievances and provide timely written answers to written complaints and grievances within 15 working days, where feasible.

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.