



RESILIENT COMMUNITIES INFRASTRUCTURE PROGRAM

POLICY AND PROCEDURES MANUAL

HURRICANES LAURA/DELTA/IDA AND MAY 2021
SEVERE STORMS RECOVERY PROGRAM



RESTORE
LOUISIANA

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VERSION HISTORY

VERSION NUMBER	DATE REVISED	DESCRIPTION OF REVISIONS
1	March 17, 2023	Initial Policy
2	August 2024	XXX

I. PROGRAM OVERVIEW

The Disaster Relief Supplemental Appropriations Act, 2022 (Pub. L. 117–43), approved September 30, 2021 (the “Appropriations Act”), makes available \$5,000,000,000 in Community Development Block Grant Disaster Recovery (CDBG–DR) funds nationwide. These CDBG–DR funds are disbursed among the “most impacted and distressed” (MID) areas across the country for necessary expenses for activities authorized under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) (HCDA) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation resulting from a qualifying major disaster in 2020 or 2021. Under the Appropriations Act approved in September 2021, the Department of Housing and Urban Development (HUD) has allocated approximately \$2.3 billion in CDBG–DR funds to the state of Louisiana for ongoing recovery efforts. The Continuing Appropriations Act of 2023 (Pub. L. 117-180) allocated an additional \$831M to Louisiana for the 2021 disasters. The total allocations to the State of Louisiana for the disasters in 2020 and 2021 total \$3,154,115,000.

The Louisiana Office of Community Development – Disaster Recovery (LOCD-DR) has allocated these CDBG-DR funds to various programs as described in the [State of Louisiana Action Plan for the Utilization of Community Development Block Grant Funds in Response to 2020 and 2021 Federal Declarations in Louisiana](#), as amended. LOCD-DR’s objective in allocating these funds is to ensure that all CDBG-DR dollars provided to the state are fully utilized, to the greatest extent possible, to address the unmet needs from the covered 2020-2021 disasters. The grant requirements along with waivers and alternative requirements for the funding associated with of Hurricanes Laura, Delta, Ida and the May 2021 Severe Storms are provided in [FR-6303-N-01](#), [FR-6326-N-01](#), and [FR-6368-N-01](#).

LOCD-DR works in close collaboration with other federal and state agencies engaged in disaster recovery to support rebuilding and recovery actions in the state of Louisiana. It functions to coordinate and provide funding to local governments and public entities in storm-damaged parishes and municipalities. Critical to this function is LOCD-DR’s collaboration with local and community leaders to respond to their communities’ most urgent rebuilding needs and assist in identifying long-term and innovative solutions to strengthen the state’s infrastructure and critical systems.

This manual details the policies of the **Resilient Communities Infrastructure Program (RCIP)**. The manual’s intended audience is the interested public, program subrecipients, and LOCD-DR staff.

To meet HUD disaster recovery objectives, LOCD-DR has specifically designed the RCIP to assist impacted communities in recovering from the damage inflicted by Hurricanes Laura, Delta, Ida and the May 2021 Severe Storms.

The RCIP is designed to address the unmet needs for infrastructure and economic development recovery located in identified MID areas impacted by the 2020-2021 storms. Documentation of impacts from the disasters will be required to be considered eligible for assistance.

The *Disaster Recovery CDBG Grantee Administrative Manual* provides in-depth information on implementing the procedures associated with the policies outlined in this manual. The Administrative

Manual can be viewed on the LOCD-DR website at <https://www.doa.la.gov/oa/ocd/policy-and-reports/administrative-manual/>

Subrecipients must not interpret this document to amend or override any applicable federal or state law, regulation, or directive applicable to the expenditure of CDBG-DR funds. LOCD-DR reserves the right, in their sole discretion, to change or cancel this program.

II. AWARD DETERMINATION

A. AWARD ALLOCATION

LOCD-DR has allocated \$465 million across 3 allocations to fund projects under the RCIP. The first allocation was for Hurricanes Laura and Delta. The subrecipients set to receive funding for RCIP projects are detailed below, as well as amount awarded to each recipient. The methodology used to allocate funds to local units of government can be found in Exhibit 1 – Allocation Calculation Methodology.

LOCD-DR shall, at its sole discretion, make approval determinations of individual Project Applications pursuant to current LOCD-DR policy and CDBG and HUD guidelines and regulations. All applications must demonstrate:

- A low to moderate income national objective, including specifics regarding how the objective will be achieved;
- An eligible activity, including a scope, timeline and project estimate;
- Citizen participation; and
- Consideration of resilience and mitigation factors in design and implementation of the proposed project.

During our review of proposals submitted, we have identified that the highest risk to grantees not receiving an approved application is the LMI requirement. **Under this program, only projects meeting the benefit low- and moderate-income (LMI) persons national objective will be considered for funding. This is necessary due to the overall grant LMI percentage required by HUD for these storm events.**

Before incurring significant activity delivery costs associated with the specific project application development, you may submit your LMI Beneficiary Data so that LOCD-DR can conduct a preliminary review and ensure that the project will successfully meet this national objective. To complete this review, LOCD-DR will need the project description, proposed scope of work, a map, and a kmz or shapefile, if available. Please note that for some project types, an engineer's input may be required to fully define the area of benefit (e.g., stormwater management projects). LOCD-DR may require further reviews as the project is developed.

**HURRICANES LAURA/DELTA/IDA & MAY 2021 SEVERE STORMS
CDBG-DR ALLOCATIONS**

HUD MID	LAURA AND DELTA (2020)	IDA AND MAY 1 (2021)	IDA AND MAY 2 (2021)	IDA AND MAY TOTAL (2021)	OVERALL TOTAL
Allen Parish	\$2,071,420.00				\$2,071,420.00
Ascension Parish		\$794,758.00	\$2,298,723.64		\$3,777,481.64
Assumption Parish			\$885,014.85	\$885,014.85	\$885,014.85
Beauregard Parish	\$2,889,896.00				\$2,889,896.00
Calcasieu Parish	\$26,704,450.00		\$775,005.53	\$775,005.53	\$27,479,455.53
Cameron Parish	\$11,489,968.00				\$11,489,968.00
City of Lake Charles	\$46,568,506.00		\$2,052,820.34		\$48,621,326.34
East Baton Rouge Parish		\$1,730,927.00	\$3,184,278.80		\$4,915,205.80
Iberville Parish			\$305,645.71	\$305,645.71	\$305,645.71
Jefferson Davis Parish	\$1,765,588.00				\$1,765,588.00
Jefferson Parish		\$30,143,147.00	\$55,452,446.88	\$85,595,593.88	\$85,595,593.88
Lafayette Parish	\$1,424,818.00				\$1,424,818.00
Lafourche Parish		\$15,278,464.00	\$28,106,826.25	\$43,385,290.25	\$43,385,290.25
Livingston Parish		\$1,748,248.00	\$3,216,141.26	\$4,964,389.26	\$4,964,389.26
Orleans Parish		\$11,720,109.00	\$21,560,744.85	\$33,280,853.85	\$33,280,853.85
Plaquemines Parish		\$1,748,260.00	\$3,216,162.98	\$4,964,422.98	\$4,964,422.98
Rapides Parish	\$2,974,974.00				\$2,974,974.00

HUD MID	LAURA AND DELTA (2020)	IDA AND MAY 1 (2021)	IDA AND MAY 2 (2021)	IDA AND MAY TOTAL (2021)	OVERALL TOTAL
St. Bernard Parish			\$1,958,708.34	\$1,958,708.34	\$1,958,708.34
St. Charles Parish		\$3,897,180.00	\$7,169,396.98	\$11,066,576.98	\$11,066,576.98
St. Helena Parish			\$1,029,503.21	\$1,029,503.21	\$1,029,503.21
St. James Parish		\$1,600,661.00	\$2,944,634.40	\$4,545,295.40	\$4,545,295.40
St. John the Baptist Parish		\$6,887,921.00	\$12,671,275.33	\$19,559,196.33	\$19,559,196.33
St. Mary Parish			\$361,707.60	\$361,707.60	\$361,707.60
St. Tammany Parish		\$2,489,316.00	\$4,579,436.90	\$7,068,752.90	\$7,068,752.90
Tangipahoa Parish		\$5,537,517.00	\$10,187,020.28	\$15,724,537.28	\$15,724,537.28
Terrebonne Parish		\$41,423,492.00	\$76,204,184.87	\$117,627,676.87	\$ 117,627,676.86
Vermilion Parish	\$4,110,380.00				\$4,110,380.00
Washington Parish			\$1,156,321.00	\$1,156,321.00	\$1,156,321.00
Total	\$100,000,000.00	\$125,000,000.00	\$234,303,099.29	\$365,000,000.00	\$465,000,000.00

B. SUBRECIPIENT SELECTION AND CAPACITY

Prior to the execution of an agreement to use CDBG-DR funding under the RCIP, LOCD-DR will complete an analysis to determine if the subrecipient adequately demonstrates the following:

- Has prior experience in executing CDBG, CDBG-DR, or other federally funded projects, including but not limited to knowledge and prior experience with [2 CFR Part 200](#) requirements;
- Has the ability to document that the project meets the required CDBG National Objective and LMI criteria and that the project's expenditures are for CDBG Eligible Activities.
- Has staff capacity to effectively manage CDBG-DR grants, including but not limited to the capacity to perform financial management and oversight;
- Has the capacity to perform grant management functions as demonstrated through prior experience with in-house staff or with a grants management consultant;
- Has internal auditing capability and administrative staff;
- Has knowledge of both federal and state procurement and contracting requirements;
- Has knowledge and experience in the financial management of federal grant funds, specifically of CDBG funds, and has the financial systems to meet all state and federal requirements, including but not limited to:
 - Acceptable accounting systems and budget controls;
 - The ability to document expenditures are necessary, reasonable, and directly related to the grant;
 - The ability to monitor and control the timely expenditure of federal funds;
 - Knowledge of 2 CFR 200; and
 - The ability to complete audits under 2 CFR 200 Subpart F, if applicable
- Is in good standing with the state of Louisiana;
- Has experience, knowledge and documented compliance with all federal regulations outside of direct CDBG requirements as it applies to the grant, including but not limited to the requirements of Davis-Bacon and all labor standards, Section 3, M/WBE, environmental, Civil Rights, Section 504, Uniform Relocation Act, Fair Housing Act (FHA), ADA, Age Discrimination Act and records management.

III. PROGRAM IMPLEMENTATION

A. COOPERATIVE ENDEAVOR AGREEMENT (CEA)

LOCD-DR will first work with the subrecipient to execute a cooperative endeavor agreement (CEA). The CEA serves as the mechanism for the transfer of funds to the subrecipient, and requires compliance with all federal, state and local laws, as applicable.

The assigned LOCD-DR staff member will work directly with the subrecipient to collect information needed to complete the CEA process.

B. RECOVERY PROPOSAL

Following the execution of the CEA, the subrecipient will be able to submit the Recovery Proposal. LOCD-DR must review and approve the submitted proposal before the subrecipient may begin implementing projects to be funded under the RCIP. (See Exhibit E-2, Proposal Outline)

The purpose of the Recovery Proposal is to justify the recovery needs that will be met through the proposed program. It functions to provide LOCD-DR with a clear understanding of the disaster impact on each community and how the projects to be implemented under the RCIP address these identified impacts.

After the Recovery Proposal is approved, the subrecipient is required to submit a separate application form for each respective project proposed by the recipient.

i) DEADLINE FOR SUBMISSION

The deadline for submission of the RCIP Recovery Proposal to LOCD-DR is three (3) months from the date the Cooperative Endeavor Agreement (CEA) is executed by LOCD-DR, unless an extension request is granted and approval received in writing.

ii) PROCESS FOR SUBMISSION

The subrecipient will be required to submit the RCIP Recovery Proposal through the LOCD-DR online system of record. LOCD-DR assigned staff will assist the subrecipient in completing the proposal online, providing support throughout the entire process. Subrecipients may direct any questions to their respective assigned LOCD-DR staff member, or by submitting questions to OCD.Infrastructure@la.gov.

iii) CITIZEN PARTICIPATION REQUIREMENTS

HUD requires citizen participation prior to expending CDBG-DR funds. The public meeting(s) function to engage and solicit input from citizens in the identification of recovery priorities and the development

of projects to be funded. Parishes and municipalities are required to conduct at least one (1) public meeting in the development of their Recovery Proposal. Public notice of the meeting must be 5 to 21 days prior to the date of the meeting.

According to [24 CFR 91.105\(a\)\(3\)](#), the jurisdiction must provide citizens with a reasonable opportunity to comment on the original citizen participation plan and on substantial amendments to the citizen participation plan, and must make the citizen participation plan public. The citizen participation plan must be in a format accessible to persons with disabilities, upon request.

For those making amendments to the original citizen participation plan, for instance in the case of a grantee wanting to take advantage of the wavier for the buildings for the general conduct of government, where the original citizen participation plan stated only certain types of activities were included, and now the list of allowable activities has changed, it is recommended that the grantee follow the same steps as followed for the original citizen participation plan to inform the public of the new option/changes. LOCD-DR has indicated for RCIP that a reasonable opportunity for the comment period is a minimum of 7 days. Please keep in mind, in the event an amendment is required, a reasonable opportunity for a comment period will be a minimum of 7 days.

It is important to note — efforts and methods used in soliciting participation of persons of low- and moderate-income (LMI) in the public participation process are to be documented in the Recovery Proposal. This is in addition to other public participation documentation required.

iv) SUBMISSION REQUIREMENTS

For purposes of a Recovery Proposal, the following documents must be attached.

- A. Fully executed proposal (see E-2, Proposal Outline).
- B. A copy of the resolution authorizing the submission of the proposal by the parish/municipal governing authority.
- C. Copy of all citizen participation documents as noted in the proposal (see E-2 Proposal Outline).

Additional documents will be required at appropriate times, according to HUD/CDBG requirements for implementation, approval of project applications, and the drawdown of funds.

v) TIMELINE OF ACTIVITIES

The Recovery Proposal obligates funds under each specific project. Upon approval of the Recovery Proposal, subrecipients may proceed with procurement of needed professional design services and the preparation of the environmental review record for each project. The projected timeline for projects funded under RCIP is as follows:

- Submission of the Recovery Proposal to LOCD-DR:
 - Three (3) months from the date the Cooperative Endeavor Agreement (CEA) is executed.
- Submission of Project Application to LOCD-DR :

- Three (3) months from the date the Recovery Proposal is approved. **Note:** LOCD-DR has modified the application deadline to be November 30, 2024 for all allocations of funding¹.
- Submission of each Project-Specific Environmental Review Record:
 - Six (6) months from the date the Project Application is approved.
- Submission of Final Project Plans, Specifications, and Cost Estimate (if required):
 - Six (6) months from the date the Project Application is approved.

Projects that fail to meet the established timeline (including extensions, if any) are subject to cancellation and reallocation of funds. Once a project schedule has been submitted as part of the Project Application and approved by LOCD-DR, the dates included in the schedule for Environmental Review Record and Final Project Plans, Specifications, and Cost Estimate may supersede the date of six (6) months from Project Application approval.

C. PROJECT APPLICATION

Once the Recovery Proposal is approved by LOCD-DR, the subrecipient will be required to submit a separate application for each project through the LOCD-DR online system of record. LOCD-DR assigned staff will assist the subrecipient in completing the Recovery Proposal online, providing support throughout the entire process. At a minimum, the full application for funding requires the following information for submission:

- Applicant information and certifications
- Definition of the problem
- Detailed scope of work
- Project location and type
- Funding request and budget
- Project schedule
- National objectives
- Eligible activities
- Benefiting area

¹ All subrecipients were notified of this modified deadline on May 22, 2024.

- Public benefits
- Project beneficiaries
- Area benefit – beneficiary income information
- Direct benefit activities
- Grantee statement of assurance

The subrecipient will be notified directly by LOCD-DR staff or via an online system of record email notification of the application approval. A copy of this approval must be placed in the project file.

D. DOCUMENTING PROJECT CHANGES

Changes to projects by subrecipients are documented through an amendment to the project for funding and/or an amendment to the CEA. Changes to contracts are documented through a contract amendment and/or a change order. Subrecipients are required to confer with LOCD-DR as to the method to be followed in documenting changes to an approved project.

E. PROJECT REQUESTS FOR PAYMENT

Subrecipient expenses are typically paid on a reimbursement-based payment process. “Reimbursement-based” means that project costs must be incurred by the subrecipient and documented. For reimbursement-based payments, the subrecipient must submit a request for payment package through the LOCD-DR online system of record for LOCD-DR’s review and approval.

The grantee will submit draw requests for payment of eligible expenses payable under the CEA to the Executive Director of LOCD-DR, or designee, for approval. Payment to the grantee will be made on a cost reimbursement basis for actual services rendered under the program and limited to those amounts which are deemed eligible and reasonable. The grantee shall be required by the LOCD-DR to submit with each draw request documentation regarding each service for which reimbursement is being sought.

Following review and approval of the draw requests by LOCD-DR, or designee, approved draw requests will be submitted to LOCD-DR Finance Manager, or designee, for approval of payment. Draw requests not approved by the Executive Director of LOCD-DR or the LOCD-DR Finance Manager, or their respective designees, shall not be paid, but returned to Grantee for further processing.

Upon approval of payment by LOCD-DR, payment of eligible expenses shall be provided to the grantee via electronic funds transfer. Grant funds shall not be drawn in advance. If an award letter has been issued regarding grant funds, only costs consistent with the terms of the award letter will be allowed, unless expressly waived in writing by LOCD-DR.

Eligible travel costs shall be reimbursed in accordance with PPM49 in effect at the time the expense was incurred, if provided for in the budget. In the event of non-compliance with this agreement, LOCD-DR may withhold payment to the grantee until LOCD-DR deems the grantee has brought the program into compliance. Non-compliance on any aspect funded under this agreement may serve as a basis to withhold payment on funds for other projects funded under this agreement.

F. PROJECT REPORTING

Subrecipients will be required to provide monthly and quarterly reports and attend status meetings with assigned staff, as requested, throughout project implementation. Once an award is made, subrecipients will be notified of additional reporting requirements as it relates to each specific project. For example, schedule and milestone updates.

G. PROJECT MONITORING

All RCIP projects will be monitored by LOCD-DR to ensure the project is:

- Achieving its intended results;
- Protecting programs and resources from waste, fraud, abuse, and mismanagement;
- Following laws, regulations and applicable CDBG-DR policies and procedures.

H. PROJECT CLOSEOUT

Project closeout is the process by which LOCD-DR determines all requirements of the CEA between LOCD-DR and the subrecipient for a specific project have been completed in accordance with the terms and conditions of the CEA and project application. Project closeout is requested by the subrecipient when:

1. All project expenses (including non-CDBG-DR funds) to be paid have been completed and payment requested;
2. Approved work has been finished;
3. All responsibilities detailed in the CEA have been fulfilled;
4. All required documentation has been collected; and
5. All monitoring or audit findings have been cleared.

The specific process to be followed in closing a project can be found in the Disaster Recovery CDBG Grantee Administrative Manual (Administrative Manual) located on the LOCD-DR website at <https://www.doa.la.gov/dao/ocd/policy-and-reports/administrative-manual/>.

IV. PROGRAM REQUIREMENTS

All projects funded under the RCIP must comply with the requirements in this section. Other program-specific policies are outlined in subsequent sections of this manual.

Under the RCIP, project selections and priorities for funding must include the following:

- Have a tie to the storm event or meet the definition of Mitigation;
- Located in MID areas;
- Benefit to low- and moderate-income persons;
- An eligible activity; and
- Activity can be completed within funding timeline.

A. TIE TO THE STORM AND MITIGATION ACTIVITIES

For projects to be funded under the RCIP, they must address unmet disaster recovery needs by documenting the tie to the storm as a part of the application process.

A project may be tied to the storm in multiple ways, including but not limited to:

- The storm may have caused the infrastructure to fail to function;
- The storm may have caused damage to the public infrastructure; and/or
- The infrastructure or activity may be needed for the community's successful long-term recovery from the storm and for protection from similar events.

Unlike recovery activities where subrecipients must demonstrate that their activities “tie-back” to the specific disaster and address a specific unmet recovery need for which the CDBG–DR funds were awarded, activities funded under Mitigation do not require such a “tie-back” to the specific qualified disaster that has served as the basis for the subrecipient’s award. If the proposed project meets the definition of mitigation, but does not have a documented tie to the storm, the subrecipient may submit the application to LOCD-DR for consideration on an exceptions basis. LOCD-DR will determine in its sole discretion whether the subrecipient has made the case that the need for an exceptions award is critical to the community’s long-term recovery.

This program will require construction, reconstruction, and rehabilitation projects to meet the definition of mitigation. Mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

Mitigation activities under this program are any action taken to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters.

Activities aimed at economic revitalization will require mitigation where construction, reconstruction, or rehabilitation of facilities are involved.

Each eligible activity application will be required to describe sustainable practices focusing on reducing runoff and improving water quality, including mitigation of future flood risk.

B. GEOGRAPHICAL ELIGIBILITY

Under the appropriation for the RCIP, funds can only be used in parishes/areas that were presidentially declared disaster areas. LOCD-DR will only fund projects in these parishes/areas. A list of eligible parishes and areas is provided below. Following each allocation, HUD required the state of Louisiana to use 80% of the overall allocation of funds in HUD-defined MID areas, as outlined in the federal notices. These parishes and HUD-defined MID areas include:

LAURA/DELTA	IDA/MAY 2021 SEVERE STORMS
Allen Parish	Ascension Parish
Beauregard Parish	Assumption Parish
Calcasieu Parish	Calcasieu Parish
Cameron Parish	City of Lake Charles
City of Lake Charles	East Baton Rouge Parish
Jefferson Davis Parish	Iberville Parish (70764, 70788)
Lafayette Parish	Jefferson Parish
Rapides Parish	Lafourche Parish
Vermilion Parish (70510)	Livingston Parish
	Orleans Parish
	Plaquemines Parish
	St. Bernard Parish
	St. Charles Parish
	St. Helena Parish
	St. James Parish
	St. John the Baptist Parish
	St. Mary Parish
	St. Tammany Parish
	Tangipahoa Parish
	Terrebonne Parish
	Washington Parish

C. MEETING A NATIONAL OBJECTIVE

In general, all CDBG-DR activities, except for program administration and planning activities, must meet one of the three national objectives. Under the RCIP, **only** those projects meeting the “Benefit to low- and moderate-income (LMI) persons” national objective will be considered for funding.

The following three (3) tests are used for determining whether a project primarily benefits persons of LMI and qualifies under the LMI national objective:

- **Area Benefit Test:** The project benefits all residents of a primarily residential area within a delineated service area where at least 51% of the households are persons of LMI;
- **Jobs Test:** At least 51% of the jobs created or retained with CDBG-DR assistance are held by or are available to persons of LMI (“available to” means no special education or training is necessary); and/or
- **Limited Clientele Test:** The project is limited to benefiting a specific group of persons, at least 51% of whom are LMI, or is limited to serving person of LMI only. Some activities, such as services for elderly people, are presumed to benefit persons of LMI, although the presumption can be challenged based on the facts and circumstances of the project.

Detailed information regarding the process to be followed in documenting LMI Benefit are described in Exhibit 5 and on the HUD Exchange Website at <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>.

D. MEETING AN ELIGIBLE ACTIVITY

Eligible activity requirements for CDBG funds are specifically stipulated in [24 CFR 570](#)—Community Development Block Grants Subpart C—Eligible Activities. All CDBG-DR funded activities must meet one (1) of the eligible activities outlined in Section 105(a) of HCDA, or relevant Federal Register Notices.

The following activities are eligible for the use of CDBG-DR funds in RCIP²:

SECTION 105(a)(1): The acquisition of real property (including air rights, water rights, and other interests therein) which is

- A. Blighted, deteriorated, deteriorating, undeveloped, or inappropriately developed from the standpoint of sound community development and growth;
- B. Appropriate for rehabilitation or conservation activities;

² Housing activities aren't eligible for this program, even if mentioned in Section 105(a).

- C. Appropriate for the preservation or restoration of historic sites, the beautification of urban land, the conservation of open spaces, natural resources, and scenic areas, the provision of recreational opportunities, or the guidance of urban development;
- D. To be used for the provision of public works, facilities, and improvements eligible for assistance under this title; or
- E. To be used for other public purposes

SECTION 105(a)(2): The acquisition, construction, reconstruction, or installation (including design features and improvements with respect to such construction, reconstruction, or installation that promote energy efficiency) of public works, facilities (except for buildings for the general conduct of government), and site or other improvements

SECTION 105(a)(3): Code enforcement in deteriorated or deteriorating areas in which such enforcement, together with public or private improvements or services to be provided, may be expected to arrest the decline of the area

SECTION 105(a)(4): Clearance, demolition, removal, reconstruction, and rehabilitation (including rehabilitation which promotes energy efficiency) of buildings and improvements (including interim assistance, and financing public or private acquisition for reconstruction or rehabilitation, and reconstruction or rehabilitation, of privately owned properties, and including the renovation of closed school buildings)

SECTION 105(a)(5): Special projects directed to the removal of material and architectural barriers which restrict the mobility and accessibility of elderly and handicapped persons

SECTION 105(a)(7): Disposition (through sale, lease, donation, or otherwise) of any real property acquired pursuant to this title or its retention for public purposes

SECTION 105(a)(8): Provision of public services, including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, energy conservation, welfare or recreation needs

SECTION 105(a)(9): Payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of activities assisted under this title

SECTION 105(a)(11): Relocation payments and assistance for displaced individuals, families, businesses, organizations, and farm operations, when determined by the grantee to be appropriate

SECTION 105(a)(12): Activities necessary

- A. To develop a comprehensive community development plan, and
- B. To develop a policy-planning-management capacity so that the recipient of assistance under this title may more rationally and effectively

- i. devise programs and activities to meet these goals and objectives,
- ii. evaluate the progress of such programs in accomplishing these goals and objectives, and
- iii. carry out management, coordination, and monitoring of activities necessary for effective planning implementation;

SECTION 105 (a)(14)

Provision of assistance including loans (both interim and long-term) and grants for activities which are carried out by public or private nonprofit entities, including:

- A. Acquisition of real property
- B. Acquisition, construction, reconstruction, rehabilitation, or installation of:
 - i. Public facilities (except for buildings for the general conduct of government), site improvements, and utilities.
 - ii. Commercial or industrial buildings or structures and other commercial industrial real property improvements.
- C. Planning

SECTION 105 (a)(15)

Assistance to neighborhood-based nonprofit organizations, local development corporations, nonprofit organizations serving the development needs of the communities in nonentitlement areas, or entities organized under section 301(d) of the Small Business Investment Act of 1958 to carry out a neighborhood revitalization or community economic development or energy conservation project in furtherance of the objectives of section 101(c) of this title, and assistance to neighborhood-based nonprofit organizations, or other private or public nonprofit organizations, for the purpose of assisting, as part of neighborhood revitalization or other community development, the development of shared housing opportunities (other than by construction of new facilities) in which elderly families (as defined in section 3(b)(3) of the United States Housing Act of 1937) benefit as a result of living in a dwelling in which the facilities are shared with others in a manner that effectively and efficiently meets the housing needs of the residents and thereby reduces their cost of housing.

SECTION 105(a)(16): Activities necessary to the development of energy use strategies related to a recipient's development goals, to assure that those goals are achieved with maximum energy efficiency, including items such as –

- A. An analysis of the manner in, and the extent to, which energy conservation objectives will be integrated into local government operations, purchasing and service delivery, capital

improvements budgeting, waste management, district heating and cooling, land use planning and zoning, and traffic control, parking, and public transportation functions; and

- B. A statement of the actions the recipient will take to foster energy conservation and the use of renewable energy resources in the private sector, including the enactment and enforcement of local codes and ordinances to encourage or mandate energy conservation or use of renewable energy resources, financial and other assistance to be provided (principally for the benefit of low- and moderate-income persons) to make energy conserving improvements to residential structures, and any other proposed energy conservation activities;

SECTION 105 (a)(17)

Provision of assistance to private, for-profit entities, when the assistance is appropriate to carry out an economic development project (that shall minimize, to the extent practicable, displacement of existing businesses and jobs in neighborhoods) that –

- A. Creates or retains jobs for low- and moderate-income persons.
- B. Prevents or eliminates slums and blight.
- C. Meets urgent needs.
- D. Creates or retains businesses owned by community residents.
- E. Assists businesses that provide goods or services needed by, and affordable to, low and moderate-income residents.
- F. Provides technical assistance to promote any of the above activities.

SECTION 105 (a)(19)

Provision of technical assistance to public or nonprofit entities to increase the capacity of such entities to carry out eligible neighborhood revitalization or economic development activities, which assistance shall not be considered a planning or administrative cost.

SECTION 105 (a)(21)

Provision of assistance by recipients under this title to institutions of higher education having a demonstrated capacity to carry out eligible activities under this subsection for carrying out such activities.

SECTION 105 (a)(22)

Provision of assistance to public and private organizations, agencies, and other entities (including nonprofit and for-profit entities) to enable such entities to facilitate economic development by –

- A. Providing credit (including providing direct loans and loan guarantees, establishing revolving loan funds, and facilitating peer lending programs) for the establishment, stabilization, and expansion of microenterprises.
- B. Providing technical assistance, advice, and business support services (including assistance, advice, and support relating to developing business plans, securing funding, conducting marketing, and otherwise engaging in microenterprise activities) to owners of microenterprises and persons developing microenterprises.
- C. Providing general support (such as peer support programs and counseling) to owners of microenterprises and persons developing microenterprises.

E. TIMELY EXPENDITURE OF FUNDS

As stipulated in [FR-6303-N-01](#), dated February 3, 2022, and subsequently modified by [FR-6326-N-01](#), dated May 24, 2022, HUD waived the provisions at [24 CFR 570.494](#) and [24 CFR 570.902](#) regarding timely distribution and expenditure of funds, and establishes an alternative requirement providing that the state of Louisiana must expend 100% of its allocation within six (6) years of the date HUD signs the grant agreement with the state. HUD may extend the period of performance administratively, if good cause for such an extension exists at that time, as requested by the state, and approved by HUD. When the period of performance has ended, HUD will close out the grant and any remaining funds not expended by the state of Louisiana on appropriate programmatic purposes will be recaptured by HUD.

F. ORDER OF ASSISTANCE

Following the hierarchy of funding enumerated in the Stafford Act, CDBG-DR funds will never displace other available funds (see Duplication of Benefits Section II.D). FEMA regulations at [44 CFR 206.191](#) make clear the order of funding assistance, and as noted in the June 20, 2019 notice [FR-6169-N-01](#), “CDBG–DR appropriations acts generally include a statutory order of assistance for federal agencies. Although the language may vary among appropriations, the statutory order of assistance provides that CDBG–DR funds may not be used for activities reimbursable by or for which funds are made available by FEMA or the Army Corps.” Since CDBG-DR provides long-term recovery assistance via supplemental congressional appropriations and falls lower in the hierarchy of delivery than FEMA or Small Business Administration (SBA) assistance, it is intended to supplement rather than supplant these sources of assistance.

G. DUPLICATION OF BENEFITS

Disaster recovery activities may be funded from a variety of both public and private sources. The Stafford Act's prohibition on Duplication of Benefits (DOB) in section 312 (42 U.S.C. 5155) is applicable to all CDBG-DR grants, including grants awarded under the RCIP. DOB occurs when financial assistance received from one source – including: insurance proceeds; FEMA; SBA; NFIP; other federal, state or local funding; and other non-profit, private sector, or charitable funding – is provided for the same purpose as CDBG-DR funds are provided, in accordance with HUD DOB guidance found in the June 20, 2019 notice [FR-6169-N-01](#).

Recipients of RCIP funding to implement a capital project are required to certify to LOCD-DR they have not received duplicative assistance for the same purpose from another source.

This certification will occur at two (2) points over the life cycle of a project:

1. Upon submission of a project application for funding; and
2. Upon project closeout.

H. PROGRAM INCOME

For state and unit of general local government grantees, HUD has waived all applicable program income rules at [42 U.S.C. 5304\(j\)](#), [24 CFR 570.489\(e\)](#), [24 CFR 570.500](#), and [24 CFR 570.504](#) and provided alternative requirements set out in the February 3, 2022, Federal Register Notice ([FR-6303-N-01](#)) and the May 24, 2022, Federal Register Notice ([FR-6326-N-01](#)) with regard to program income.

Program income is defined as the “gross income received by a state, a unit of general local government, or a subrecipient of a unit of general local government that was generated from the use of CDBG-DR funds, regardless of when the CDBG-DR funds were appropriated and whether the activity has been closed out.”

Recipients of RCIP funding will be required to conform to the Program Income requirements set forth in the February 3, 2022, Federal Register Notice ([FR-6303-N-01](#)) and the May 24, 2022, Federal Register Notice ([FR-6326-N-01](#)).

I. RESILIENCE PERFORMANCE STANDARDS

In the implementation of the RCIP, LOCD-DR intends to promote high quality, durable, energy efficient, sustainable, and mold resistant construction methods. All newly constructed and substantially improved public facilities and infrastructure must meet all locally adopted building codes, standards, and ordinances. In the absence of locally adopted and enforced building codes, the requirements of the State Building Code will apply. The goal is minimization of future property damage by requiring that any rebuilding be done according to the best available science for that area with respect to base flood elevations.

J. FFRMS FLOODPLAIN AND ELEVATION STANDARDS

The state will - at a minimum- require adherence to 24 CFR 55, Floodplain Management and Protection of Wetlands, which incorporates HUD's Federal Flood Risk Management Standard (FFRMS) Final Rule into its existing regulations. The FFRMS floodplain is based on future flood risk and expands the 100-year floodplain both vertically and horizontally, by including the horizontal area impacted by a vertical increase in flood waters.

The FFRMS floodplain area is determined by using a tiered approach: 1) Climate Informed Science Approach (CISA), 2) 0.2 Percent-Annual-Chance Flood Approach (0.2 PFA), or 3) Freeboard Value Approach (FVA), and in that order based on available data for the area (CISA>0.2PFA>FVA).

All new construction and substantial improvement actions (as defined by 24 CFR 55.2(b)(12)(i)) in the FFRMS floodplain must be elevated (or in certain cases, flood-proofed) to or above the elevation of the FFRMS floodplain. If the CISA or 0.2 PFA elevations are not mapped, add 2 feet to the base flood elevation (BFE) for Non-Critical actions and add 3 feet to the BFE for Critical Actions (as defined by 24 CFR 55.2(b)(3)). If Critical Actions are in the 0.2 PFA and the elevation is mapped, elevate to the higher of the 0.2 PFA elevation and the BFE+3 ft. If voluntarily using CISA prior to the adoption by HUD, CISA data may not be used as a basis for a lower elevation than the lowest of 0.2 PFA elevation, BFE+2 (non-critical), and BFE+3 (critical). Review figure 2 on page 25.

As applicable and within its policies and procedures on a program- by- program basis, LOCD-DR or its subrecipients will document decisions to elevate structures. This documentation will address how projects will be evaluated and how elevation or floodproofing costs will be reasonably determined relative to other alternatives or strategies, such as the demolition of substantially damaged structures with reconstruction of an elevated structure on the same site, or infrastructure improvements to reduce the risk of loss of life and property.

How do the new requirements under the FFRMS Rule differ from previous requirements for CDBG-DR or CDBG-MIT funding?

The biggest impact is that the FFRMS floodplain has expanded vertically and horizontally, which means more projects will need to complete the 8-step decision-making process (i.e. projects that were not in the Special Flood Hazard Area (SFHA) but are in the FFRMS floodplain). The key difference between the previous requirements and the new rule is:

- Step 5 of the 8-step decision-making process has been expanded under FFRMS, which is now reflected in 24 CFR 55.20(e) and requires all new construction and substantial rehabilitation actions in the FFRMS floodplain to be elevated or, in certain cases, floodproofed to or above the FFRMS floodplain.

Although CDBG-DR and CDBG-MIT already had higher elevation requirement compared to other HUD programs, grantees are advised to review how the changes to Step 5 impact RCIP projects. Specifically, non-critical actions in the SFHA required elevation two feet above the Base Flood Elevation (BFE) and critical actions required to be three feet above BFE or above the 500-yr flood plain, whichever is higher. The freeboard value approach (FVA) in the FFRMS rule uses this same vertical

extent, but now also includes the horizontal extent (as seen in figure 1). This means the elevation requirements will pertain to an expanded floodplain area.

Grantees should carefully analyze projects near the SFHA (100-year floodplain) to determine if they are in an area where the additional horizontal extent reaches, and thereby being in the FFRMS floodplain.

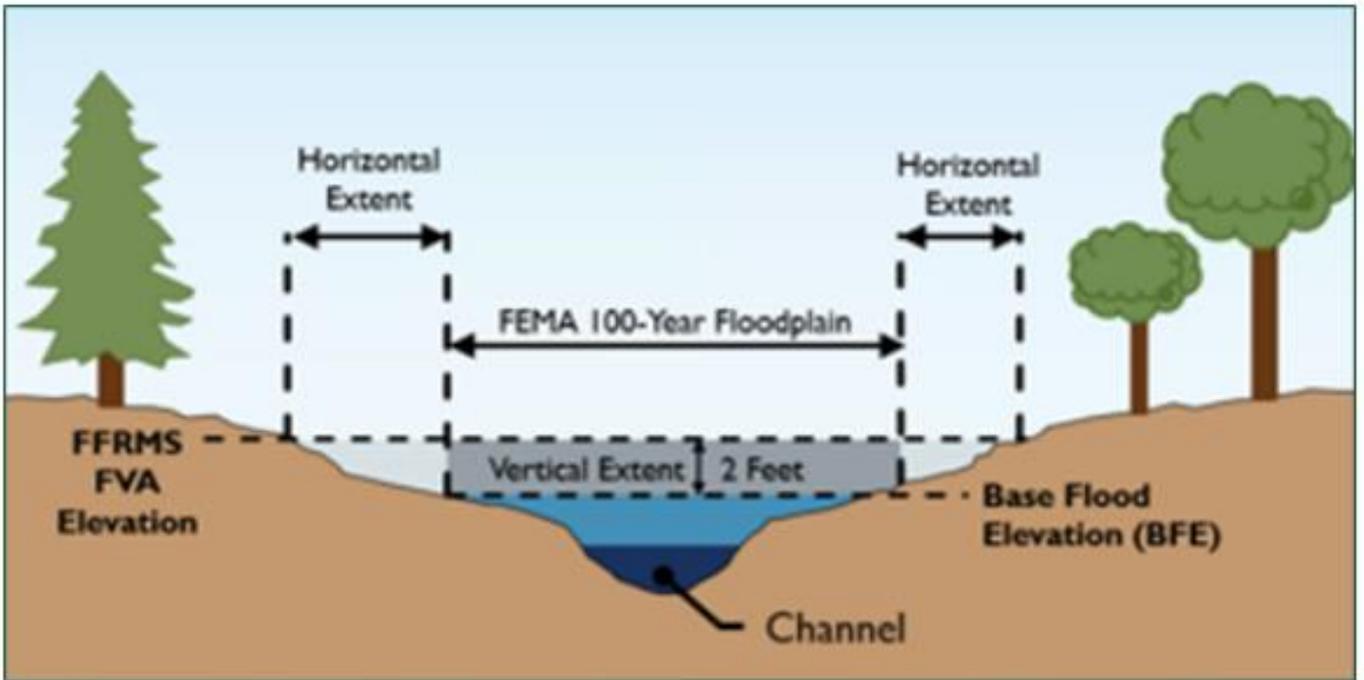


Figure 1: FFRMS - FVA Elevation (non-critical action)

Identifying the FFRMS Floodplain

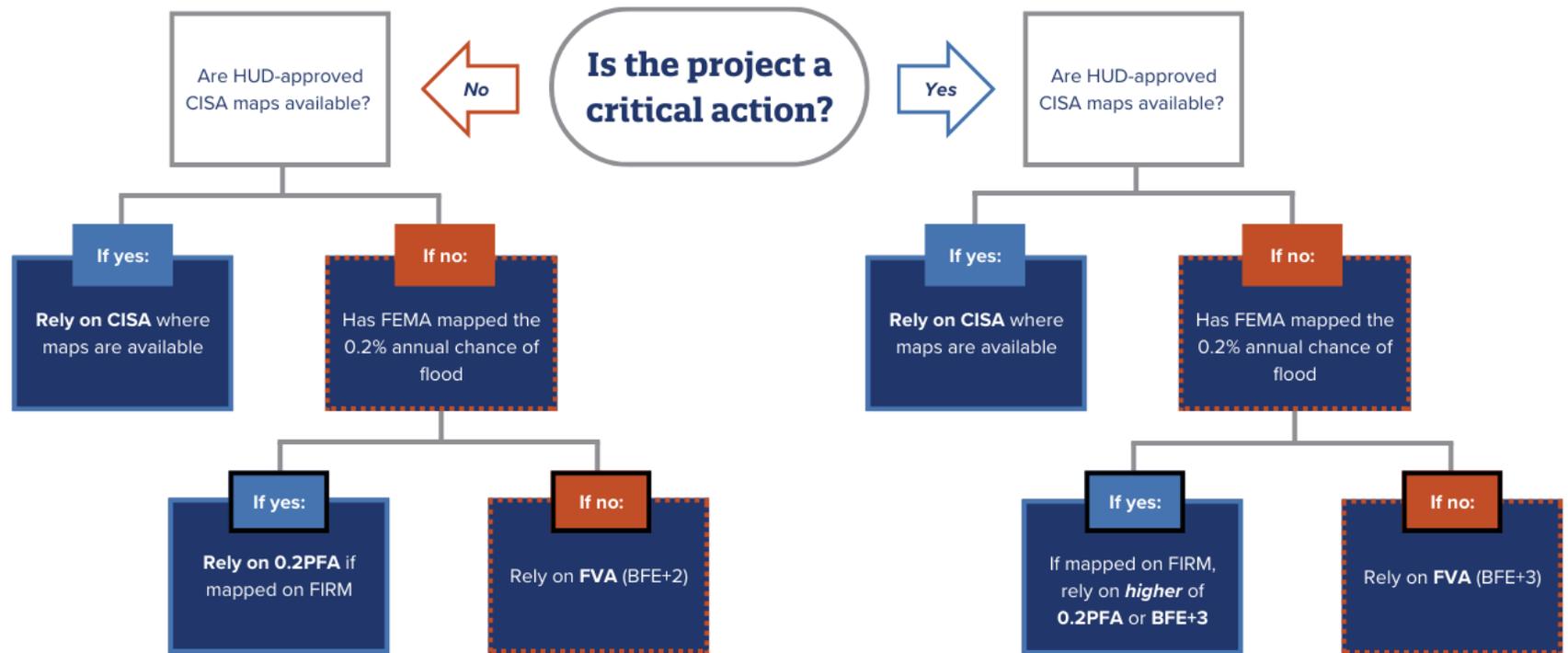


Figure 2: Identifying the FFRMS Floodplain

K. CONSTRUCTION STANDARDS

As set out in Section II.C.1 of the February 3, 2022, Federal Register Notice ([FR-6303-N-01](#)), all newly constructed infrastructure that is funded with CDBG-DR dollars must be designed and constructed to withstand extreme weather events and the impacts of climate change.

- LOCD-DR will require quality inspections and code compliance inspections on all projects with an emphasis on high-quality, durable, sustainable, and energy efficient construction methods and materials. Site inspections will be required on all projects to ensure quality and compliance with building codes.
- All rehabilitation, reconstruction, or new construction of public facilities must meet an industry-recognized standard that has achieved certification under at least one (1) of the following programs:
 - Energy STAR (Certified Homes or Multifamily High Risk) Enterprise Green Communities
 - Leadership in Energy and Environmental Design (LEED) ICC- 700 National Green Building Standards (New Construction, Midrise, Existing Building Operations and Maintenance or Neighborhood Development)
 - EPA Indoor airPLUS
 - Any other equivalent comprehensive [Green Building Standard](#) program acceptable to HUD
- Substantially damaged public facilities structures refers to structures in a Special Flood Hazard Area – or floodplain – for which the total cost of repairs is 50 percent or more of the structure's market value before the disaster occurred, regardless of the cause of damage. Substantially damaged structures, as determined by the local jurisdiction's floodplain manager or local building official, may require additional construction considerations.
- For infrastructure projects, LOCD-DR encourages, to the extent practicable, implementation of sustainable planning and design methods that promote adaptation and resilience.
- All projects will be subject to cost reasonableness standards as outlined in [2 CFR 200](#).

L. PROHIBITION OF ASSISTANCE TO PRIVATE UTILITIES

In accordance with the February 3, 2022, Federal Register Notice ([FR-6303-N-01](#)) and the May 24, 2022, Federal Register Notice ([FR-6326-N-01](#)) HUD has adopted an alternative requirement to Section 105(a) prohibiting the use of CDBG-DR funds to assist a privately-owned utility for any purpose.

V. LOCD-DR POLICIES AND REQUIREMENTS

A. PROCUREMENT OF PROFESSIONAL SERVICES

The methods and contractual requirements for the procurement of engineering, architectural, administrative consulting, and other professional services required in the development of the Recovery Proposal and implementation of projects funded under RCIP shall adhere to the policies and procedures stipulated in the Disaster Recovery CDBG Grantee Administrative Manual (Administrative Manual) located on the LOCD-DR website at <https://www.doa.la.gov/doa/ocd/policy-and-reports/administrative-manual/>. Limitations on the amounts allowable for activity delivery costs and architectural/engineering services are contained in E-3 and E-4 of this manual.

Any contract to govern completion of professional services (i.e., architectural, engineering, grant administration, CDBG-DR Program Management, etc.) executed prior to the start of the subrecipients CEA, in which the intent is to fund the services using RCIP funds, must first be reviewed by LOCD-DR to ensure the procurement process provided open competition and aligns with the applicable provisions of [2 CFR 200](#).

If the contract, its method of procurement, or the selection criteria is found to be noncompliant with 2 CFR 200, the parish/municipality will be advised to amend the contract to bring it into compliance with applicable CDBG-DR policies, implement a new procurement process, or pay for services using local funds. LOCD-DR is committed to working with local governments to minimize the impact of requiring additional procurement actions and will only recommend this if absolutely necessary.

B. ACTIVITY DELIVERY COSTS

Under RCIP, limitations on activity delivery costs are contained in E-3, Program Costs.

The subrecipient must provide narrative in the project application justifying the request for activity delivery costs. Costs must not be duplicative of services provided by LOCD-DR through its staff or consultants. All proposed subrecipient activity delivery costs must be allowable, allocable, and reasonable.

C. REALLOCATION OF FUNDS

LOCD-DR has established administrative requirements for subrecipients to track spending and project performance. These include:

- Keeping all accounting records up to date.
- Establishing project time schedules and milestones.
- Developing financial projections and expenditure schedules.
- Tracking and recording program income.

- Submitting quarterly progress reports to LOCD-DR.

LOCD-DR has designated staff to oversee program spending and routinely runs and reconcile spending reports utilizing the state’s accounting system and HUD’s Disaster Recovery Reporting (DRGR) system. These designated staff provide LOCD-DR senior management and program managers with monthly reports on program activity, expenditures, and financial projections. If a program or subrecipient is under-performing, LOCD-DR will first attempt to take corrective action to increase performance. If LOCD-DR determines the program or project will be unable to meet the HUD expenditure deadline, LOCD-DR will reallocate the CDBG-DR funds to another program or project.

i) PROCEDURES IN DETERMINING FUNDS AVAILABLE FOR REALLOCATION

LOCD-DR has established the following procedures for identifying the funds that will be available for reallocation (“excess funds”).

Subrecipient projects will be monitored for compliance with the time and expenditure schedules included in the application. Projects that fail to meet the established deadlines (including extensions, if any) are subject to cancellation and reallocation of funds.

Project underruns (reasonably anticipated project costs being less than the budget allocated) are subject to reallocation. Steps will be taken to identify project underruns, if any, as early as possible.

ii) EXCESS FUNDS

As noted above, excess funds are funds that LOCD-DR determines are available for reallocation. LOCD-DR will undertake periodic assessments to identify excess funds. LOCD-DR will calculate excess funds as the difference between

- The funds currently allocated to the program, project, or subrecipient, as applicable, and
- The projected amount of expenditures by LOCD-DR or the subrecipient that will occur prior to the HUD expenditure deadline.

LOCD-DR may reduce or decline to make an excess funds determination if LOCD-DR determines that the amount of excess funds was the result of exigent circumstances, such as a natural disaster.

LOCD-DR will notify the subrecipient in writing upon determining that any part of an award or allocation constitutes excess funds.

iii) REALLOCATED FUNDS

When reallocating “excess funds”, the primary reallocation priorities are as follows:

- Relocate funds to programs, activities or subrecipients that are likely to expend the CDBG-DR funds prior to the HUD expenditure deadline with a focus on addressing unmet housing needs.
- Relocate funds to programs, activities, or subrecipients that are likely to expend the CDBG-DR funds prior to the HUD expenditure deadline to address other unmet needs.

D. RECAPTURE OF FUNDS

LOCD-DR is responsible for ensuring that CDBG-DR funds awarded under the RCIP comply with all federal, state, and local requirements. To ensure subrecipients receiving CDBG-DR assistance are using the funds for their intended purpose, LOCD-DR requires all subrecipients to execute a CEA stipulating each party's responsibilities and the potential penalties if the subrecipient is found not to have fulfilled their obligations. The subrecipient must return to LOCD-DR all CDBG-DR funds utilized for payment which LOCD-DR or HUD determines to have been ineligible expenditures, no matter the cause (e.g., the particular cost is determined to be ineligible or unreasonable, prohibited because of duplicative sources, or the project does not timely meet its national objective or proposed eligible activity).

Throughout a project's lifecycle, continual steps will be undertaken by LOCD-DR staff to monitor for and address subrecipient compliance concerns. These steps provide the subrecipients an opportunity to avoid the actions or adequately rectify the actions that could lead to recapture.

Subrecipients are at risk for the recapture of previously paid CDBG-DR grant funds if LOCD-DR identifies non-compliance with LOCD-DR policies and/or CDBG-DR regulations. Examples of non-compliance include but are not limited to:

- Ineligibility of previously reimbursed item(s);
- Subrecipient substantial non-compliance including issues related to Davis-Bacon, environmental review, mismanagement of funds on an individual project basis, across projects, or on a subrecipient level;
- Improper procurement or contract management;
- Failure to Obtain and maintain flood insurance;
- Noncompliance with the terms and conditions of the CEA;
- Failure to meet a national objective or HUD eligible activity;
- Missing or late submittal of Single Audits;
- Results from a HUD Office of Inspector General audit;
- Identification of a Duplication of Benefits (DOB) compliance issue;
- Subrecipient fraud, waste, or abuse on an individual project basis, across projects or on a subrecipient level; and
- Subrecipient voluntary or involuntary withdrawal from a project leading to lack of project completion.

Funds to be recaptured are identified at a project level, not across multiple projects, should a subrecipient have multiple active projects at one time.

Should a subrecipient with multiple active projects be in “recapture” due to a concern that impacts all or multiple projects, LOCD-DR may withhold all payments on the subrecipient’s active projects in question until recapture proceedings are complete.

The amount of money identified for recapture will be the minimum amount of money LOCD-DR believes is non-compliant and/or at risk of recapture from HUD.

E. CANCELING A PROJECT

Projects that will not complete an eligible activity and/or meet the national objective within the RCIP deadlines must be canceled if:

- Funds have been disbursed to the subrecipient; or
- The application for funding has been approved by LOCD-DR.

A change in subrecipient or dropping of a project component is not a canceled project. Changes such as a subrecipient switch or the dropping of a project component are memorialized through the controlling document at any given stage, such as an amendment to the CEA or project application.

A subrecipient may work with LOCD-DR to cancel a project for the following reasons:

- Findings from the environmental review;
- Lack of cost reasonableness;
- Not feasible;
- Costs of other projects;
- Ineligibility;
- Lack of support for the project by property owners/beneficiaries; or
- Subrecipient or contractor’s failure to comply with LOCD-DR policy and procedure.

In order to minimize the amount of funds expended on a project that will not be implemented, projects that run into any of these barriers should be canceled as soon as it has become apparent that the subrecipient is no longer able to complete the project within the CDBG-DR grant deadlines. It is at LOCD-DR’s discretion to reprogram any funds from canceled projects. LOCD-DR will work with subrecipients to review projects for feasibility to meet the deadlines to help ensure projects that proceed will not be at risk of cancellation.

Subrecipients will be deemed unresponsive:

- When a subrecipient is unresponsive or unwilling to advance a project it has agreed to advance, LOCD-DR may cancel the project.
- The unresponsive subrecipient will be given two (2) notification attempts to respond to LOCD-DR and afforded an opportunity to document why the project has not advanced and provide a

time schedule as to when the subrecipient will advance the project before the project is canceled.

VI. FEDERAL REGULATIONS

The Louisiana Office of Community Development and its subrecipients must adhere to all applicable state and federal laws, rules, and regulations. This section provides a summary of some of the significant and applicable federal regulations. **The procedures required to document compliance with all federal regulations are contained in the “Disaster Recovery CDBG Grantee Administrative Manual” located on the LOCD-DR website at <https://www.doa.la.gov/doa/ocd/policy-and-reports/administrative-manual/>.**

A. ENVIRONMENTAL REVIEW REQUIREMENTS

Every project funded under the RCIP, and all activities related to that project, are subject to the provisions of the National Environmental Policy Act of 1969 (NEPA), as well as the HUD environmental review regulations at [24 CFR Part 58](#).

The primary purpose of NEPA is to protect and enhance the quality of the natural environment. The HUD environmental review process must be completed before any funds may be committed for program-eligible activities. No work may start on a proposed project before the environmental review process is completed, even if that work is being done using non-HUD funds. In other words, environmental clearance must be obtained for each project prior to the firm commitment of federal or non-federal funds to any expenses or contracts related to a project. A violation of this requirement may jeopardize federal funding to this project and disallow all costs that were incurred before the completion of the Environmental Review.

The primary objectives of the HUD environmental review are to identify specific environmental factors that may be encountered at potential project sites and to develop procedures to ensure compliance with regulations pertaining to these factors. The HUD environmental review is designed to produce program-specific environmental review procedures in a program that can vary greatly in terms of scope of work.

Laws and regulations which contain environmental provisions that must be complied with include:

- Noise
- Historic Properties
- Coastal Zones
- Environmental Justice
- Floodplains
- Wetlands
- Manmade Hazards
- Water Quality
- Air Quality
- Endangered Species
- Farmland Protection

The procedures for securing environmental clearance are stipulated in the Disaster Recovery CDBG Grantee Administrative Manual (Administrative Manual) located on the LOCD-DR website at <https://www.doa.la.gov/doa/ocd/policy-and-reports/administrative-manual/>.

It is important to emphasize that no choice limiting actions, including the acquisition of property or easements necessary for a project, can be taken until the completion of the environmental review. Violation of this prohibition can result in the entire project being ineligible, not just the costs incurred prior to completion of the environmental review.

B. AMERICANS WITH DISABILITIES ACT (ADA) AND SECTION 504

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in federally assisted programs. This section provides that no otherwise qualified individual shall, solely by reason of his or her disability, be excluded from participation (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving federal funding assistance.

The ADA Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. It also mandates the establishment of a telecommunications device for the deaf (TDD/telephone relay services).

The Architectural Barriers Act of 1968 (ABA) requires that certain buildings financed with federal funds must be designed, constructed, or altered in accordance with standards that ensure accessibility for persons with physical disabilities. The ABA covers any building or facility financed in whole or in part with federal funds, except privately-owned residential structures. Covered buildings and facilities designed, constructed, or altered with CDBG funds are subject to the ABA and must comply with the Uniform Federal Accessibility Standards (UFAS).

C. DAVIS-BACON ACT AND RELATED ACTS (DBRA)

DBRA requires all subrecipients, contractors and subcontractors funded in whole or in part with CDBG-DR financial assistance for the construction, alteration, or repair of public buildings or public works, when valued at more than \$2,000, except residential properties with less than 8 units, to pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. Davis-Bacon requirements do not apply to Force Account Labor. Davis-Bacon “labor standards clauses” must be included in covered contracts.

D. CONTRACT WORK HOURS & SAFETY STANDARDS ACT

The Contract Work Hours and Safety Standards Act 24 (CWHSSA) applies to federally financed (in whole or in part) contracts over \$100,000 and provides that workers be paid at least one and one-half times their basic rate of pay for any time worked in excess of 40 hours weekly. In the event of violations, the contractor or subcontractor shall be liable to any affected employee for his unpaid wages and for liquidated damages computed at \$29.00 per day for each employee who worked overtime and

was not paid overtime wages. Funds may be withheld from contractors and subcontractors to satisfy unpaid wages and liquidated damages.

E. THE COPELAND ANTI-KICKBACK ACT

The Copeland Anti-Kickback Act makes it a criminal offense for any person to induce, by any manner whatsoever, any person employed in the construction, reconstruction, completion, or repair of any public building, public work, or building, or work financed in whole or in part by federal loans or grants, to give up any part of the compensation to which he/she is entitled under his/her contract of employment. The Act also requires the submission of weekly certified payroll reports by all contractors and subcontractors.

F. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

Executive Order 11246, EEO, as amended, prohibits federal contractors and federally assisted construction contractors and subcontractors who do over \$10,000 in government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin. The Executive Order also requires government contractors to take affirmative action to ensure that equal opportunity is provided in all aspects of their employment.

G. FAIR HOUSING

The Fair Housing Act, also known as “affirmatively further fair housing” or “AFFH,” requires all grantees, subrecipients, and/or developers funded in whole or in part with HUD financial assistance to certify that no person was excluded from participation in, denied the benefit of, or subjected to discrimination in any housing program or activity because of their race, color, religion, familial status, national origin, sex, or disability.

The obligation to affirmatively further fair housing requires recipients of HUD funds to take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity.

In general, the AFFH mandate applies to HUD and its grantees, as well as all executive agencies and departments of the federal government and relates to the administration of any program or activity relating to housing and urban development.

H. FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED (FLSA)

The FLSA establishes the basic minimum wage levels for all work and requires the payment of overtime at the rate of at least one and one-half times the basic hourly rate of pay for hours worked in excess of

40 per week for non-exempt workers. These labor standards are applicable to the entire construction contract whether or not CDBG-DR funds finance only a portion of the project.

I. LIMITED ENGLISH PROFICIENCY (LEP)

Federal Executive Order 13166 requires subrecipients, contractors, subcontractors, and/or developers funded in whole or in part with CDBG-DR financial assistance to ensure fair and meaningful access to programs and services for families and individuals with LEP.

J. MINORITY AND/OR WOMEN-OWNED BUSINESS ENTERPRISES (M/WBE)

The Federal Executive Order 12432 guidelines require selected federal agencies to promote and increase the utilization of MBEs. [2 CFR 200.321](#) requires the non-federal entity to take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Subrecipients and contractors shall adhere to the requirements of 2 CFR 200.321.

K. SECTION 3

Section 3 of the Housing and Urban Development Act of 1968 requires grantees, subrecipients, contractors, subcontractors, and/or developers funded in whole or in part by CDBG-DR funding, to the greatest extent feasible, to extend hiring opportunities and contracts to Section 3 eligible residents.

L. RESIDENTIAL ANTI-DISPLACEMENT

All subrecipients and developers must follow a Residential Anti-Displacement policy.

M. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION ACT

CDBG-DR federal funds, administered by LOCD-DR and disbursed to subrecipients and direct contractors and/or beneficiaries, are subject to the URA and/or Section 104(d) of the Housing and Community Development Act of 1974. The applicable federal regulations are located at [49 CFR Part 24](#) (URA), [24 CFR Part 42](#) (Section 104(d)), and in the [Tenant Assistance, Relocation and Real Property Acquisition Handbook \(1378\)](#).

Section 104(d) requires relocation assistance for lower-income individuals displaced as a result of the demolition or conversion of a lower-income dwelling and requires one-for-one replacement of lower-income units demolished or converted to other uses.

N. REAL PROPERTY

If CDBG-DR funds are used to acquire or improve real property, where applicable, LOCD-DR ensures that the property is used for its intended (and approved) purpose. Failure to meet the intended use of the property, or a subsequent change of use may result in either a recapture of the grant or remittance of Program Income.

O. FINANCIAL MANAGEMENT

LOCD-DR maintains and has in place proficient financial controls. Similarly, subrecipients are required to ensure their financial management system incorporates controls necessary to mitigate risks associated with program and administrative operations, internal and external reporting, and regulatory compliance. Procedures to diminish the risks of fraud, waste, and abuse are additionally required throughout the implementation phase of a federally funded project.

At a minimum, recipients of grant funding must ensure funds are managed with high levels of accountability and transparency. The financial management practices must ensure:

- Internal controls are in place and adequate;
- Documentation is available to support accounting record entries;
- Financial reports and statements are complete, current, and reviewed periodically; and
- Audits are conducted in a timely manner and in accordance with applicable standards.

P. SINGLE AUDIT REQUIREMENTS

In accordance with [2 CFR 200 Subpart F](#), all non-federal entities expending \$750,000 or more in Federal funds during its fiscal year must have an annual audit conducted. Subrecipients that fall within this category must submit a copy of their single or program-specific audit report to LOCD-DR.

Upon receipt of the single audit, LOCD-DR will review the audit report and determine whether any aspects of the audit impact CDBG-DR funding (e.g., a finding related to LOCD-DR funding or failure to properly identify LOCD-DR funding) necessitate a management decision from LOCD-DR. Any deficiencies noted in the management decision must be fully cleared by the subrecipient within thirty (30) days after the subrecipient receives the management decision.

A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in [2 CFR 200.507](#), but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

Q. PROCUREMENT POLICY

Subrecipients will be required to adopt a procurement policy in compliance with [2 CFR 200](#).

R. RECORD KEEPING, RETENTION, AND FILE MANAGEMENT

In accordance with HUD regulations, LOCD-DR as a grantee and recipient of CDBG-DR funds follows the records retention requirements as cited in [2 CFR 200.334](#), which includes financial records, supporting documents, statistical records, and all other pertinent records. LOCD-DR and subrecipients must maintain records for a period of three (3) years from the time of closeout of HUD's grant to the state.

Additionally, every partner and contractor are required to establish and maintain these major categories of records: Administrative, General Program, Legal, Financial, and Project Case files.

Administrative Records: These are files and records that apply to the overall administration of the CDBG-DR activities. They include the following (as non-exclusive samples):

- Personnel files; and
- Property Management files.

General Program Files: Files relating to the subrecipient's application to LOCD-DR, the CEA, program policies and guidelines, correspondence with LOCD-DR, and reports, etc.

Legal Files: Articles of incorporation, bylaws of the organization, tax status, board or counsel minutes, required public notices, resolutions, ordinances (for UGLGs), contracts, and other agreements.

Financial Records: These include the chart of accounts, a manual on accounting procedures, accounting journals and ledgers, source documentation (purchase orders, invoices, canceled checks, etc.), procurement files, bank account records, financial reports, audit files, etc.

Project Case Files: These files document the activities undertaken with respect to specific individual beneficiaries, property owners, and/or properties.

S. ACCESS TO RECORDS

[24 CFR 570.490](#) recordkeeping requirements are as follows:

“(c) Access to records.

(1) Representatives of HUD, the Inspector General, and the General Accounting Office shall have access to all books, accounts, records, reports, files, and other papers, or property pertaining to the administration, receipt, and use of CDBG funds and necessary to facilitate such reviews and audits.

(2) The state shall provide citizens with reasonable access to records regarding the past use of CDBG funds and ensure that units of general local government provide citizens with reasonable access to records regarding the past use of CDBG funds consistent with state or local requirements concerning the privacy of personal records.”

LOCD-DR, the Legislative Auditor, and the Louisiana Inspector General shall also have access to records.

T. CONFLICTS OF INTEREST AND CONFIDENTIALITY

Conflicts of interest between subrecipients, program administrators, contractors, program staff, and other parties are strictly prohibited by federal law.

A “covered person” is an employee, agent, consultant, officer, or elected or appointed official of the State, or of a unit of general local government, or any designated public agencies, or subrecipients that are receiving CDBG-DR funds. Generally, no person who is a covered person, and who exercises or has exercised any functions or responsibilities with respect to CDBG-DR activities and who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

These restrictions are in addition to, not in place of, any applicable restrictions or requirements of the Louisiana Government Code of Ethics.

U. RECAPTURE POLICY

LOCD-DR is responsible for ensuring that the expenditure of CDBG-DR funds comply with all federal, state, and local requirements.

In order to ensure that the state of Louisiana is able to fulfill its contractual obligations to HUD, and that the subrecipients receiving CDBG-DR assistance are using the funds for their intended purpose, LOCD-DR requires all subrecipients to sign a Cooperative Endeavor Agreement stipulating each party’s responsibilities. Specifically, if the funds are not used for eligible activities or expenditures, the money can be recaptured.

V. LEAD-BASED PAINT

There are many regulations and statutes pertaining to lead-paint hazards. This section provides links to a number of the most important ones, especially related to this program:

- [Information on EPA's Renovation, Repair, and Painting Rule.](#)
- Title X Regulations (Residential Lead-Based Paint Hazard Reduction Act).

- [Public Law 102-550](#) - Residential Lead-based Paint Hazard Reduction Act of 1992.
 - [Title X, Sections 1012 and 1013](#) - Requirements for the Notification, Evaluation, and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance. Visit HUD's [Lead-Safe Housing Rule](#) web site to learn more.
 - [Title X, Section 1018](#) - Requirements for the Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards in Housing. Visit HUD's [Lead-Based Paint Disclosure Rule](#) webpage to learn more.
- The Environmental Protection Agency's [Lead Regulations for Lead in Paint, Dust, and Soil](#).
 - U.S. Department of Labor - [Occupational Safety & Health Administration](#).

W. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

[Title VI](#) prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

VII. ACRONYMS

AMI: Area Median Income

CDBG-DR: Community Development Block Grant- Disaster Recovery

CEA: Cooperative Endeavor Agreement

CFR: Code of Federal Regulations

CP: Citizen Participation

DOB: Duplication of Benefits

DRGR: Disaster Recovery and Grant Reporting System

FEMA: Federal Emergency Management Agency

HCDA: Housing and Community Development Act of 1974, as amended

LMI: Low-to-moderate income

FIP: National Flood Insurance Program

PA: (FEMA) Public Assistance

RE: Responsible Entity

SBA: U.S. Small Business Administration

URA: Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended

VIII. LOCD-DR COMMON ACRONYMS

AP: Action Plan

CDBG-MIT: Community Development Block Grant-Mitigation

CEA: Cooperative Endeavor Agreement

CPD: HUD Office of Community Planning and Development

DOA: Louisiana Division of Administration

DR: Disaster Recovery

FIRM: Flood Insurance Rate Maps

FRN: Federal Register Notice

NFIP: National Flood Insurance Program

NOFA: Notice of Funding Availability

LOCD-DR: Louisiana Office of Community Development – Disaster Recovery

IX. DEFINITIONS

100-Year Floodplain: The 100-year floodplain is also referred to as the “base flood.” This term, adopted by the NFIP as the basis for mapping, insurance rating, and regulating new construction, is the floodplain that would be inundated in the event of a 100-year flood. The 100-year flood level has a 1% chance of being equaled or exceeded during any given year.

Community Development Block Grant Disaster Recovery (CDBG-DR) Program: Similar in many ways to the CDBG program, these federal funds are administered by HUD but are specifically dedicated to assist with disaster recovery in areas impacted by presidentially declared events. The grant funds differ from the traditional CDBG program by providing added flexibility to grantees to initiate projects; however, all work must comply with HUD requirements.

Davis-Bacon Wage Requirements/Davis-Bacon and Related Acts (DBRA): The DBRA require all contractors and subcontractors performing work on federal or District of Columbia construction contracts or federally assisted contracts in excess of \$2,000 to pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits for corresponding classes of laborers and mechanics employed on similar projects in the area. The prevailing wage rates and fringe benefits are determined by the Secretary of Labor for inclusion in covered contracts.

Department of Housing and Urban Development (HUD): Federal department through which the program funds are distributed to grantees.

Equal Employment Opportunity (EEO): Prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in government business in one year, from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin.

Environmental Review Record: A permanent set of files containing all documentation pertaining to the environmental review compliance procedures conducted and environmental clearance documents.

Federal Emergency Management Agency (FEMA): An agency of the U. S. Department of Homeland Security (DHS). The agency's primary purpose is to coordinate the response to a disaster that has occurred in the United States and that overwhelms the resources of local and state authorities.

Grantee: The term “grantee” refers to any jurisdiction receiving a direct award from HUD. The state of Louisiana is identified as the grantee in Hurricanes Laura/Delta, Ida and May 2021 Severe Storms award.

Housing and Community Development Act (HCDA): HCDA is a US federal law that authorizes funds to be awarded directly to the state or unit of general local government as a grantee at the discretion of the Secretary of Housing and Urban Development.

Limited English Proficiency (LEP): A designation for persons that are unable to communicate effectively in English because their primary language is not English, and they have not developed

fluency in the English language. A person with LEP may have difficulty speaking or reading English. An LEP person benefits from an interpreter who translates to and from the person's primary language. An LEP person may also need documents written in English translated into his or her primary language so that person can understand important documents related to health and human services.

Low-to-Moderate Income (LMI): Low-to-moderate income people are those having incomes not more than the "moderate income" level (80% Area Median Family Income) set by the federal government for HUD-assisted housing programs. This income standard changes from year to year and varies by household size, county/parish, and the metropolitan statistical area.

Minority Business Enterprise (MBE): A business that is owned and controlled (minimum of 51 % ownership) by a member of a minority group.

Minority and Women-owned Business Enterprise (M/WBE): A business that is owned and controlled (minimum of 51 % ownership) by a member of a minority group or women.

Mitigation activities: Activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters

National Environmental Policy Act (NEPA): Establishes a broad national framework for protecting the environment. NEPA's basic policy is to assure that all branches of government give proper consideration to the environment prior to undertaking any major federal action that could significantly affect the environment.

National Flood Insurance Program (NFIP): Created by Congress in 1968 to reduce future flood damage through floodplain management and to provide people with flood insurance through individual agents and insurance companies. FEMA manages the NFIP.

New Construction: The construction of an improvement on immovable property that does not qualify as a Reconstruction, as defined in these policies.

Owner: A person or persons who are listed on the deed as owning that property.

Office of Inspector General (OIG): HUD OIG's mission is independent and objective, reporting to the HUD Secretary and the Congress for bringing about positive change in the integrity, efficiency, and effectiveness of HUD operations. The Office of Inspector General became statutory with the signing of the Inspector General Act of 1978 (P.L. 95-452).

Property Owner: Property ownership is defined as holding a fee simple title as evidenced by a warranty deed, bargain for sale deed, or a quitclaim deed to the property to be assisted. The deed must be recorded with the parish, city, or appropriate local municipality.

Reconstruction: When the rebuilding of a unit is on the same footprint of the improvements that were in place, and may not be increased in size or capacity by greater than 20%. Reconstruction is subject to the building standards required for substantial improvements utilizing CDBG DR funds. If a structure

has been demolished for greater than one year before commencement of reconstruction, seek approval from LOCD-DR to classify the activity as a reconstruction.

Repair: The labor, materials, tools, and other costs of improving buildings, other than maintenance or routine repairs.

Small Business Administration (SBA): SBA's Office of Disaster Assistance (ODA) provides affordable, timely and accessible financial assistance to applicants, renters, and businesses. The SBA low-interest, long-term loans are the primary form of federal assistance for the repair and rebuilding of non-farm, private sector disaster losses.

Scope of Work (SOW): The work to be performed or completed by the applicant.

Subrecipient: (24 CFR §570.500(c) a public or private nonprofit agency, authority, or organization, or a for-profit entity authorized under §570.201(o), receiving CDBG funds from the recipient or another subrecipient to undertake eligible activities.

System of record: The digital information storage system that is LOCD-DR's authoritative data source. Currently, LOCD-DR's system of record is IntelliGrants IGX grant management software. However, this is subject to change.

Uniform Relocation Act (URA): A federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displaces persons from their homes, businesses, or farms.

X. EXHIBITS

Contained on the following pages are exhibits needed to initiate participation in the Resilient Communities Infrastructure Program:

E-1. ALLOCATION CALCULATION METHODOLOGY

E-2. PROPOSAL OUTLINE

E-3. PROGRAM COSTS

E-4. ARCHITECTURAL/ENGINEERING FEE SCHEDULE

E-5. PROCEDURES FOR MAPPING PROJECT TARGET AREAS AND PROJECT BENEFICIARIES

E-6. AMENDMENT PROCESS

ALLOCATION CALCULATION METHODOLOGY

The following percentages were used to allocate CDBG-DR dollars that are distributed to local government for recovery plan implementation. These percentages were derived using a formula that incorporates FEMA Public Assistance and Individual Assistance as of August 21, 2022, including distributing State PA to the appropriate parishes. They are intended to provide best estimates of infrastructure and economic revitalization needs as determined by losses due to the hurricanes and flooding.

Housing damage as quantified in the IA dataset, along with obligated PA provide the best, most consistent estimates of unmet needs in the infrastructure and economic development areas, and provide a level of consistency that could be applied fairly across most impacted areas.

Obligated PA provides direct funding for damaged infrastructure and better represents actual infrastructure damage. Most of the money allocated through this process will be spent on the recovery of infrastructure, so weighting PA more heavily is appropriate when considering the purpose of the funds. The reasons it makes sense to leave housing damages in the calculation are as follows:

- While housing and obligated PA both provide a good indicator of total damage, weighting PA more heavily tends to favor parishes that are struggling the most with recovery. The housing damage is probably more consistent and adds consideration for those parishes that are more residential and less commercially based.
- Housing damage provides a good proxy for overall damage, whereas obligated C-G PA money provides a good proxy for infrastructure specific damage.
- The inclusion of housing damage also helps smooth out any differences in the quality of project worksheets submitted.

HURRICANES LAURA/DELTA		HURRICANE IDA/MAY 2021 SEVERE STORMS	
HUD MID	WEIGHTED AVERAGE OF FEMA PA (2/3) AND IA (1/3)	HUD MID	WEIGHTED AVERAGE OF FEMA PA (2/3) AND IA (1/3)
Acadia Parish (70526/70578)*	0.80%	Ascension Parish	1.00%
Allen Parish	2.00%	Assumption Parish	0.80%
Beauregard Parish	2.80%	Calcasieu Parish	0.50%
Caddo Parish*	0.60%	East Baton Rouge Parish	1.30%

HURRICANES LAURA/DELTA		HURRICANE IDA/MAY 2021 SEVERE STORMS	
Calcasieu Parish (including City of Lake Charles)	70.30%	Iberville Parish (70764/70788)	0.30%
Cameron Parish	11.00%	Jefferson Parish	23.40%
Jefferson Davis Parish	1.70%	Lafourche Parish	11.90%
Lafayette Parish	1.40%	Livingston Parish	1.40%
Natchitoches Parish*	0.70%	Orleans Parish	9.10%
Ouachita Parish*	0.80%	Plaquemines Parish	1.40%
Rapides Parish	2.90%	St. Bernard Parish	0.30%
St. Landry Parish (70570)*	0.50%	St. Charles Parish	3.00%
St. Martin Parish (70517)*	0.20%	St. Helena Parish	0.20%
Vermilion Parish (70510)	3.90%	St. James Parish	1.20%
Vernon Parish (71446)*	0.60%	St. John the Baptist Parish	5.30%
Total	100.00%	St. Mary Parish	0.20%
		St. Tammany Parish	1.90%
		Tangipahoa Parish	4.30%
		Terrebonne Parish	32.20%
		Washington Parish	0.20%
		West Baton Rouge Parish (70767)*	0.03%
		Total	100.00%

* These parishes were included in the award calculation, but they didn't meet the minimum threshold required to receive an award.

METHODOLOGY FOR RESILIENT COMMUNITIES INFRASTRUCTURE PROGRAM

LOCD-DR obtained the total FEMA Individual Assistance and Public Assistance damages and calculated as a percent of total. The Public Assistance percentages were weighted at 2/3 and the Individual Assistance at 1/3. LOCD-DR applied the percent of total damages to overall program budget of \$100 million for Laura/Delta and \$365 million for Ida and the May 2021 Severe Storms.

LOCD-DR established a minimum of \$600,000 and a maximum of \$50 million for Laura/Delta; with a minimum \$300,000 for Ida and the May 2021 Severe Storms.³ Grants are costly to administer due to the federal requirements imposed on the funding. Smaller grants would be much less cost-effective to employ and would waste already limited resources.

Any HUD MID that fell outside of this range was reduced to zero allocation or maximum of \$50 million for Laura/Delta.

For the entitlement city of Laura/Delta that fell between minimum and maximum, LOCD-DR obtained the total damages for the parish and entitlement city and calculated the percent of total.

If funds were remaining, LOCD-DR redistributed across the HUD MID areas that met the minimum and maximum allocation.

³ The increase to \$50 million should have been made in APA 4 when the Hometown and RCIP programs were combined; however, this change will be included in APA 6.

PROPOSAL OUTLINE

Applicant Information and Certifications

Instructions:

- All required fields are marked with an *.
- Given you have the proper permissions, use the **SAVE** button to save information and calculate data on each page.
- Save at least every 30 minutes to avoid losing data.

Please complete and authorize submittal of this detailed application and certify the accuracy of all information contained herein to the best of your knowledge.

Applicant

Please provide the below general information.

Applicant (Public Entity)

Does the applicant have any open Fair House and Equal Opportunity complaints? Yes No

Applicant Authorized Representative

Name* Title*

Address*

City* State Zip*

Email* Phone*

Applicant Executive / Chief Elected Official

Name* Title*

Address*

City* State Zip*

Email* Phone*

Applicant Point of Contact

Name* Organization Name*

Address*

City* State Zip*

Email* Phone*

Overview of Program Projects

Name of Project		Estimated Project Cost
Priority Projects:		
1.	<input type="text"/>	\$ <input type="text"/>
2.	<input type="text"/>	\$ <input type="text"/>
3.	<input type="text"/>	\$ <input type="text"/>
		+ Priority Projects Subtotal: \$
Alternate Projects:		
1.	<input type="text"/>	\$ <input type="text"/>
2.	<input type="text"/>	\$ <input type="text"/>
3.	<input type="text"/>	\$ <input type="text"/>
		+ Alternate Projects Subtotal: \$
Total All Projects: \$		

Resilient Community Infrastructure Program Priority Project

You will submit one of these per proposed priority project.

A. Project Name and Address:

B. Description of the Proposed Project:

Provide a brief description of the specific project activities and construction to be undertaken.

C. Estimated Total Project Cost, Source, Status, and Use of Funds:

Project Funds	Amount	Source and Status	Use	
CDBG	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	Upload Commitment of Funds Letter <input type="button" value="Browse"/> <i>Drag Files Here</i>
Local Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	
Private Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	
Other State Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	
Federal Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	
Other Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	
Total	\$ <input type="text"/>			

D. Project Context:

Is this part of a larger plan/project? Is it separate in that it does not rely on other projects?

E. Beneficiaries/Public Benefit/Target Area:

Who are the beneficiaries, what are the benefits to these beneficiaries, and where do they live?

F. Recovery Rationale:

How does the project address the effects of the covered disasters? How does the project foster recovery?

G. Description of Acquisition(s) Involved (if any):

H. Mitigation Plan:

All projects must include a mitigation plan to minimize damage in future storm events. Describe how the design of this project addresses this requirement.

I. FEMA Public Assistance Eligibility:

Is the proposed project eligible for FEMA Public Assistance? Has an application been submitted to FEMA for the project? Please provide FEMA PW, if applicable.

Resilient Community Infrastructure Program Alternate Project

You will submit one of these per proposed alternate project.

A. Project Name and Address:

B. Description of the Proposed Project:

Provide a brief description of the specific project activities and construction to be undertaken.

C. Estimated Total Project Cost, Source, Status, and Use of Funds:

Project Funds	Amount	Source and Status	Use
CDBG	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Local Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Private Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Other State Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Federal Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Other Funds	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Total	\$ <input type="text"/>		

Upload Commitment of Funds Letter

Browse Drag Files Here

D. Project Context:

Is this part of a larger plan/project? Is it separate in that it does not rely on other projects?

E. Beneficiaries/Public Benefit/Target Area:

Who are the beneficiaries, what are the benefits to these beneficiaries, and where do they live?

F. Recovery Rationale:

How does the project address the effects of the covered disasters? How does the project foster recovery?

G. Description of Acquisition(s) Involved (if any):

H. Mitigation Plan:

All projects must include a mitigation plan to minimize damage in future storm events. Describe how the design of this project addresses this requirement.

I. FEMA Public Assistance Eligibility:

Is the proposed project eligible for FEMA Public Assistance? Has an application been submitted to FEMA for the project? Please provide FEMA PW, if applicable.

Document Upload

For purposes of this proposal, the following documents must be attached. Subsequent documents will be required according to HUD/CDBG-DR requirements for implementation, approval of project applications, and the drawdown of funds.

- a. A copy of the resolution authorizing the Recovery Proposal by the parish/municipal governing body.
- b. Copy of all required Citizen Participation documents.
- c. Narrative describing the efforts to solicit input and participation from persons of low and moderate income and disadvantaged communities in the public participation process.

Document Name	<input type="button" value="Browse"/> <i>Drag Files Here</i>
Document Name	<input type="button" value="Browse"/> <i>Drag Files Here</i> +

Certification

To the best of my knowledge and belief, information in this Recovery Proposal is true and correct. As the applicant, we agree to comply with requirements of 24 CFR Part 58.

I am aware that a proposed project activity may be removed from further consideration should it be determined that there are significant discrepancies in the information provided and/or false, inaccurate or incomplete information has been given.

Name of Chief Elected Official	Title	Date
		MM/DD/Y

Signature Upload

Drag Files Here

PROGRAM COSTS

COST TYPES

RCIP will allow for reimbursement of three CDBG defined cost types. Planning Costs, Project Costs, and Activity Delivery Costs (ADC). The program is imposing an overarching requirement that the combined percentage of planning and activity delivery costs cannot exceed 15%. Subrecipients may use up to 15 percent of their grant money for planning and activity delivery costs related to carrying out their projects. However, subrecipients may use only up to 5 percent of this for planning costs, like developing proposals and completing applications (but excluding engineering and design costs related to a specific activity which are eligible as part of the cost of such activity under [24 CFR 570.201 - 204](#)). For example, if subrecipients use 2 percent for planning, they may have 13 percent left for activity delivery. If they use the full 5 percent for planning, they may use only 10 percent for activity delivery. Subrecipients may be reimbursed for these costs starting from the date the CEA takes effect.

See [CDBG-DR Toolkit Guidance on CDBG-DR Costs](#) and [HUD notice CPD-2023-06](#) for more information on cost types.

PLANNING COSTS

Costs related to developing the plan, proposal(s), or applications (but excluding engineering and design costs related to a specific activity which are eligible as part of the cost of such activity under [24 CFR 570.201 - 204](#)) which are considered “Individual Project Plans” may be charged under planning for up to 5% of the allocation. However, If the grantee chooses and tracks costs appropriately, costs related to developing a specific project application can also be considered activity delivery costs (ADC) and would be reimbursable when and if the application is approved as an ADC. The maximum amount that a grantee can charge to planning is 5% of the overall allocation. See [24 CFR 570.205](#) for more information on eligible planning activities.

PROJECT COSTS

Project costs are direct costs of undertaking a project and which can be tied to a final cost objective and eligible activity. There is no cap, but a minimum of 85% of the overall allocation must be project costs and all costs must be necessary and reasonable.

ACTIVITY DELIVERY COSTS

Activity delivery costs are expenses incurred by a subrecipient while implementing and carrying out eligible CDBG-DR activities. Activity delivery costs are capped at 15% of the overall project budget under the RCIP. Examples of activity delivery costs include fees to complete a single audit, costs incurred in the completion of the project environmental clearance, publication of newspaper advertisements/public notices, and grant management services. Upon review and approval of a

statement/explanation from a subrecipient justifying the need and cost reasonableness for additional activity delivery costs, LOCD-DR may fund activity delivery costs exceeding this cap.

PROFESSIONAL ARCHITECTURAL/ENGINEERING (A/E) DESIGN AND CONSTRUCTION MANAGEMENT COSTS

Professional A/E costs for Basic Services or Additional Services may be eligible for reimbursement up to the fee schedule established by the Louisiana Office of Facility Planning and Control, as more fully explained in Exhibit E-4, Architectural/Engineering Fee Schedule.

All A/E design and construction management costs are to be included under project costs and not included in the activity delivery costs.

A/E fees must be reasonable and justifiable. Sole justification that the fees are within the amount allowed by LOCD-DR is not adequate, and A/E fees based on a percentage of project cost are prohibited.

A/E BASIC SERVICES

Basic Services under a contract for A/E design services may include costs for design services and related costs determined by LOCD-DR to be included within Basic Services. Reimbursement for Design Basic Services costs cannot exceed 10% of the construction cost.

A/E ADDITIONAL SERVICES

A/E Additional Services included in a contract for professional design include laboratory testing services, recordation fees, advertisement for bids, environmental assessments, hydrologic and hydraulic studies, traffic studies, wetlands permitting, surveys, geotechnical investigations, construction observation, builders risk insurance, and similar costs determined by LOCD-DR to be allowable. LOCD-DR reimbursement for Additional Services cannot exceed 5% of the construction cost. LOCD-DR may pay Additional Services in excess of the 5% cap upon review of justification submitted by the project architect/engineer.

ARCHITECTURAL/ENGINEERING FEE SCHEDULE

Professional design costs for basic services or additional services may be eligible for reimbursement up to the [current fee schedule](#) established by the Louisiana Office of Facility Planning and Control (see Figure 1 on the next page as an example).

All design costs would be included under project costs and not included in the activity delivery costs.

Architectural/engineering fees, even those provided under either a fixed price contract or cost reimbursement contract, must be reasonable and justifiable. Sole justification that the fees are within the amount allowed by LOCD-DR is not adequate, and design contracts priced on the basis of a percentage of cost are prohibited.

The fee for basic services, as described in this Exhibit, shall be calculated as the product of the fee percentage, adjusted for inflation, and the amount available for construction (AFC), adjusted for inflation. The fee percentage shall be computed by the formula:

$$\text{FEE PERCENTAGE} = \frac{46.10}{\text{Log (AFC (1975 BCI/Current BCI))}}$$

The fee shall be computed by the following formula:

$$\text{FEE} = \text{FEE PERCENTAGE (AFC (1975 BCI/Current BCI))(Current CPI/1975 CPI)}$$

Where “BCI” = Building Cost Index as published by Engineering News Record and “CPI” = Consumer Price Index as published by U.S. Department of Labor, Bureau of Labor Statistics.

Since the annual average computed in December of the BCI and CPI are used, fee calculations are based upon the most current calendar year average of both indices. Should fee modifications occur during the course of the project, the BCI and CPI index factors used to calculate the original fee shall be used. If a project, through no fault of the designer, is inactive for more than 24 months, the current BCI and CPI index factors shall be applied to the project once re-activated.

**State of Louisiana
Facility Planning & Control**

**BCI & CPI
FOR
2022 Fee Formula**

BCI 1306	1975	CPI 53.8
6912	2021	271.0

**SCHEDULE OF REPRESENTATIVE FEES
FOR
2022**

AFC	Fee as a Percentage of AFC	Fee
\$ 10,000.00	13.3900%	\$ 1,339.00
\$ 50,000.00	11.0380%	\$ 5,519.00
\$ 100,000.00	10.2600%	\$ 10,260.00
\$ 200,000.00	9.5855%	\$ 19,171.00
\$ 500,000.00	8.8188%	\$ 44,094.00
\$ 750,000.00	8.5173%	\$ 63,880.00
\$ 1,000,000.00	8.3156%	\$ 83,156.00
\$ 1,500,000.00	8.0471%	\$ 120,706.00
\$ 2,000,000.00	7.8668%	\$ 157,336.00
\$ 3,500,000.00	7.5383%	\$ 263,841.00
\$ 5,000,000.00	7.3429%	\$ 367,144.00
\$ 7,500,000.00	7.1327%	\$ 534,952.00
\$ 10,000,000.00	6.9907%	\$ 699,071.00
\$ 20,000,000.00	6.6708%	\$ 1,334,151.00
\$ 50,000,000.00	6.2902%	\$ 3,145,096.00

PROCEDURES FOR MAPPING PROJECT TARGET AREAS AND PROJECT BENEFICIARIES

INTRODUCTION

Any project funded fully, or in part, with CDBG-DR funding has to meet a HUD eligible activity and national objective. Regardless of which eligible activity and national objective, each project will serve either an area or direct benefit. The purpose of this document is to be an instructional tool for mapping project service areas. This document will also serve as a guide to complete the beneficiary forms in LOCD-DR's online system of record applications.

In general, the mapping and beneficiary documentation process is as follows:

- Determine the project service area.
- Use the HUD Low- and Moderate-Income Summary Map Application to determine the project's national objective (Urgent Need or LMI).
- Enter data in the appropriate fields in the Benefiting Area form, Project Beneficiaries form, and the Area Benefit form in the project application in LOCD-DR's online system of record.
- Upload maps and other documentation where applicable in the project application (or project amendment when needed) in LOCD-DR's online system of record.

DETERMINING SERVICE AREA

The service area must be the full range of direct effects of the proposed project activity. The boundaries of the activities may or may not coincide with census or other geographic boundaries, especially in smaller communities and rural areas where block groups or census tracts with low population cover large geographic areas. Factors to be considered in defining the service area include the nature of the activity, location of the activity, accessibility issues, and availability of comparable activities. Service areas should be based on the intended beneficiaries of the project. Service areas must not be modified if substantial numbers show a principle benefit to non-LMI persons.

Some activity types have a pre-determined service area for other purposes. Perhaps most notable among these activities are police precincts, fire stations, and schools. In each case, specific boundaries have already been determined so that the persons involved know which facility serves persons or properties located at a particular address within the community. Generally speaking, if the service area has the same boundary with a parish, incorporated city or census designated place, the subrecipient should use the HUD Low and Moderate Income Summary Data (LMISD) Local Government Summaries to extract the corresponding low and moderate income population data.

It is reasonable to assume that certain kinds of facilities serve only very small areas. For example, sidewalks, gutters, trees, and street lights on a residential street would usually benefit only the residents of the immediately adjacent area. The same would be true for tot-lots and small playgrounds. If the service area does not have the same boundaries with a parish, incorporated city or census designated place, the subrecipient will perform a best match of the service area to census block groups. As described in CPD Notice 19-02 and CPD Notice 14-013, the entirety of the data for all block groups which the service area both completely encloses and partially overlaps must be used.

If the service area does not reasonably correspond to any available LMISD geographies, the subrecipient may consider conducting a methodologically-sound local income survey to determine LMA compliance. LOCD-DR must be consulted prior to the subrecipient conducting a local income survey.

TYPICAL ACTIVITIES AND AREA BENEFIT

Typical area benefit activities include street improvements, drainage improvements, water system improvements, wastewater system improvements, recreation improvements, fire stations, neighborhood facilities and façade improvement in neighborhood commercial districts. A few activities that qualify as Public Services also provide an area benefit, most notably police or fire services.

LIMITED CLIENTELE

Certain projects serve an entire area but are designed to meet the needs of only some persons in that area. An example of this would be a facility that is used exclusively as a senior center for a particular neighborhood. Such area benefit activities serving special needs usually must qualify under the Limited Clientele (LMC) subcategory of the L/M Income Benefit national objective.

In addition, there are specific groups that are presumed to be LMI by HUD and automatically qualify under the LMC category. This group consists of Abused Children, Elderly Persons, and Battered Spouses, Homeless Persons, Severely Disabled Adults, Illiterate Adults, Persons Living with AIDS, and Migrant Farm Workers.

For projects involving limited clientele, the subrecipient should contact LOCD-DR for guidance on the appropriate method to determine beneficiary data. The remainder of this guide is designed specifically for LMA activities.

DETERMINING THE NATIONAL OBJECTIVE

To ensure the eligibility of all projects using CDBG-DR funds, program records must demonstrate that funded activities meet one of the national objectives required by HUD CDBG-DR. The types of records to be maintained for each CDBG-DR funded activity depend on the national objective category for which they qualify. **LOCD-DR expects state and local governments to work with LOCD-DR to make reasonable efforts to meet the low-to-moderate income benefit national objective, wherever possible.**

The three national objectives to be used for CDBG-DR projects are:

- Benefit of Low to Moderate Income Persons
- Elimination of Slum/Blight
- Urgent Need

Subrecipients should refer to the State’s Action Plan and individual program policy and procedure manuals for information on which national objectives can be used for a specific program.

For more information on National Objectives and Eligible Activities visit the link below:

<https://www.hudexchange.info/resource/2179/guide-national-objectives-eligible-activities-state-cdbg-programs/>

To determine the national objective, the subrecipient must calculate the percentage of Low- and Moderate-Income persons in the Service Area using the HUD Low- and Moderate-Income Data (LMISD).

Once the Service Area has been defined, go to HUD’s American Community Survey (ACS) Low- and Moderate-Income Summary Data page.

Note: These procedures use 2011-2015 ACS data; however, HUD has announced that new low- and moderate-income summary data (LMISD) based on the 2016-2020 American Community Survey (ACS) are now available. As of August 1, 2024, to qualify any new low- and moderate-income area (LMA) activities, Community Development Block Grant-Disaster Recovery (CDBG-DR) grantees should use this new data. Detailed HUD guidance can be found in [Notice CPD-24-04: Low- and Moderate-Income Summary Data Updates](#) and at [ACS 5-Year 2016-2020 Low- and Moderate-Income Summary Data - HUD Exchange](#).

As stated above, the effective date for use of the new 2020 ACS LMISD to qualify LMA activities is August 1, 2024. Notice CPD 24-04 provides a transition policy for circumstances when prior 2015 ACS LMISD may continue to be used. The transition policy is intended to prevent the disqualification of activities that are already underway.

Applying the transition policy to the Resilient Communities Infrastructure Program, projects that are included in a Recovery Proposal may continue to use the prior 2015 ACS LMISD to qualify the project as LMA 1) provided LOCD-DR formally approves the Recovery Proposal prior to 8/1/2024 and 2) provided the proposed LMI service area was clearly defined.

It is possible that your proposal was approved to move to application; however, you have not yet clearly defined your LMI area. The revised LMI area will need to have been submitted to LOCD-DR for review before close of business on 7/26/2024. If you fail to have a clearly defined LMI area, then you will need to use the new data that begins on 8/1/2024.

If the Recovery Proposal is not approved by 8/1/2024 then all projects included in the Recovery Proposal must use the new 2020 ACS LMISD to qualify projects as LMA.

USING THE MAPPING APPLICATION

Select **Map Application** from Data Sets

ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data

The Community Development Block Grant (CDBG) program requires that each CDBG funded activity must either principally benefit low- and moderate-income (LMI) persons, aid in the prevention or elimination of slums or blight, or meet a community development need having a particular urgency. Most activities funded by the Community Development Block Grant (CDBG) program are designed to benefit low- and moderate-income (LMI) persons. That benefit may take the form of housing, jobs, and services. Additionally, activities may qualify for CDBG assistance if the activity will benefit all the residents of a primarily residential area where at least 51 percent of the residents are low- and moderate-income persons, i.e. area-benefit (LMA). [Certain [exception grantees](#) may qualify activities as area-benefit with fewer LMI persons than 51 percent.]

The Office of Community Planning and Development (CPD) provides estimates of the number of persons that can be considered Low-, Low- to Moderate-, and Low-, Moderate-, and Medium-income persons based on special tabulations of data from the 2011-2015 ACS 5-Year Estimates. The Low- and Moderate-Income Summary Data may be used by CDBG grantees to determine whether or not a CDBG-funded activity qualifies as an LMA activity. The LMI percentages are calculated at various principal geographies provided by the U.S. Census Bureau. CPD provides the following datasets:

- Geographic Summary Level "150": Census Tract-Block Group.
 - The block groups are associated with the HUD Unit-of-Government-Identification-Code for the FY 2018 CDBG grantee jurisdiction that is associated with each block group.
- Local government jurisdictions include: Summary Level 160: Incorporated Cities and Census-Designated Places, i.e. "Places", Summary Level 170: Consolidated Cities, Summary Level 050: County, and Summary Level 060: County Subdivision geographies.

In the data files, these geographies are identified by their Federal Information Processing Standards (FIPS) codes and names for the place, consolidated city, or block group, county subdivision, county, and state.

The statistical information used in the calculation of estimates identified in the data sets comes from two sources: 1) the 2011-2015 American Community Survey (ACS), and 2) the [Income Limits for Metropolitan Areas and for Non Metropolitan Counties](#). The data necessary to determine an LMI percentage for an area is not published in the publicly-available ACS data tables. Therefore, the Bureau of Census matches family size, income, and the income limits in a special tabulation to ensure the estimator

Data Sets

- [ACS 5-Year 2011-2015 Low and Moderate Income Summary Data Main](#)
- [Map Application](#)
- [All Block Groups](#)
- [Block Groups by Entitlement Grantee](#)
- [Local Government Summaries](#)
- [Overall Low to Moderate Percentages by Grantee](#)

Related Information

- [Data Dictionary](#)
- [Frequently Asked Questions](#)
- [Exception Grantees](#)
- [Uncapped Data](#)
- [Sec. 244 ARC/RPZ](#)

Select the HUD web app on the left (**Click on the picture** as seen below).

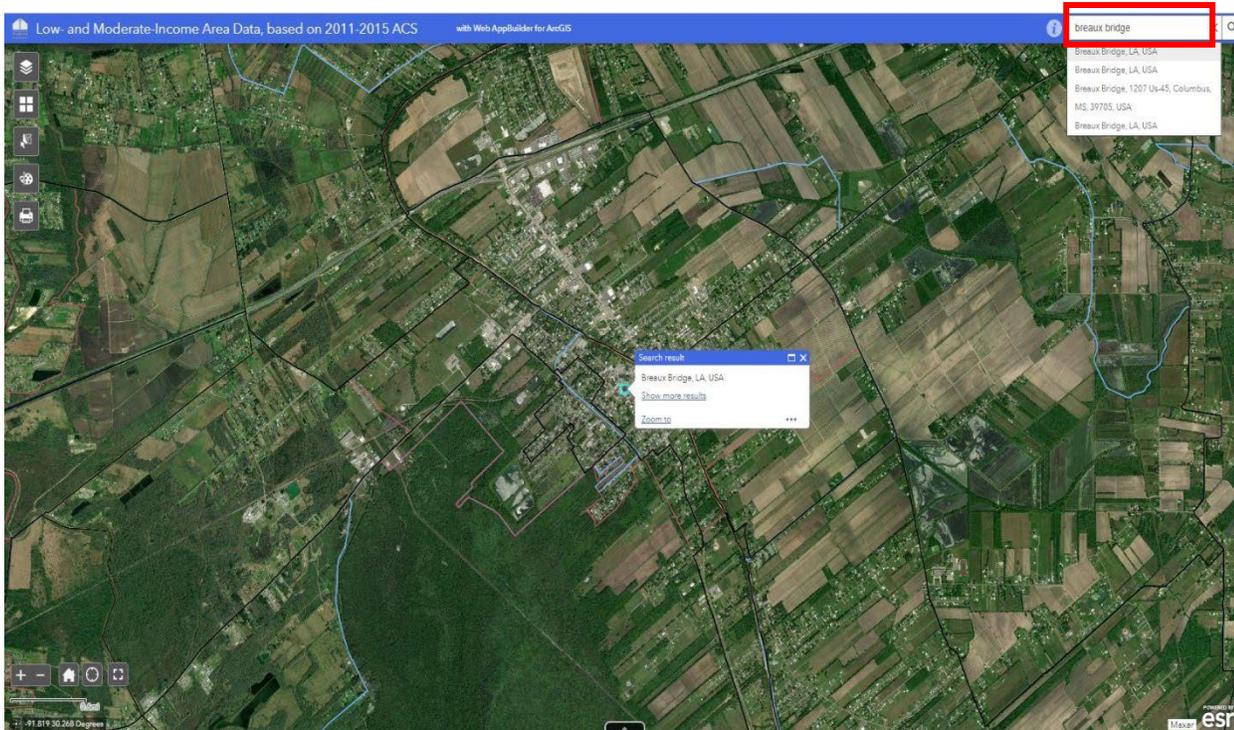


EXAMPLE #1 – BREAUX BRIDGE CITY WIDE DRAINAGE PROJECT

Use Place Data instead of Block Group Data Since the Project Service Area Corresponds to Existing Geographic Boundaries (e.g., parish, city, town, village, or census designated place).

Type address, city, parish, or GPS coordinates in the dark blue search box provided.

Step 1. SEARCH TO ZOOM IN



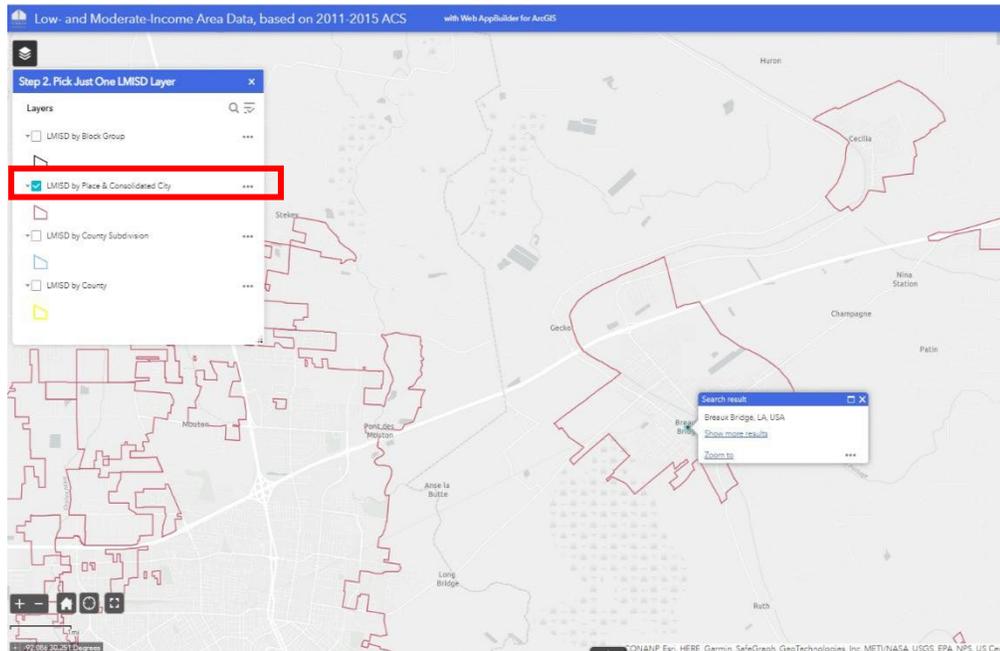
The icons in the upper left corner of the map allow the user to select views, layers and data. A brief description of each icon is listed below:



1. LMISD Layers – allows the user to select which layers are visible on the map
2. Basemap Options – allows the user to select which basemap is visible
3. Select Tool – allows the user to pick the service area, view, and export data
4. Add Labels – allows users to add their own labels
5. Printer – allows the user print a pdf of the map

The remainder of the instruction guide use the “Light Grey” basemap which can be viewed by clicking the “Basemap Options” and selecting “Light Gray Canvas”.

Select the Layers icon on the upper right of the screen and uncheck everything but “LMSID by Place & Consolidated City”

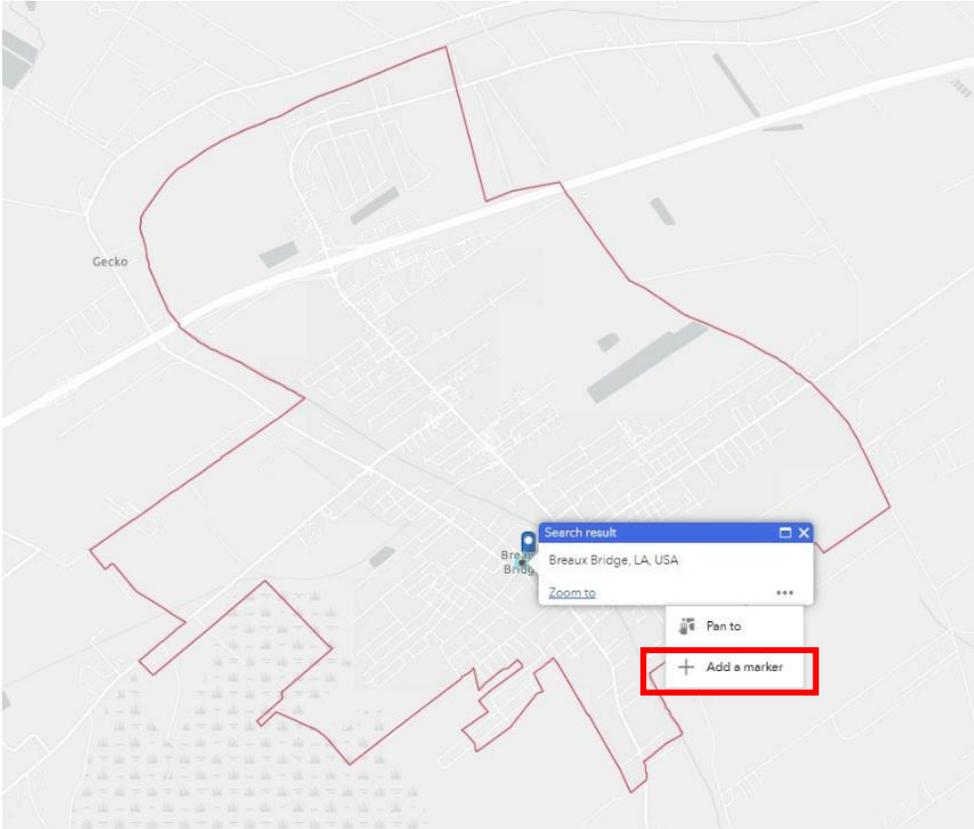


NOTE: The service area for the Breux Bridge test case is city-wide so “LMSID by Place & Consolidated City” should be checked. If the project is parish-wide, check “LMSID by County”. If the project is a particular neighborhood or group of streets, check “LMSID by Block groups”.

NOTE: Use the mouse scroll to zoom in and out on the map. Pan left and right by holding the right mouse key.

*If you zoom out too far, the block group boundaries may disappear. Zoom back in to view the boundaries.

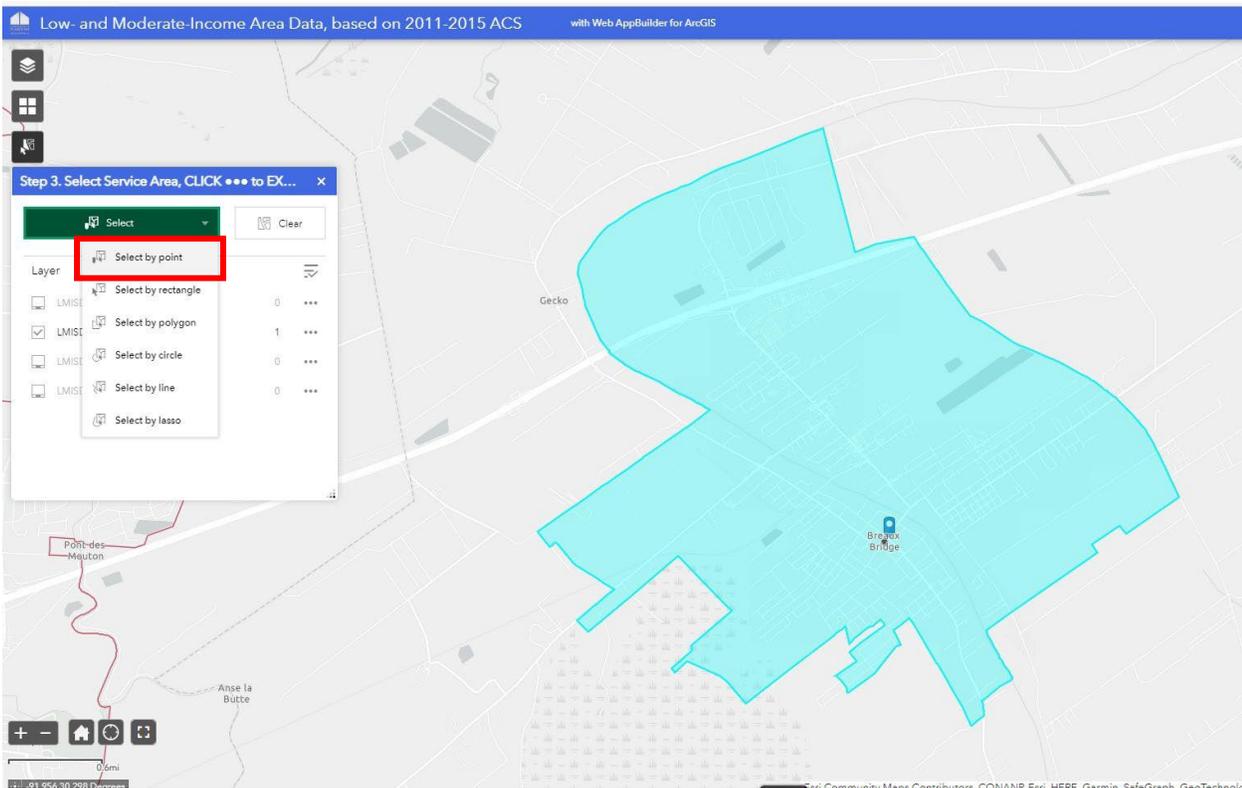
Click on the ellipsis in the bottom right corner of the search result box then click Add marker. This will put a placeholder on or near the center of Breaux Bridge city limits. Click on the marker to display the coordinates (longitude and latitude). Make a note of these numbers, they will be input on the Project Location and Type form in the LOCD-DR online system of record.



Determining project coordinates will differ based on the type of project. For city- wide or parish wide projects, a marker can be placed at or near the city center.

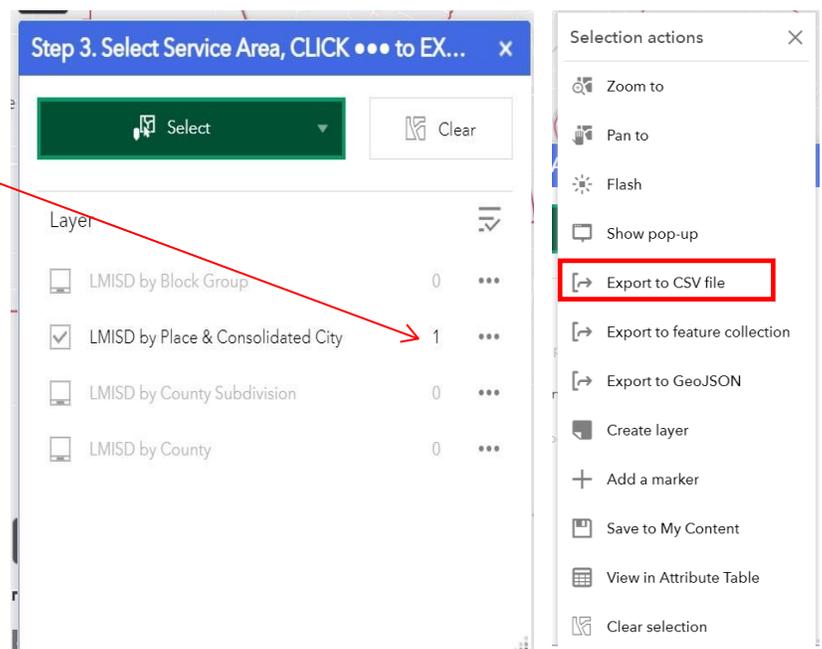
For projects that include multiple coordinates or locations, a marker should be placed at each listed location and a central point should be estimated. Once the center point is identified, hover over that point in the map and the corresponding coordinates will be listed in the bottom left corner of the map.

To select the service area, click the 3rd icon in the top left, which is the 'select tool'. Then click the *Select* drop down and click *Select by Point*. Click anywhere in the Breaux Bridge city limits, it will be shaded in blue.



Once an area is selected, the "select tool" box will have the number of selected areas under the type of area selected.

To access the beneficiary data, click the ellipsis and then export to CSV file. A raw data file will download to your computer. This data will need to be entered into the **Area Benefit-Beneficiary Income Information** form in the LOCD-DR online system of record. See Section VI for detailed instructions.



Breaux Bridge LMISD Place Data

	A	B	C	D	E	F	G	H	I	J	K
1	OBJECTID	GEOID	NAME	PLACE_TY	STATE	STUSAB	LOW	LOWMOD	LMMI	LOWMOD	LOWMOD_PCT
2	6939	2209340	Breaux Bridge city	Incorporat	22	LA	2735	4635	5305	8140	56.94
3											

In this example, the LMI percentage is 56.94% which exceeds the 51% needed to be considered LMI. Therefore, the national objective for this project is LMI.

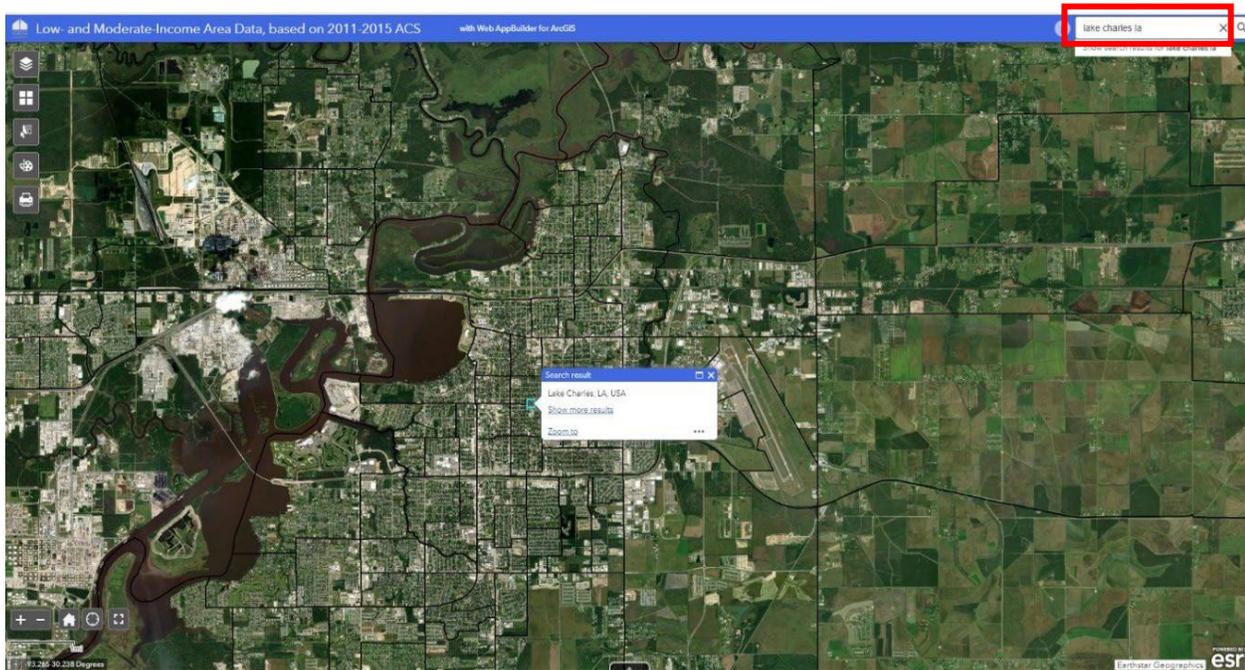
If the LOWMOD_PCT was less than 51% the project would have to qualify under the Urgent Need national objective. Subrecipients should refer to the State's Action Plan and individual program policy and procedure manuals for information on which national objectives can be used for a specific program. If the particular program does not allow the use of Urgent Need national objective another project must be proposed for funding.

NOTE: If the LMI% is near 51% subrecipients should reevaluate the service area and explore the potential to use individual block groups to meet the LMI national objective.

EXAMPLE #2 – LAKE CHARLES EASTSIDE DRAINAGE PROJECT

Use Block Group Data since the Project Service Area Does NOT Corresponds to Existing Geographic Boundaries (e.g., parish, city, town, village, or census designated place).

For the second example use Lake Charles, LA and assume the project only benefits a portion of the city. Type address, city, parish, or GPS coordinates in the dark blue search box provided.



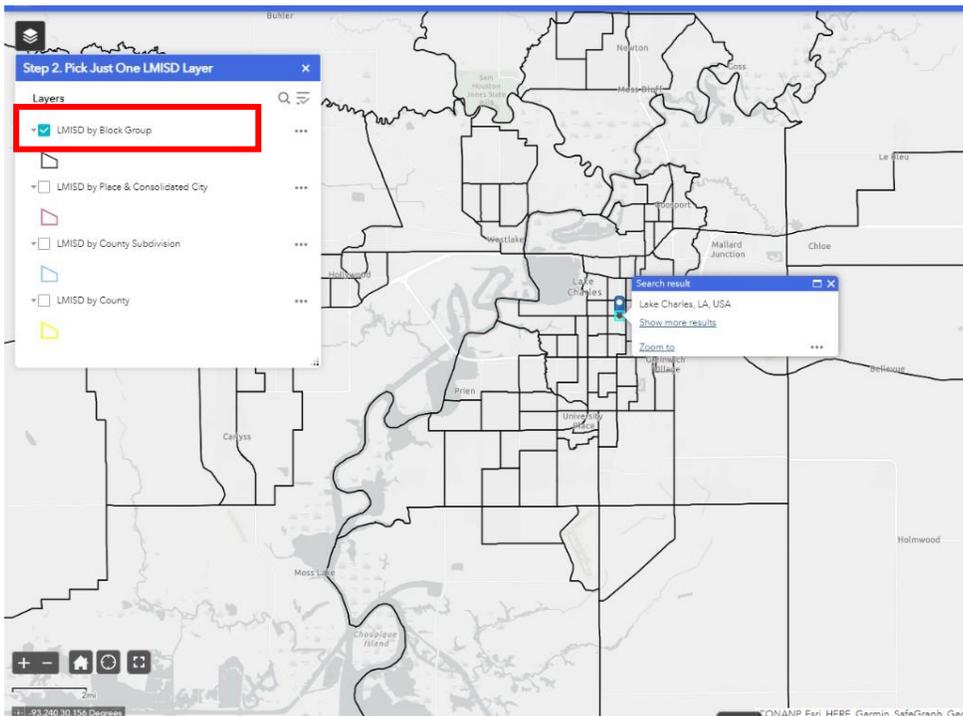
The icons in the upper left corner of the map allow the user to select views, layers and data. A brief description of each icon is listed below:



1. LMISD Layers – allows the user to select which layers are visible on the map
2. Basemap Options – allows the user to select which basemap is visible
3. Select Tool – allows the user to pick the service area, view, and export data
4. Add Labels – allows users to add their own labels
5. Printer – allows the user print a pdf of the map

The remainder of the instruction guide use the “Light Grey” basemap which can be viewed by clicking the “Basemap Options” and selecting “Light Gray Canvas”.

Since the project does **not** benefit the entire city, select the Layer’s Icon on the upper right of the screen and uncheck everything but “LMISD by Block Group”.



HURRICANES LAURA (DR4559), DELTA (DR4570), IDA (DR4611) AND MAY 2021 SEVERE STORMS (DR4606)

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NOTE: The service area for the Lake Charles example is only a portion of the city so “LMISD by Block Group” should be checked. If the project is parish-wide, check “LMISD by County”. If the project is a municipality, check “LMISD by Place and Consolidated City”.

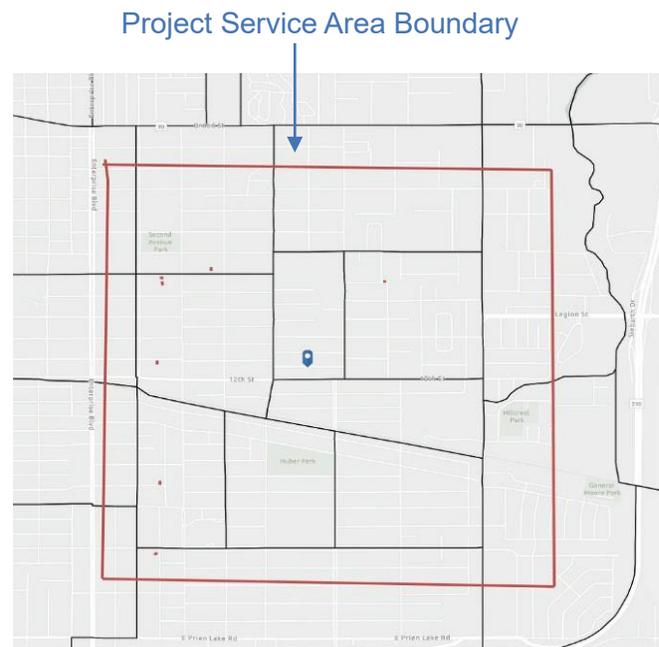
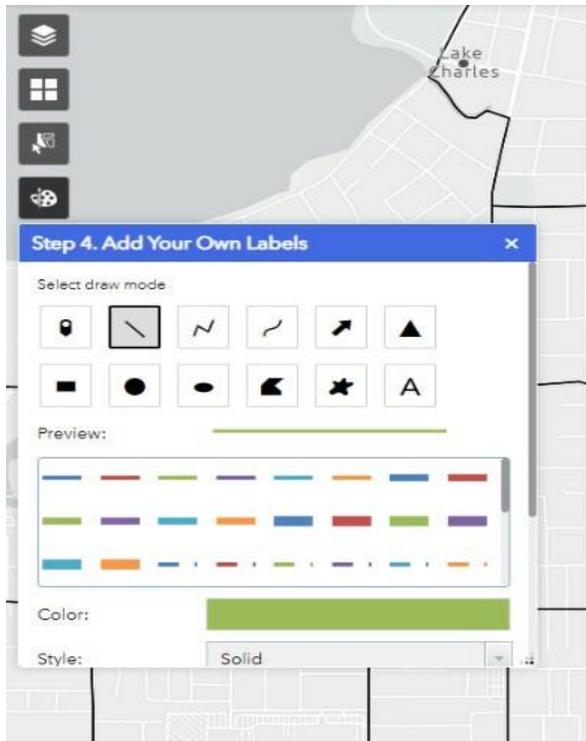
NOTE: Use the mouse scroll to zoom in and out on the map. Pan left and right by holding the right mouse key.

**If you zoom out too far, the block group boundaries may disappear. Zoom back in to view the boundaries.*

In this example, the service area for a drainage project was determined by the project engineer. Using the Add Your Own Label tool draw the service area of the project.

Click within the service area. Then click on the ellipsis in the bottom right corner of the search result box then click *Add marker*. This will put a placeholder in the service area of the project. Click on the marker to display the coordinates (longitude and latitude). **Make a note of these numbers as they will be input on the Project Location and Type form in the LOCD-DR online system of record.**

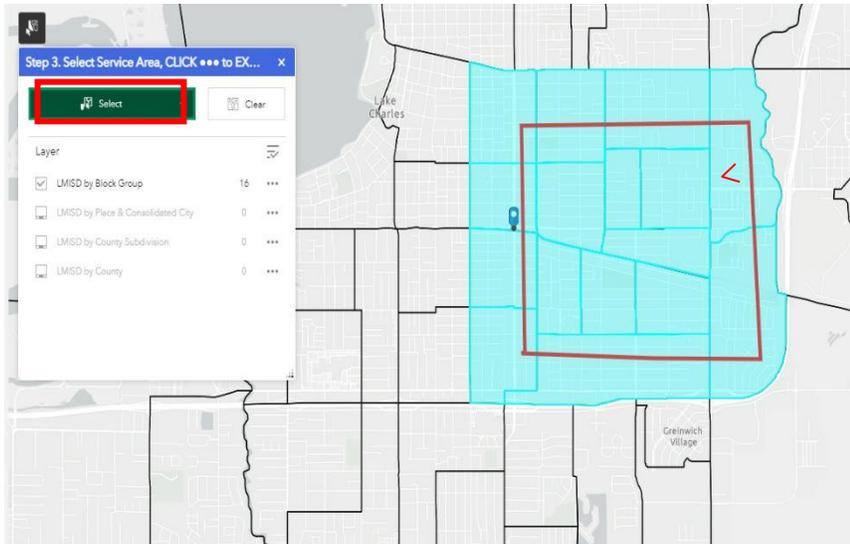
To draw a project service boundary line, click on *Step 4 Add Your Own Labels*, and select your draw mode and color. This feature allows you to identify one or multiple benefit areas. You can draw lines, boxes, shapes, or text to your map.



Determining the project service area will differ based on the type of project.

The next step is to select **all** of the block groups completely enclosed or touched by the service area boundary. To select the service area, click the 3rd icon in the top left, which is the 'select tool'. Depending on the size and shape of the service area you can select block groups by point, rectangle, polygon, or lasso. For this example, click the *Select* drop down, and click *Select by Point*. Click on one of the block groups touched or enclosed by the service area boundary. Hold the shift key down and continue to select block groups until all block groups have been selected.

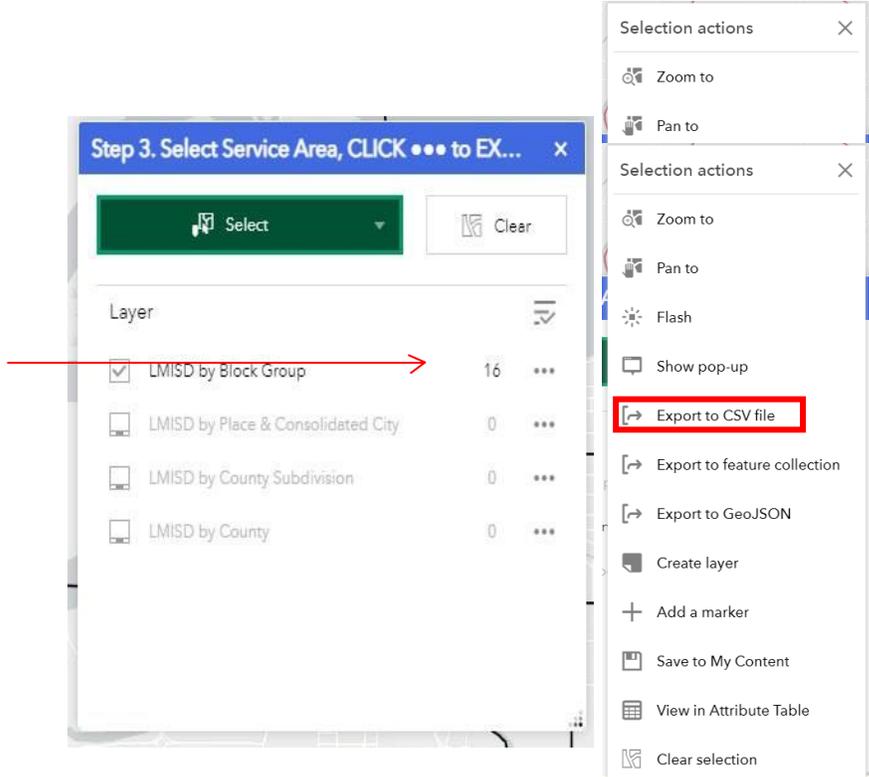
With the project area identified, you can capture the map image by using a snip it tool. You can transfer the image to another document or upload the .jpg to LOCD-DR's online system of record.



ALL block groups enclosed or touched by the service area boundary must be selected.

Once an area is selected, the “select tool” box will have the number of selected areas under the type of area selected.

To access the beneficiary data, click the ellipsis and then export to CSV file. A raw data file will download to your computer. This data will need to be entered into **Benefiting Area** form and the **Area Benefit-Beneficiary Income Information** form in the LOCD-DR online system of record. See Section VI for detailed instructions.



A. LIST OF CENSUS TRACTS AND/OR BLOCK GROUPS

1. MISD by Block Group -For those projects where the LMISD by Block Group data layer was used to determine if the project met the LMI national objective, the census tracts and block groups are listed on the data extract from the HUD website. Enter the block group and census tract information on the **Project Beneficiaries** form in the LOCD-DR online system of record.

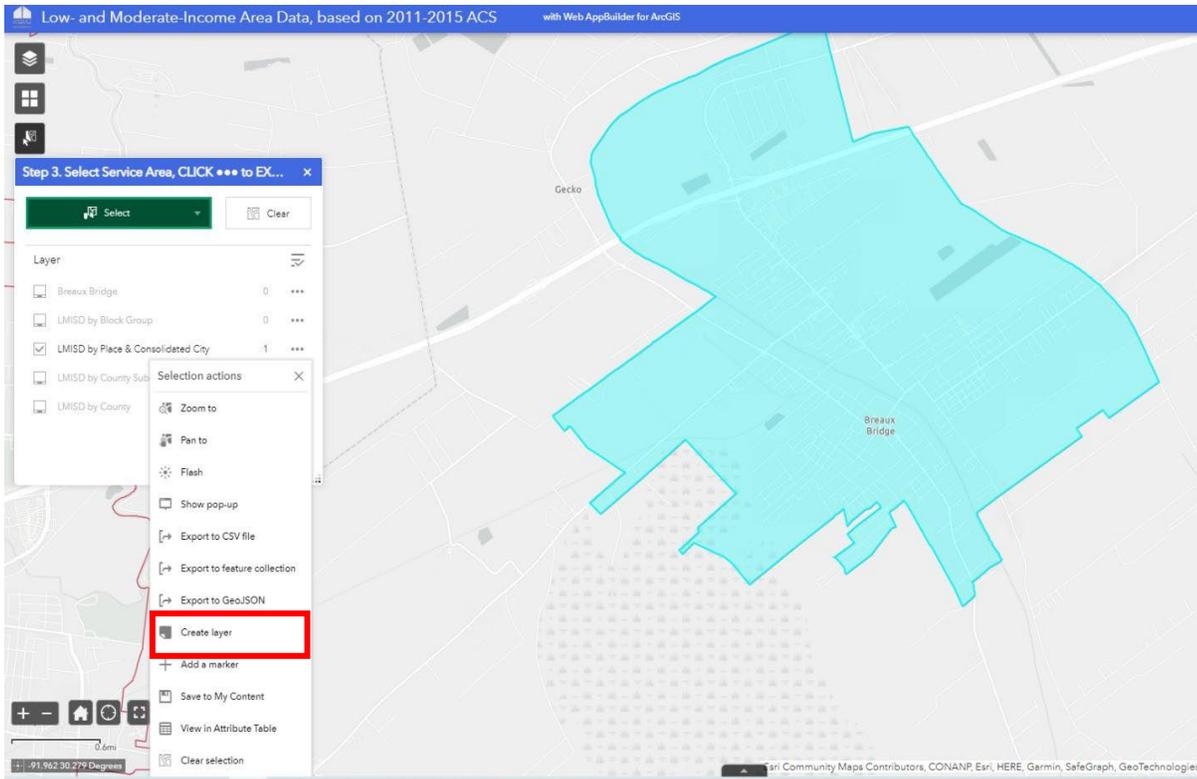
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
1	OBJECTID	GEOID	Source	geoname	Stusab	County	State	County	Tract	Blckgrp	Low	Lowmod	Lmmi	Lowmoduniv	Lowmod	
2	81299	2.2E+11	2015ACS	Block Group 3, Census Tract 5, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	500	3	165	330	430	680	48.53
3	81300	2.2E+11	2015ACS	Block Group 4, Census Tract 5, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	500	4	110	190	225	615	30.89
4	81301	2.2E+11	2015ACS	Block Group 1, Census Tract 6, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	600	1	270	715	830	1105	64.71
5	81302	2.2E+11	2015ACS	Block Group 2, Census Tract 6, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	600	2	225	635	635	1085	58.53
6	81303	2.2E+11	2015ACS	Block Group 3, Census Tract 6, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	600	3	655	700	740	1070	65.42
7	81304	2.2E+11	2015ACS	Block Group 4, Census Tract 6, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	600	4	195	535	885	1205	44.4
8	81305	2.2E+11	2015ACS	Block Group 5, Census Tract 6, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	600	5	540	805	805	900	89.44
9	81306	2.2E+11	2015ACS	Block Group 6, Census Tract 6, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	600	6	450	865	930	995	86.93
0	81307	2.2E+11	2015ACS	Block Group 7, Census Tract 6, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	600	7	350	420	510	610	68.85
1	81312	2.2E+11	2015ACS	Block Group 1, Census Tract 8, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	800	1	450	555	590	690	80.43
2	81315	2.2E+11	2015ACS	Block Group 4, Census Tract 8, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	800	4	275	515	770	885	58.19
3	81316	2.2E+11	2015ACS	Block Group 1, Census Tract 9, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	900	1	265	635	1235	1910	33.25
4	81317	2.2E+11	2015ACS	Block Group 2, Census Tract 9, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	900	2	95	210	335	620	33.87
5	81318	2.2E+11	2015ACS	Block Group 3, Census Tract 9, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	900	3	245	350	580	680	51.47
6	81319	2.2E+11	2015ACS	Block Group 4, Census Tract 9, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	900	4	40	185	400	595	31.09
7	81346	2.2E+11	2015ACS	Block Group 2, Census Tract 16, Calcasieu Parish, Louisiana	LA	Calcasieu		22	19	1600	2	770	940	1235	1495	62.88

2. LMISD by Place or Consolidated City OR LMISD by County – If the LMISD by Place or Consolidated City or LMISD by County data layer was used to determine if the project qualified under the LMI national objective an additional step is required. Even though place data is used to determine LMI eligibility and report the number of beneficiaries, the subrecipient must still report the census tracts and block groups that comprise the service area.

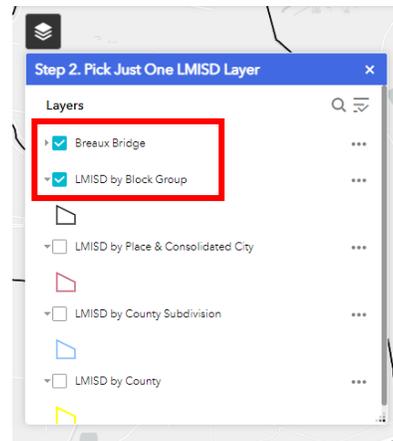
Subrecipients should use the HUD LMISD tool as described below or other Census reference maps to determine the affected census tract and/or block groups. In order to do this, each block group within the service area needs to be selected and the data exported to a .csv file.

Using Breaux Bridge as an example select the LMISD by Place or Consolidated City Layer. Next click the *Select Tool* icon. Uncheck all layers except the project service area (Place & Consolidated City or Count Subdivision). Next, click the down arrow on the green select button, click *Select by point*.

On the map, click the service area (area will turn blue when selected). Convert this service area to a layer by clicking on the ellipsis (the three dots) next to “LMISD by Place and County” and selecting “Create Layer”. Once you name the service area, it will now be available to select in the *Layers* panel.



Select the layer just created and LMISD by Block Group.



Next, export the selected block group data by clicking on the ellipsis next to *LMISD by Block Group* and clicking on *Export to CSV file*. The data file will open in an excel spreadsheet. The next step is to summarize the income level data in order to complete the beneficiary form.

LMISD Block Group Data for Breaux Bridge

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	OBJECTID	GEOID	Source	geoname	Stusab	Countynai	State	County	Tract	Blckgrp	Low	Lowmod	Lmmi	Lowmodu	Lowmod_u
2	83727	2.21E+11	2015ACS	Block Group 1, Census Tract 203.01, St. Martin Parish, Louisiana	LA	St. Martin	22	99	20301	1	300	810	1205	2360	34.32
3	83736	2.21E+11	2015ACS	Block Group 1, Census Tract 205.01, St. Martin Parish, Louisiana	LA	St. Martin	22	99	20501	1	350	790	1205	2020	39.11
4	83737	2.21E+11	2015ACS	Block Group 2, Census Tract 205.01, St. Martin Parish, Louisiana	LA	St. Martin	22	99	20501	2	245	530	590	810	65.43
5	83738	2.21E+11	2015ACS	Block Group 3, Census Tract 205.01, St. Martin Parish, Louisiana	LA	St. Martin	22	99	20501	3	1270	1940	2220	2630	73.76
6	83739	2.21E+11	2015ACS	Block Group 1, Census Tract 205.02, St. Martin Parish, Louisiana	LA	St. Martin	22	99	20502	1	85	220	405	945	23.28
7	83740	2.21E+11	2015ACS	Block Group 2, Census Tract 205.02, St. Martin Parish, Louisiana	LA	St. Martin	22	99	20502	2	1130	1900	2040	3135	60.61
8															

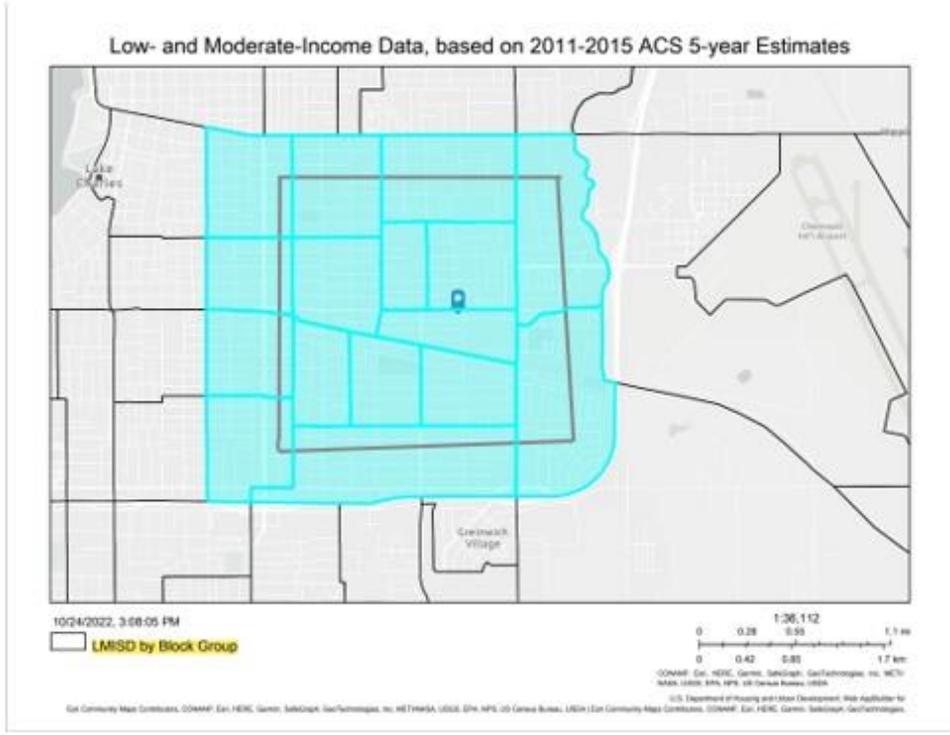
Enter the block group and census tract information on the **Project Beneficiaries** form in the LOCD-DR online system of record.

B. MAPPING

While the service area is still highlighted select the print icon and create a pdf of the map. Using the Snip-It Tool (or similar software) create a *Beneficiary Service Area Map* similar to the ones shown below. Include a data box that summarizes the data and list the data source being used.

The Beneficiary Service Area Map will be uploaded to the **Project Beneficiaries** form in the LOCD-DR online system of record.

GRANTEE NAME: City of Lake Charles
PROJECT NAME: Eastside Drainage Improvements
APPLICATION #: LDI 2021-19



Income Levels	Total	%
Total Number of Persons Less Than or Equal to 50% Area Median Income	5,100	33.69%
Total Number of Persons Over 50% and Not Greater than 80% Area Median Income	3,485	23.02%
Total Number of Persons Over 80% Area Median Income	6,555	43.30%
Total Population	15,140	100%
Total LMI Population	8,585	56.70%

Data Source: LMISD by Block Groups, Based on 2011-2015 ACS – Calcasieu Parish, LA

Block Group 3, Census Tract 5	Block Group 5, Census Tract 6	Block Group 2, Census Tract 9
Block Group 4, Census Tract 5	Block Group 6, Census Tract 6	Block Group 3, Census Tract 9
Block Group 1, Census Tract 6	Block Group 7, Census Tract 6	Block Group 4, Census Tract 9
Block Group 2, Census Tract 6	Block Group 1, Census Tract 8	Block Group 2, Census Tract 16
Block Group 3, Census Tract 6	Block Group 4, Census Tract 8	
Block Group 4, Census Tract 6	Block Group 1, Census Tract 9	

VI. SYSTEM OF RECORD AREA BENEFIT – BENEFICIARY INCOME INFORMATION FORM

Subrecipients will need to perform the following calculations to complete the **Area Benefit – Beneficiary Income** form. Calculations will vary depending on whether place data was used or block group data was used.

A. LMISD BY PLACE OR CONSOLIDATED CITY OR LMISD BY COUNTY SUBDIVISION

If LMISD by Place or Consolidated City or LMISD by County Subdivision data was used to determine national objective, the subrecipient should perform the following calculations using the LMISD by Local Government, Based on 2011-2015 ACS data extract. Enter the results in the **Area Benefit -Beneficiary Income** form in the LOCD-DR online system of record.

LMISD by Local Governments, Based on 2011-2015 ACS

	A	B	C	D	E	F	G	H	I	J	K
1	OBJECTID	GEOID	NAME	PLACE_TY	STATE	STUSAB	LOW	LOWMOD	LMMI	LOWMODUNIV	LOWMOD_PCT
2	6939	2209340	Breaux Bridge city	Incorporat	22	LA	2735	4635	5305	8140	56.94
3											
4	Total Number of Persons Benefiting = J2						8140				
5	Total Number of Persons ≤ 50% = G2						2735	33.60%			
6	Total Number of Persons Over 50% but ≤ 80% AMI = H2 - G2						1900	23.34%			
7	Total Number of Persons >80% AMI = J2 - H2						3505	43.06%			
8	Total Population						8140	100.00%			
9	Total LMI Population						4635	56.94%			
10											

System of Record Area Benefit – Beneficiary Income Form

INCOME LEVELS	TOTAL
1. Total Number of Persons Benefiting	= J2 (LOWMODUNIV)
2. Total Number of Persons Less Than or equal to 50% Area Median Income	= G2 (LOW)
3. Total Number of Persons Over 50% not greater than 80% Area Median Income	= H2 (LOWMOD) – G2 (LOW)
4. Total Number of Persons Over 80% Area Median Income	= J2 (LOWMODUNIV) – H2 (LOWMOD)

B. LMISD BY BLOCK GROUP

If LMISD by Block data was used to determine national objective, the subrecipient should perform the following calculations using the LMISD – All Block Groups, Based on 2011-2015 ACS data extract. Enter the results in the **Area Benefit -Beneficiary Income** form in the LOCD-DR online system of record.

LMISD – All Block Groups, Based on 2011-2015 ACS

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	OBJECTID	GEOID	Source	geoname	Stusab	Countynai	State	County	Tract	Blckgrp	Low	Lowmod	Lmmi	Lowmoduniv	Lowmod_
2	81299	2.20E+11	2015ACS	Block Group 3, Censu	LA	Calcasieu	22	19	500	3	165	330	430	680	48.53
3	81300	2.20E+11	2015ACS	Block Group 4, Censu	LA	Calcasieu	22	19	500	4	110	190	225	615	30.89
4	81301	2.20E+11	2015ACS	Block Group 1, Censu	LA	Calcasieu	22	19	600	1	270	715	830	1105	64.71
5	81302	2.20E+11	2015ACS	Block Group 2, Censu	LA	Calcasieu	22	19	600	2	225	635	635	1085	58.53
6	81303	2.20E+11	2015ACS	Block Group 3, Censu	LA	Calcasieu	22	19	600	3	655	700	740	1070	65.42
7	81304	2.20E+11	2015ACS	Block Group 4, Censu	LA	Calcasieu	22	19	600	4	195	535	885	1205	44.4
8	81305	2.20E+11	2015ACS	Block Group 5, Censu	LA	Calcasieu	22	19	600	5	540	805	805	900	89.44
9	81306	2.20E+11	2015ACS	Block Group 6, Censu	LA	Calcasieu	22	19	600	6	450	865	930	995	86.93
10	81307	2.20E+11	2015ACS	Block Group 7, Censu	LA	Calcasieu	22	19	600	7	350	420	510	610	68.85
11	81312	2.20E+11	2015ACS	Block Group 1, Censu	LA	Calcasieu	22	19	800	1	450	555	590	690	80.43
12	81315	2.20E+11	2015ACS	Block Group 4, Censu	LA	Calcasieu	22	19	800	4	275	515	770	885	58.19
13	81316	2.20E+11	2015ACS	Block Group 1, Censu	LA	Calcasieu	22	19	900	1	265	635	1235	1910	33.25
14	81317	2.20E+11	2015ACS	Block Group 2, Censu	LA	Calcasieu	22	19	900	2	95	210	335	620	33.87
15	81318	2.20E+11	2015ACS	Block Group 3, Censu	LA	Calcasieu	22	19	900	3	245	350	580	680	51.47
16	81319	2.20E+11	2015ACS	Block Group 4, Censu	LA	Calcasieu	22	19	900	4	40	185	400	595	31.09
17	81346	2.20E+11	2015ACS	Block Group 2, Censu	LA	Calcasieu	22	19	1600	2	770	940	1235	1495	62.88
18										Sum	5100	8585		15140	
19															
20															
21															
22															
23															
24															
25															
26															
27															

SUM COLUMNS K, L AND N.			
Total Number of Persons Benefiting = SUM COLUMN N	15140	100.00%	
Total Number of Persons ≤ 50% = SUM COLUMN K	5100	33.69%	
Total Number of Persons Over 50% but ≤ 80% AMI = SUM COLUMN L - SUM COLUMN K	3485	23.02%	
Total Number of Persons >80% AMI = SUM COLUMN N - SUM COLUMN L	6555	43.30%	
Total Population	15140	100.00%	
Total LMI Population	8585	56.70%	

System of Record Area Benefit – Beneficiary Income Form

INCOME LEVELS	TOTAL
1. Total Number of Persons Benefiting	= SUM COLUMN N (Lowmoduniv)
2. Total Number of Persons less than or equal to 50% of Area Median Income	= SUM COLUMN K (Low)
3. Total Number of Persons Over 50% not greater than 80% of Area Median Income	= SUM COLUMN L (Lowmod) – SUM COLUMN K (Low)
4. Total Number of Persons Over 80% of Area Median Income	= SUM COLUMN N (Lowmoduniv) – SUM COLUMN L (Lowmod)

DEFINITIONS

<https://www.census.gov/glossary/>

Area - The size, in square miles, square kilometers, or square meters, recorded for each geographic entity for which the Census Bureau tabulates and disseminates data

Block Group - A statistical subdivision of a census tract, generally defined to contain between 600 and 3,000 people and 240 and 1,200 housing units, and the smallest geographic unit for which the Census Bureau tabulates sample data. A sub-division of a census tract (or, prior to 2000, a block numbering area), a block group is a cluster of blocks having the same first digit of their four-digit identifying number within a census tract.

Boundary - The extent or limit of a geographic area such as a block, census tract, parish, or place. A boundary may or may not follow a visible geographic physical feature and may be legal or statistical.

Census - A complete enumeration, usually of a population, but also of businesses and commercial establishments, housing, farms, governments, and so forth.

Census Block - A statistical area bounded by visible features, such as streets, roads, streams, and railroad tracks, and by nonvisible boundaries, such as selected property lines and city, township, school districts, and parish boundaries.

A block is the smallest geographic unit for which the Census Bureau tabulates decennial census data.

Many blocks correspond to individual city blocks bounded by streets, but blocks – especially in rural areas – may include many square miles and may have some boundaries that are not streets. The Census Bureau established blocks covering the entire nation for the first time in 1990. Previous censuses back to 1940 had blocks established only for part of the nation. Over 8 million blocks were identified for Census 2000 and over 11 million blocks were identified for the 2010 Census.

Census Tract - A small, relatively permanent statistical subdivision of a parish delineated by a local committee of census data users for the purpose of presenting data. Census tracts nest within counties, and their boundaries normally follow visible features, but may follow legal geography boundaries and other non-visible features in some instances. Census tracts ideally contain about 4,000 people and 1,600 housing units

City - The smallest administrative unit of a parish having a predominately urban population.

City Block - Blocks are typically bounded by streets. In cities, a census block may correspond to a city block, but in rural areas where there are fewer roads, blocks may be defined by other features.

Data - Refers to factual information about people and businesses collected in censuses and surveys and through administrative records (e.g., birth certificates) and the results released based on these data collections. A more precise definition makes a distinction between “data” (facts collected before processing) and “information” (facts processed, sorted, and released in tables or as microdata).

Data Set - Refers to the assembled results of one data collection operation (for example, the results of the 2010 Census or the 2012 Economic Census) as a whole or in major subsets (for example, 2010 Census Summary File 1 or the 2007 Survey of Business Owners). The dataset may include statistics, graphs, maps, microdata, printed reports, and results in other forms.

Incorporated Area - A type of governmental unit incorporated under state law having legally prescribed powers and functions. Types of incorporated places include cities, towns (except the New England states, New York, and Wisconsin), boroughs (except in Alaska and New York), and villages. Hawaii and Guam do not contain any incorporated places.

Survey - A data collection activity involving observation or questionnaires for a sample of a population. (A census is a 100-percent sample survey; it collects information about every member of a population.) Surveys are normally less expensive to conduct than censuses; hence, they may be taken more frequently and can provide an information update between censuses. Often, they are used to collect a wider variety of information than is collected in a census.

Unincorporated Area - An unincorporated area is a region of land that is not governed by a local municipal corporation; similarly, an unincorporated community is a settlement that is not governed by its own local municipal corporation, but rather is administered as part of larger administrative divisions, such as a township, parish, borough, village, city, canton, state, province or country. Occasionally, municipalities dissolve which may happen if they become fiscally insolvent. In these instances services, become the responsibility of a higher administration.

RESOURCES

- [ACS 5-Year 2016-2020 Low- and Moderate-Income Summary Data - HUD Exchange](#)
- [CDBG Low- and Moderate-Income Data - HUD Exchange](#)
- [Demonstrating Area Benefit to Low- and Moderate-Income Persons - YouTube](#)
- [LMISD Map Application 2016-2020 \(arcgis.com\)](#)
- [LMISD - All Block Groups, Based on 2016-2020 ACS - HUD Exchange](#)
- [LMISD by Local Governments, Based on 2016-2020 ACS - HUD Exchange](#)
- [Notice CPD-19- 02: Low- and Moderate-Income Summary Data Updates - HUD Exchange](#)
- [Notice CPD-14-013: Guidelines for Conducting Income Surveys to Determine the Percentage of LMI Persons in the Service Area of a CDBG-Funded Activity - HUD Exchange](#)
- [Guide to National Objectives and Eligible Activities for State CDBG Programs - HUD Exchange](#)
- [Basically CDBG for States - HUD Exchange](#)

PROPOSAL AMENDMENT PROCESS

It is anticipated that as local governments implement projects funded under the **Resilient Communities Infrastructure Program**, amendments to the Recovery Proposal will be necessary due to a wide variety of circumstances. These include but are not limited to: changes in projected project budgets as actual costs are determined; changes in project priorities as determined by the local jurisdiction; receipt of other funding/grants that can be utilized to fund CDBG-DR projects or to facilitate recovery needs; Action Plan Amendments that may expand or limit eligible activities or expenditures under the allocation; and/or performance requirements established by HUD or LOCD-DR.

The following policy presents a tiered process of submission and approval requirements to accommodate all modifications from non-substantial changes to changes requiring a full-scale amendment to a parish/municipality **Resilient Communities Infrastructure Program** Recovery Proposal.

TIER I

Tier I consists of minor changes that may occur in correcting the budget for accuracy or as actual costs are identified through an A&E's appraisals or other cost analyses, such as:

- Changing line item amounts to accurately reflect administrative costs vs. project costs;
- Incorporating activity delivery costs into the proper project cost;
- Changing projected project costs to reflect actual costs, when the true costs differ from the projected amount, requiring an adjustment in another project or projects to reflect the change, given that the change does not impede the ability of any of the impacted projects to be implemented.

ACTION REQUIRED:

These corrections/adjustments, some of which may be required by LOCD-DR, may be submitted via e-mail by the parish/municipality, or the parish/municipality consultant serving as the grant administrator, with the individual's name, title, parish/firm, phone number and e-mail reflected. A revised budget must also be included in the submission.

These e-mails are to be sent to the LOCD-DR staff member assigned to the project. A revised budget must be attached.

Tier I changes will be reviewed for accuracy and adjustments to the Recovery Proposal by appropriate LOCD-DR staff. All budget changes will require LOCD-DR approval.

Upon approval, the assigned LOCD-DR staff person will acknowledge, via e-mail, that the budget adjustment(s) was approved and changes have been reflected in the applicable Recovery Proposal.

The request(s) and response(s), for Tiers I, II and III, will be maintained at the state level to track and document changes as each change occurs. The parish/municipality must also maintain a similar paper trail for audit purposes, to document changes, whether the changes are considered Tier I, Tier II or Tier III with acknowledgements and approvals from LOCD-DR for each amendment.

TIER II

Tier II consists of adjustments that would significantly change the projects identified and approved in the Recovery Proposal (whether a project is a priority project or an alternate project). Examples of a significant change include:

- A priority project(s) being funded through other sources, therefore enabling the project to proceed without the use of **Resilient Communities Infrastructure Program** funds. In this case, the funds for that project or projects can be reallocated, with LOCD-DR approval, to other priority projects or used to fund an alternate project(s);
- An alternative project or projects being reassigned as a priority project(s), thereby replacing or eliminating a priority project(s). This may be precipitated by a priority project being deemed ineligible by LOCD-DR, local events within the community heightening the need for the alternate project, or other funding being found for priority projects as in the first example.
 - **Note:** Both examples above may also be precipitated by a change in federal or state directives, approved or sanctioned by HUD that may render an existing project or expenditure as ineligible, enabling a parish/municipality to reassess how these funds may be reallocated to address their disaster recovery needs.

ACTION REQUIRED:

A significant change as described above, or other similar circumstances that may occur, requires:

1. A formal letter on parish/municipality stationery, with an original signature from the chief elected official (parish president, mayor, etc.), delineating and explaining the changes. The letter should be addressed to the LOCD-DR Director of Economic Development and Infrastructure. It must be accompanied by a revised budget and any support documentation the local entity deems appropriate.
2. It is recognized that there are local ordinances and practices in place within each parish/municipality that require or establish procedures for the local governing authority to make changes in its general fund or budget and/or require the chief elected official, or his/her designee, to properly inform the council/police jury of any changes as deemed appropriate and necessary.

Minimally, this is usually incorporated in the president's executive report, or it may require ratification by the council as a separate line item on the council/police jury agenda. LOCD-DR requires that these local requirements are followed.

3. For transparency purposes, and to inform the local citizenry who had input on the original proposal, it is advisable to disclose these changes at a council/police jury meeting, which is open to the public, recorded, and covered by the media.

LOCD-DR will review a Tier II amendment request to ensure eligibility of the alternate project at the time it is moved up to priority status. LOCD-DR will either approve the modification, with any comments thereto, or request additional clarification as may be needed.

Upon approval of the modification, the LOCD-DR staff assigned to the project will forward, via e-mail, a letter signed by the LOCD-DR Director of Economic Development and Infrastructure.

TIER III

Tier III changes are considered to be of material substance and a major modification to the original Recovery Proposal as submitted. This would require and be considered an Amendment to the Recovery Proposal. It will require public input, the submittal of a revised proposal and a council/police jury resolution authorizing the submittal of the amended Recovery Proposal. A Tier III change may be precipitated by the following:

- Adding a new priority project(s) that was not previously included either as a priority project or as an alternate project;
- A change in approach to address an identified need, causing other priority projects to be eliminated or significantly cut back in scale;
- A situation that may cause the local governing authority to be unable to complete the project(s) in the allotted timeframe, or a situation that may cause either the parish/municipality or the state to terminate the Cooperative Endeavor Agreement (CEA);
- Other circumstances, such as changes required by HUD or LOCD-DR.

ACTION REQUIRED:

The required process and documents include:

1. Amending the Recovery Proposal to reflect changes to the proposal so that it is clear why changes are being made, as well as the projects that are being eliminated or significantly impacted. The amended proposal must also include a project description of the new project or approach.
2. Conducting a public hearing on the amended proposal, providing a minimum seven (7) day advance notice, advertised in the Official Journal. Other parish/police jury processes regarding public meetings must also be followed. Copies of the public notice, agenda, tear sheet, sign-in sheets and minutes must be attached to the amended proposal.
3. Presenting the amended proposal and public comments to the council/police jury and having the council/police jury provide a resolution that tracks the changes and authorizes the parish president, mayor, or other chief elected official to sign and submit the amended proposal.

4. The amended Recovery Proposal and support documentation should be emailed to the assigned LOCD-DR staff.
5. A Tier III request will require approval by LOCD-DR. LOCD-DR will respond within two weeks of receiving the amended proposal. A CEA amendment may also be required. A parish/municipality should not proceed with implementing the amended portion of the Recovery Proposal until an approval notification is received from LOCD-DR.