



Texas General Land Office
Community Development and Revitalization
2021 Winter Storms (Pub. L.s 117-43 and 117-180)
Citizen Participation Plan for the State

Overview

The Texas General Land Office (GLO) administers Community Development Block Grant Disaster Recovery (CDBG-DR) funds allocated to Texas by the U.S. Department of Housing and Urban Development (HUD). As part of the administration of CDBG-DR funds, the GLO is required to comply with HUD's citizen participation requirements outlined in each Federal Register notice.

HUD's Federal Register Notice Requirements

Public Laws 117-43 and 117-180 appropriated CDBG-DR funds to address disaster relief and long-term recovery from disasters occurring in 2020 and 2021. Under HUD's Federal Register notices 87 FR 31636 (May 24, 2022) and 88 FR 3198 (January 18, 2023), a total of \$43,632,000 was allocated to the state for long-term recovery efforts in response to the impacts of the 2021 Winter Storms (DR-4586), which had an incident period of February 11 – 21, 2021 and a Presidential disaster declaration date of February 19, 2021.

In order to ensure disaster recovery grants are awarded in a timely manner, HUD has waived the provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.105(b) through (d), and 24 CFR 91.115(b) through (d), with respect to citizen participation requirements, and is instead requiring grantees to follow the provisions in section III.D. of 87 FR 31636 (May 24, 2022) as well as those of 24 CFR 91.115 or 91.105. In accordance with updated HUD guidelines, the GLO will field public comments for a period of 30 days in order to provide a reasonable opportunity for citizen participation. Additionally, the GLO will convene one virtual public hearing on the proposed Action Plan after it has been published on its website to solicit public comment before submission of the Action Plan to HUD.

Citizen Participation Plan

The GLO is committed to prioritizing citizen participation during the three main phases of Action Plan development: 1) Plan Preparation; 2) Solicitation of Public Comment for the Action Plan (and any Substantial Amendments); and 3) Ongoing Accessibility to Program Information.

(1) Plan Preparation

The GLO consulted with local governments, nongovernmental organizations, and other affected parties in the relevant geographic areas during the development of the Action Plan.

This was done primarily through a survey distributed to leaders of affected communities. Recipients of this survey included over 6,500 individuals in local governments, Indian Tribes, Federal government agencies within the state that may have assisted with recovery efforts, nongovernmental organizations, the private sector, and other stakeholders and affected parties in the surrounding geographic area, including organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster. Recipients were surveyed primarily on what impact the storms had on their community's services and facilities, what amount of unrepaired damage remains, and what the community's recovery priorities are. Other aspects of the survey included what, if any, mitigation activities the community has undertaken recently and what mitigation activities the community would find important should funding be available for that as well. Survey recipients were also given the option to continue receiving future communications regarding the state's 2021 Winter Storms Action Plan.

The GLO also consulted with other relevant government agencies, including state and local emergency management agencies that have primary responsibility for the administration of FEMA funds, as applicable.

(2) Solicitation of Public Comments for the Action Plan and any Substantial Amendments

(a) Posting of Action Plan

Before submitting the Action Plan or any substantial amendment for HUD approval, the GLO will publish the proposed Action Plan or substantial amendment on the GLO's recovery website, <https://recovery.texas.gov/>, for a public comment period of at least 30 days. Upon posting, the GLO will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations. To ensure that those with limited English proficiency will have equitable participation, the proposed Action Plan and all amendments will be posted in Spanish, Vietnamese, and Chinese. Other languages will be available upon request.

Once the public comment period closes, the GLO will consider and provide a substantive response to all comments received. These comments and responses will be located in the appendix section of the relevant Action Plan or substantial amendment submitted to HUD for approval. The GLO will clearly identify any updates or changes made to the Action Plan in response to public comments.

The GLO will take written comments via USPS mail, fax, or email:

Texas General Land Office
Community Development and Revitalization
P.O. Box 12873
Austin, TX 78711-2873

Fax: 512-475-5150

Email: cdr@recovery.texas.gov

Website: <https://recovery.texas.gov/>

In the Action Plan, the GLO will specify criteria for determining what changes in the GLO's plan constitute a substantial amendment to the plan. At a minimum, the following modifications will constitute a substantial amendment:

- i. A change in program benefit or eligibility criteria;
- ii. The addition or deletion of an activity; or
- iii. The allocation or reallocation of more than \$5 million.

Nonsubstantial amendments: The GLO will notify HUD when it makes any Action Plan amendment that is not substantial. HUD will be notified at least 5 business days before the amendment becomes effective. HUD will acknowledge receipt of the notification of nonsubstantial amendments via email within 5 business days; subsequently, the nonsubstantial amendment will be posted on the GLO's recovery website: <https://recovery.texas.gov/>

(b) Virtual Public Hearing

Upon posting of the initial proposed Action Plan for public comment, the GLO will convene one virtual public hearing to obtain interested parties' comments and to respond to comments and questions. When conducting the virtual hearing, the GLO will allow questions in real time. As appropriate, answers will come directly from GLO representatives to all "attendees."

The hearing will be held on the Zoom videoconferencing platform after typical work hours. Multiple phone-in lines will be available for those without access to the Zoom application. The GLO will also provide meaningful access for individuals with Limited English Proficiency (LEP) and disabilities at the hearing. This will include real-time audio translation of the public hearing, provided that requests are made at least 48 hours in advance.

The GLO will provide reasonable notification and access for citizens, timely responses to all citizen questions and issues, and public access to all questions and responses at the hearing in accordance with the grantee's certifications of section III.F.7.g. of Appendix B of 88 FR 3198 (January 18, 2023).

The GLO created a multilingual signup form for those planning to comment at the public hearing. This, along with details for the time and location of the public hearing will be found online at: <https://recovery.texas.gov/public-notices/index.html>

(c) Accessibility for those with disabilities or Limited English Proficiency

The GLO will ensure that all citizens have equal access to information about the programs, including disabled and LEP persons. The GLO will ensure that vital program information is available in the appropriate languages for the geographic area served by the subrecipient. These efforts will be in compliance with the guidelines set forth in HUD's *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* in the Federal Register notice published January 22, 2007 (72 FR 2732).

The Action Plan in its entirety will be translated to Spanish, Vietnamese, and Chinese. The languages selected were selected based on an assessment of the entire CDBG-DR eligible area to find a reasonable break in the numbers of Limited English Proficiency individuals. Recognizing there may be a need for individuals to have access to the document in additional languages, the GLO has contracted with a translation service to provide personalized translations of the Action Plan upon reasonable request. Any public places that work directly on programs available to private individuals will carry signage detailing this service in applicable languages. The GLO's recovery website will include similar notations. Detailed information on the GLO's analysis of affected LEP and disabled populations can be found in the GLO's 2021 Winter Storms Language Access Plan, located at <https://recovery.texas.gov/>.

Citizens with hearing or speaking disabilities or those who use a TDD/TTY device can call 1-844-893-8937 (toll free) via the Relay Texas Service at 7-1-1. Relay Texas is a service that provides telephone access for people with speech or hearing loss who find it challenging or impossible to use a traditional telephone. For more information, please see the Relay Texas website at: relaytexas.com. To request translation assistance with documents, events, or other information, citizens can call 512-463-5139 and leave a detailed message with their name, phone number and questions, and an interpreter will return their call with additional information. Citizens who need technical assistance can contact the GLO office for assistance at 1-844-893-8937 (toll free).

(3) Ongoing Accessibility to Program Information

The GLO will maintain a comprehensive public website that provides information accounting for how all grant funds are used and managed/administered, including: links to all Action Plans; Action Plan Amendments; CDBG-DR program policies and procedures; performance reports; citizen participation requirements; and activity/program information for activities described in its Action Plan, including details of all contracts and ongoing procurement policies. Designated staff will monitor for updates and provide them to the website in a timely manner to reflect the most up-to-date information about the use of these funds and any changes in policies and procedures. The GLO will make the following items available on <https://recovery.texas.gov/>:

- The Action Plan created using the Disaster Recovery Grant Reporting System (DRGR) (including all amendments);
- Each Quarterly Performance Report (QPR) as created using the DRGR system;
- Updated procurement policies and procedures;
- Executed CDBG-DR contracts;
- Status of services or goods currently being procured by the GLO (e.g., phase of the procurement, requirements for proposals, etc.);
- A summary of the status and description of goods and services currently being procured; and
- Application status.

The GLO will provide multiple methods of communication, such as websites, toll-free numbers, TTY and relay services, email address, fax number, or other means to provide applicants for recovery assistance with timely information to determine the status of their application. Additionally, the GLO has a sign-up form¹ for those interested in receiving updates from GLO's recovery division.

Citizen complaints: The GLO will provide a timely written response to every citizen complaint received. The response will be provided within 15 business days of the receipt of the complaint, if practicable. Complaints regarding fraud, waste, or abuse of government funds should be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov).

¹ <https://recovery.texas.gov/contact-us/mailling-list/index.html>