

PUERTO RICO

DISASTER RECOVERY ACTION PLAN



PUBLIC COMMENT

5.10.18 - 5.25.18



Puerto Rico se levanta

Foreword

Public comment on the draft Action Plan was received in Spanish and English. Each comment submitted is available in its entirety, in the language(s) and format it was submitted in, at www.cdbg-dr.pr.gov and as an appendix to the Action Plan.

Comments submitted have been summarized here in Spanish and English as a convenience to the reader. Quoted sections of individual comments may consist of paraphrases due to translation or for brevity. Please refer to the text of the submitted comments for further information.

You may contact PRDOH for a full translation of an original comment or to request alternate accessible means or formats to access public comments and PRDOH responses. Requests can be made via the following methods:

- Via telephone: (787) 274-2527
- Via email at infoCDBG@vivienda.pr.gov
- Online at <http://www.cdbg-dr.pr.gov/contact/>
- In writing at:
Puerto Rico CDBG-DR Program
P.O. Box 21365
San Juan, PR 00928-1365

Public Comment

Comment via Email: #001_10-05-18_Suzette Flores

“Greetings, I would like to learn about the new potential benefits for persons affected by the Hurricane? I am interested in attaining some information.”

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #002_10-05-18_Angel González (Mayor Río Grande)

“Greetings. We reviewed the draft CDBG-DR Action Plan and have some doubts about the methodology of distribution. The document refers to a partnership model of distribution. Personally, I am not clear on the concept and I would like to have more information. Thanks”

PRDOH Response: Information regarding Methods of Distribution is available in the Action Plan.

Comment: #003_10-05-18_Johanna Ortiz

“I request information on the program, since I’m interested.”

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs, including program guidelines will be available at www.cdbg-dr.pr.gov.

Comment via Email: #004_10-05-18_Johanna Ortiz

"I called PRDOH and spoke to three people but was not able to receive clear information as an explanation of the program. I would like someone from PRDOH to call me back with guidance."

PRDOH Response: Information currently available regarding CDBG-DR programs is available in the Action Plan. Program guidelines and policies will be posted to www.cdbg-dr.pr.gov, as they are developed, as required by 83 FR 5844.

Comment via Email: #005_10-05-18_Alexis Troche

"I request information on the process to obtain the benefits of the program."

PRDOH Response: Information currently available regarding CDBG-DR programs is available in the Action Plan. Program guidelines and policies will be posted to www.cdbg-dr.pr.gov, as they are developed, as required by 83 FR 5844. PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018.

Comment via Email: #006_11-05-18_Angel González (Mayor Río Grande)

"Good Day, I have some doubts related to the draft Action Plan, and, to be able to make a responsible comment, I would clarify on two concepts.

- 1. Partnership model of distribution*
- 2. Subrecipient model of distribution*

We're thankful for your prompt answer, since the time frame to comment is very limited. Have an excellent day"

PRDOH Response: Partner: partners may include government agencies or governmental organizations, as applicable to the program established in the Action Plan. Performance requirements, roles and responsibilities will be outlined in a formal agreement, which may be in the form of a memorandum of understanding (MOU). The partners can then carry out all or some of the activities of the administration of the program as outlined by Housing. The partners can acquire technical assistance and program management services as delineated by Housing, or have technical assistance and program management services provided by Housing or other supervisory agencies.

Sub-recipients - Sub-recipients are chosen by the recipient of funds or their designee (partner) to undertake certain eligible CDBG activities. Sub-recipient may mean a public or private non-profit agency, authority or organization, or a for-profit entity authorized under § 570.201 (o), receiving CDBG funds from the recipient or other subrecipient to undertake eligible activities for said assistance. Sub-recipients may include public and private organizations, agencies, including non-profit and for-profit sub-recipients, as appropriate for the program established in the Action Plan. Sub-recipients will meet the selection criteria described in the Action Plan or program guidelines and:

- **Carry out a specific program on behalf of Housing**
- **Comply with all federal statutes, regulations and program requirements**
- **Comply with all the terms and conditions of the sub-beneficiary agreement**
- **Comply with all established performance objectives "**

Programs in the draft that are designated to work in a partner manner have the name of the partner listed in the program description."

Comment via email: #007_11-05-18_Jose Cestero

"I include, for your consideration, a letter from Ceiba's Mayor, endorsing the project Ceiba del Mar and a summary of the project."

Attachment to Email: "Ceiba del Mar"

The attachments submitted include a letter from the Mayor Angel Cruz Ramos, offering his endorsement of the Ceiba del Mar I and Ceiba del Mar Building housing projects, and a description of the projects. The endorsement letter describes these projects as social-interest housing which would benefit low- and moderate-income populations and those living with special needs populations, like the elderly or persons living with AIDS. The letter describes amenities to be included in the developments, such as rainwater collection system, parks, and LED lighting. Also included in the endorsement is mention of jobs which could be created in the Eastern Region of the island if this project is undertaken. The description of the projects includes specific details including the proposed location of the projects, budgets, unit cost, proposed beneficiaries, and aerial photos of the sites, among other things.

PRDOH Response: PRDOH understands the importance of providing housing for vulnerable populations and appreciates the detail included in the project summary submitted. The Social Interest Housing Assistance Program was designed with these types of projects and beneficiaries in mind.

Comment via email: #008_10-05-18_Yadira Figueroa

"I appreciate your consideration in knowing my opinion about the Community Development Block Grant – Disaster Recovery (CDBG-DR) Program. I also thank your transparency in all your work and efforts when administrating our economical resources.

Please, complete an investigation for the cities at the center of the island. As a professor at Universidad del Turabo - Recinto Cayey, I attend youth from these towns and most of them are still like day number one after Hurricane Maria.

During a crisis real leadership is experienced real leaders shows up; and you have demonstrated that you are excellent leaders. Please help my students, their communities and their families with a better future. My opinion about the document is that it is complete in all its parts and details."

PRDOH Response: PRDOH appreciates the support of the Action Plan offered. Programs outlined in the Action Plan aim to serve a geographical area which includes the entire island of Puerto Rico. Impacted citizens in the center of the island may be eligible for assistance.

Comment via Email: #009_10-05-18_Amarillis Pagan

"Until now the only viable participation has been from Matria (non-profit organization) who offered an informative meeting.

We question the consulting process, which we think could be more inclusive. We couldn't participate on the public hearings, due to the hurry in which they took place.

We will be submitting commentaries to the Plan in the next few days."

PRDOH Response: Opportunities provided for citizen engagement during the development of the Action Plan are outlined in Citizen Participation Plan and were conducted in accordance with 83 FR 5344 and 2 CFR §91.115. Comments regarding the Action Plan received on or before May 25, 2018 are addressed in the final version of the Action Plan, however, PRDOH looks forward to continued citizen engagement throughout the duration of the CDBG-DR grant. Public comment is always welcome and citizens are encouraged to engage at any time via the methods outlined in the Citizen Participation Plan.

Comment via Email: #010_10-05-18_Blanca Velez

“See how it looks.”

PRDOH Response: PRDOH appreciates the comment and looks forward to continued citizen engagement throughout the life of the CDBG-DR grant.

Comment via Email: #011_11-05-18_Brendan Calafiore

“At Federal Housing Solutions, I spearhead our housing investment and rehabilitation efforts, and we have been engaged via our investment partners to seek opportunity for investment in Puerto Rico, which aligns well with our mission to solve America's housing challenges, including US territories, especially those most in need.

We have been researching the programs in place and those developing for the CDBG-DR and Qualified Opportunity Fund (OZ) territories and understand that the first Action Plan was released just yesterday, May 10, 2018. While that is a great step forward, it only addresses the utility of the first \$1.5 billion of the total \$20 billion in HUD funding committed to the disaster relief in Puerto Rico.

While we have relationships with the Puerto Rico HUD and local investment offices, we would like to connect with PRDOH to proactively engage in supporting relief efforts. As an investor partner with considerable expertise and a long track record in the Section 8 space, including low to moderate income housing reconstruction, rehabilitation and community revitalization success through such programs as Section 42 LIHTC bonds and credits under the 4% bond and 9% credit programs, we look forward to leveraging our expertise to help solve immediate needs in Puerto Rico.

Please let me know what the best way might be to get started, and I look forward to being in touch. Have a great weekend.”

PRDOH Response: Because development of the Action Plan is guided by the Federal Register associated with an allocation and only the Federal Register for the initial \$1.5 billion allocation has been released by HUD, the initial Action Plan only addresses the first \$1.5 billion in CDBG-DR funding. The release of a Federal Register associated with any subsequent allocations will inform the Action Plan for those allocations.

Guidelines further describing the process for participation in the programs outlined in the Action Plan, including the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program, will be developed and posted to www.cdbg-dr.pr.gov, after HUD grants approval of the programs. PRDOH estimates that some programs will begin around September 2018.

Comment via Email: #012_14-05-18_Roberto Pagán Centeno (Mayor Lares)

"Greetings. Attached we're sending a letter to the Secretary of Housing, Fernando A. Gil Enseñat, to notify of a project of utmost importance to the Municipality of Lares that was not included in our first report nor in the presentation of our mayor at public hearings. Please take it into consideration and add it to our previous requests.

Thanks in advance,"

Attachment to Email:

The attachments submitted include a letter from the Mayor Roberto Pagán Centeno, of Lares. The letter suggests that the Los Quemaos community, consisting of approximately 30 families, should be relocated for a cost of approximately \$3,000,000.

PRDOH Response: The Homeowner Repair, Reconstruction, or Relocation Program outlines opportunities for voluntary relocation. Information about the program can be found in the Action Plan. This program was designed to assist eligible citizens in all parts of the island; residents of the Los Quemaos community may be eligible.

Comment via Email: #013_22-05-18_Damaris Resto-Orlando Carrión

"Comments being shared by a resident of Canóvanas, from the Cubuy neighborhood on her community and home. I learned about this program from a co-worker. Hurricane Maria affected my home and completely took off the zinc roof from my home, including the frame. I lost all my belongings inside. I applied to FEMA, who gave me enough money to repair the roof. I did not invest in wood since that would be wasting money and opted for cement to have a safe home. I was able to complete half the house since the money was not enough. The other half is separated and covered by a tarp. I made another claim to FEMA but it was denied. I applied for the SBA loan which was also denied. I asked for Tu Hogar Renace, was visited once, and never returned after they offered me help to make my home habitable. I am sleeping in a small room that was habitable for these months. I did not want to rent a home because I could not leave my home alone without electricity or vandals would take what we have obtained little by little. It has moved me a lot as they have treated my house as much as the other Puerto Ricans in the matter of recovery. I have never tried to get more than I had just to get what I lost in hours and the doors have all been closed. In my neighborhood there is much need for lighting, roads in poor condition, landslides blocking major roads that have not been opened and leave us having to use others in poor condition, many houses with awnings for lack of help that has been denied or are still in waiting list. I have never pretended to get money after the help of FEMA, I have only

sought help for the materials which have increased so much in price, that They have doubled since December. The funds provided were spent faster. At the moment, I am looking to finish my home, although I have to do it again in wood, but when comparing prices, it's almost the same as building in cement. The price of zinc is so high that laying the foundations resulted more economical. It is outrageous how these prices have risen causing pain of people trying to rebuild. I finished the roofing since I don't have electric power to light that area and the funding is not sufficient. I am using an extension cord in that area and the floor is destroyed because when reinforcing the house, the slabs had to be broken and the outside part could not be covered since I could not afford it. My home is 31 years old and I had never suffered damage due to an atmospheric event. I just want to be comfortable again, have a normal life and be prepared for another eventual atmospheric event. I'm asking for help for myself, my community and my neighbors who also suffered as much as me and some may not have had the opportunity to know about this help. I also ask them if I have the opportunity to be visited they can also receive such once your visit. With my heart in my hand I ask for your help to evaluate my case. If you have any questions, you can contact me ... "

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #014_25-05-18_Rafael Cortés Dapena

*"Dear Mr. Secretary-
The attached letter explains itself. "*

Attachment to Email:

The attachment submitted outlines the mission of Red de Fundaciones de Puerto Rico and includes the following comments related to the draft Action Plan. (Comments listed below were originally submitted in a mix of Spanish and English languages. Comments have been translated for accessibility and for this reason, only the comments enclosed in quotation marks are direct quotes from the attachment submitted. Anything not in quotation marks is a translation or summary of information included in the attachment)

Administrative costs: "In the Action Plan published for comments, the amount of \$75,358,950 is established for administrative expenses, but it is not detailed if these will be used only by the PRDOH or if it includes that which may be used by municipalities and subrecipients. When defining "partners", it's identified as being made of program management activities and

technical assistance, but the item of administrative expenses is not specifically discussed. It will be advisable that the plan be specific for such purposes, and that these funds can be used by the entities that will be directly executing the activities and programs, including the NPOs."

Geographic Distribution: "According to the Federal Register page 5845, 80% of the funds from this first allocation must be used for recovery in the most impacted and depressed areas, MID jurisdictions, as identified by HUD (60 municipalities in total) "

"From the text of the Plan of Action, however, it is not clear how the State through the established distribution method will ensure that this directive of the Federal Government is complied with. It is recommended to clarify this information and include specific criteria such as, for example, the percent of housing units that received damages, with uncovered needs, for municipality."

PRDOH Response: It is outlined in the Action Plan that PRDOH has set aside approximately \$1.2 billion for use in the most impacted and distressed areas.

Reimbursement: "Traditionally, CDBG funds are used on a reimbursement basis. That is to say, that the entities that execute the programs carry out the activities and then the funds are petitioned to the Federal Government for the reimbursement.

Nonprofit organizations have a vast capacity to collaborate with the State in the implementation of the programs established in the Plan. However, during the past we have faced difficulties related to cash flow, due among other reasons to the arrears in government payments. We understand that this is also a situation that affects municipalities and local government agencies. In that direction, it would be It is advisable to institute, in accordance with the regulations applicable to the program and the management of federal funds, a procedure for the advancement of funds, at least for some of the activities proposed in the Plan."

PRDOH Response: Under HUD guidance, PRDOH is not considering providing cash advances for any programs outlined in the Action Plan. PRDOH does, however, continue to explore options to ease the cash-flow burden which may be faced by agencies related to the administration of CDBG-DR programs and will take these comments under consideration.

Specific Program Guidelines: "According to the Action Plan draft, after the filing of the Plan to HUD, the specific guidelines of the proposed programs will be disseminated. We recommend incorporating in the document the itinerary of dissemination of the guides and communication channels that will be used to inform the entities interested in submitting proposals. Likewise, we recommend that, even though there are activities that will be carried out through other

government agencies, the information corresponding to the programs (including the guides) will be published on the Internet page of the Housing Department, for the CDBG-DR funds."

PRDOH Response: Specific program guidelines for programs funded by CDBG-DR allocations granted to PRDOH will be published at www.cdbg-dr.pr.gov after programs are approved by HUD.

Whole Community Resilience Planning: "The development of these plans can make an important contribution to many of our communities. From the language of the Plan, however, the objective of the first phase is not clear and if the communities that will be selected in the second phase depend on the results of the analysis carried out in each municipality in the first phase. On the other hand, depending on the objective of that first phase, it is recommended to reconsider granting a uniform amount to the municipalities, since the costs may vary according to the size and complexity of each municipality. In summary, it is recommended:

- Develop clearer principles in the Plan that establish the bases for the guidelines to be developed;*
- Establish specific criteria that municipalities must follow when carrying out the analysis referred to as the first phase of the program.*
- That the communities can apply openly in the second phase, without being limited to those selected by the municipalities. "*

PRDOH Response: Thank you for the comment. Information regarding the initial phase of the Whole Community Resilience Program has been expanded upon in the Action Plan. More specific guidelines will be developed after HUD approves the program. As required by 83 FR 5844, guidelines will be posted at www.cdbg-dr.pr.gov when available.

Property Ownership: "In the case of the housing repair, reconstruction and relocation program (page 94), one of the eligibility criteria established is the ownership of property and the phrase "alternative methods" is indicated in parentheses ["Ownership" of property structure (alternative methods).] This is one of the areas of greatest concern to people affected by the disaster and that has been denied by other federal funds, particularly FEMA. The regulation provides greater flexibility to document tenure and occupation of the home, but this must be clearly determined by the state, for which purpose it is requested that it be specified in the Plan to which it refers with possession of the property and alternative methods. Similarly, it is recommended that the way citizenship should be documented in order to receive program benefits be established in the plan. "

PRDOH Response: PRDOH understands the magnitude of the number of homes on the island that lack proper title. These comments have informed the development of the Title Clearance Program, outlined in the Action Plan. Specific information regarding documentation accepted and processes followed to make eligibility determinations will be

outlined in program guidelines, which will be published at www.cdbg-dr.pr.gov, after HUD approval of the programs, as outlined in 83 FR 5844.

Small Business Incubators: "The language with which this activity is described in the Action Plan on page 110, seems to indicate that it focuses on creating collaborative work spaces or strengthening those that already exist. Although, this is an important modality, the concept of an incubator is much broader. In the Third Sector there are other examples of incubators that could benefit from these funds and that seek to provide opportunities to our most vulnerable populations. For this purpose, we recommend expanding the definition or clarifying the definition of the activity so that these other types of incubators can have an opportunity. "

PRDOH Response: Thank you for the comment. Non-profit entities are eligible applicants for the Small Business Incubator program.

Workforce Training Program: "The language contained on page 111 to describe the training activity for employment, although quite flexible, it seems to limit or focus the activities to be subsidized to those aimed at providing training on issues related to recovery. It mentions occupations related to construction as examples. It is recommended not to limit the training and training to these specific topics, but to broaden the definition of the activity so that efforts can also be directed to other industries and occupations whose stock of professionals has been impacted by the hurricanes. "

PRDOH Response: Although other training opportunities are not excluded at this time, it is the intention of PRDOH to use the Workforce Training Program to aid in the rapid recovery of the island. PRDOH will consider other sectors as needs in other sectors are identified.

Comment via Email: #015_25-05-18_Jenifer De Jesús

"Attached are the comments of Taller Salud, Inc. to the draft of the State Action Plan and to the Presentation of the Municipio of Loíza."

Attachment to Email:

- Housing Need:

"For all projects you must use Community Census leadership data. Being these people who have been providing relief and recovery after the hurricanes have the most up-to-date and reliable data. Establish a general rule that the rehabilitation and remodeling of existing structures is a main option and as secondary deforestation and impact of green areas for the establishment of new projects."

PRDOH Response: Data was collected from multiple sources to determine housing need. Information regarding data and methodology utilized can be found in the Action Plan. PRDOH will take these comments into consideration when augmenting needs assessment or in further development of housing programs.

Housing projects:

- *“To define what are “vulnerable populations”.*
- *To establish and publish the eligibility criteria to request housing on the projects billed to be funded by CDBG-DR.*
- *To establish and publish what will be the relationship of eligible persons with the dwelling; persons who make housing loans in order to acquire them; payments adjusted to ability to pay, lease or others. Clarify how people can access housing projects.*
- *To establish and publish when the time periods to request and take turns to achieve living in the projects.*
- *To make the roster public and visible.”*

PRDOH Response: Eligibility criteria for each program is outlined in the Action Plan. Further definition regarding application periods, documentation and process used to prove eligibility will be outlined in more detail in the program guidelines. Program guidelines for each program administered using CDBG-DR funds will be published at www.cdbg-dr.pr.gov, after programs have been approved by HUD, as required by 83 FR 5844. PRDOH will consider these comments during the development of program guidelines.

Situation of Women:

For all the projects developed under this Action Plan with CDBG-DR funds, implement policies and strategies that can correct the evident economic inequality and social overload of women in Puerto Rico. Both in the need of affordable and resilient housing, in economic development and on infrastructure planning that can benefit gender equality.

PRDOH Response: Program policies for each program administered using CDBG-DR funds will be published at www.cdbg-dr.pr.gov, after programs have been approved by HUD, as required by 83 FR 5844. PRDOH will consider these comments during the development of program guidelines.

Program Requirements:

*“Define what are “marginalized and devastated neighborhoods”
Clarify how marginalized and devastated neighborhoods are prevented or eradicated.
Define strategies for the protection of human and civil rights of people living in “marginalized and devastated neighborhoods”*

Establish clearly how the anti-discrimination policy is established and implemented in this case. Use strategies of citizen participation to make decisions discussed and with guarantees to the rights and human dignity in the implementation of the “prevention or elimination of marginalized and devastated neighborhoods”.

PRDOH Response: Elimination of slum and blight is a national objective, defined by HUD. All activities performed by PRDOH must comply with all applicable fair-housing and housing choice regulations, statutes, and laws. Citizen Participation strategy can be found in the Citizen Participation Plan published at www.cdbg-dr.pr.gov.

Selection of subrecipients:

- *To establish and publish the eligibility criteria sub-recipients.*
- *To keep public the list of elected sub-recipients and the projects for which they were elected.*
- *To establish criteria and controls to guarantee fair competition among large, medium and small entities to be eligible for the use of funds to implement projects.*

PRDOH Response: Eligibility criteria for subrecipients will be further defined in program guidelines after programs are approved by HUD. Program guidelines will be posted to www.cdbg-dr.pr.gov, as required by 83 FR 5844. PRDOH will consider these comments when developing program guidelines for programs which will utilize subrecipients.

Economic Development:

To establish citizen participation strategies to develop economic revitalization projects that responds to the needs raised by the communities, including but not limited to, tourism projects.

- *To establish as a general rule the protection of the environment and natural resources for the planning and design of economic revitalization, housing and infrastructure projects.*

PRDOH Response: PRDOH encourages citizen participation through the entire lifecycle of the CDBG-DR grant. All programs administered must comply with all applicable environmental regulations, including those listed at 24 CFR Part 58.

Infrastructure:

- *“to design and install solar energy systems capable of sustaining the total operation of the 69 hospitals in the island.”*
- *“to design and install solar energy systems capable of sustaining the total operation of the dialysis centers and sexual and reproductive health service centers around the entire Island.”*
- *To pass legislation that regulates and compels private communications companies to have solar energy systems that can sustain the total functioning of communications even when the country’s energy system fails.”*
- *“That a loan fund be opened for private communication companies to implement mitigation measures for the towers and antennas which support the operation of communications.*
- *“To build kitchens and bathrooms suitable for prolonged accommodation in buildings to be used as shelters in the future.”*

- *“To hire and provide adequate training to the staff that would be assigned to work in the shelters: capacity to mediate conflicts, to attend health situations, capacity to sustain the security of population with domestic violence situations, bedridden patients, people with mental health situations, persons in situations or dependence of controlled substances, HIV patients, families with children, people with functional diversity, so that even in refuges their human rights and dignity are guaranteed.”*
- *“To keep schools open and in optimal functioning to guarantee the right of children to education and social mobility.”*
- *“To finance projects aimed at developing creative, intellectual and leadership potential for children in their communities.”*
- *“To re-enable, improve, and / or build Community Centers with recreational facilities in the communities to provide adequate spaces for the development of children, community self-management and the economic revitalization of the communities.”*

PRDOH Response: PRDOH understands that recovery is a multi-faceted process, which includes infrastructure. Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

The attachment submitted also comments on projects submitted in the proposal of Loíza. Included in the comments for the projects suggested by the municipio of Loíza are recommendations for additional projects to be included.

PRDOH response: PRDOH addressed the comments submitted by the Municipio of Loíza in the public comment appendices, which can be found at www.cdbg-dr.pr.gov.

Comment via Email: #016_25-05-18_Isidro Negrón Irizarry (Mayor San Germán)

"Attached comments on the Action Plan CDBG-DR Funds. If you need additional information, contact the person who subscribes ... "

Attachment to Email:

The attachments submitted include a letter from the Mayor of San Germán, Isidro Negrón Irizarry. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs

which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #017_22-05-18_Eng. Miguel A. Bonilla

"I am sending you our cover letter for the inspection and management services of construction. I am also accompanying this email with our pamphlet. If you have any doubt about the documents in this email, you can contact me at ... "

Attachment to Email:

The attachment submitted includes a brochure outlining services offered by Mr. Bonilla, including construction management, inspections, and compliance verification and a letter offering the same.

PRDOH Response: All Requests for Proposals will be posted to www.cdbg-dr.pr.gov. Organizations interested in providing services should monitor the procurements page of the website for opportunities.

Comment via Email: #018_23-05-18_Antonio Blanca

"We are interested in knowing the process by which our project can be included in the recently announced housing initiative. Our project has been endorsed by the Department of Housing as one of social interest and construction and development works have already begun. It has a first stage of 64 single-family housing units with 3 bedrooms, 2 bathrooms, living / dining room / kitchen, double carport, indoor laundry room and the plots are at least 300 square meters. The property measures approximately 1,300 square feet. The second stage will consist of 151 housing units, equal to those of the first stage. Although we already have about 25 units that are pre-qualified by financial entities, we would like to make our project available to the Department of Housing and, for this, we request their guidelines. "

Attachment to Email:

The attachment submitted includes a certification of the project by the Department of Housing, dated in 2016 and plans for units proposed to be built.

PRDOH Response: Specific program guidelines for the Social Interest Housing Assistance Program will be published at www.cdbg-dr.pr.gov, in accordance with 83 FR 5844, after the program has been approved by HUD. PRDOH encourages those interested in participating in the program to monitor the website for additional details.

Comment via Email: #019_24-05-18_Ada Monzón

“Please find the comments to Action Plan, respectfully submitted by EcoExploratorio, Inc.”

Attachment to Email:

The attachment submitted includes suggestions for how EcoExploratorio can support the Home Resilience Innovation Program and offers an overview of the mission of “EcoExploratorio: Museo de Ciencias de Puerto Rico” and the exhibits and programs managed by the museum.

PRDOH Response: Specific program guidelines for the Home Resilience Innovation Program will be published at www.cdbg-dr.pr.gov, in accordance with 83 FR 5844, after the program has been approved by HUD. PRDOH encourages those interested in participating in the program to monitor the website for additional details.

Comment via Email: #020_24-05-18_Omayra Rivera Crespo

"I am commenting and expressing concerns about the draft Action Plan of the CDBG-DR funds from the perspective of a professor of architecture and expert in the subject of housing and citizen participation and co-founder of the architecture collective Taller Creando Sin Encargos, that works with participative design and construction with communities, volunteers and students of architecture, art and design, I want to make comments and express some concerns about the in Puerto Rico.

My first concern is that the PRDOH does not receive help from other government departments to administer the funds, such as the Department of Transportation and Public Works, when many of the problems that arose due to the hurricane or the hurricanes are related to infrastructure and urbanism. Homes cannot be thought of as isolated entities. The urban sprawl and the formal urbanizations located in places prone to floods and buildings in areas with danger of erosion and landslides (such as those found near the maritime limit) are a problem of public, urban and infrastructure policy that must be addressed before rebuilding.

Another concern is cited on page 107 of the draft the re-use of abandoned properties is mentioned as a first option, considering that they comply with the Housing Quality Standards

(HQS). While very good, , it excludes formal structures that were built before the laws prohibiting the use of asbestos and lead-based materials were applied, or that are not certified as resist the lateral forces of earthquakes, or that may have electrical problems due to abandonment. How would these structures be available? Would those that are in better conditions be enabled and those that are in critical condition demolished? It is possible to argue the high price of disposing of them, which should not be higher than the new construction and even if they threaten the health and safety of the communities. Likewise, it is possible to argue that there are no structures that comply with these standards when, contrary, there were many structures that were built after these laws were applied, and are abandoned, and many others that were built at the beginning of the 21st century and they were never inhabited by the collapse of the housing bubble. No new housing should be built while these structures remain empty, nor contribute to urban sprawl.

Finally, I am concerned that accessibility and universal design are not mentioned as a priority in the draft and only mentioned in the case of housing for the elderly. There is a population of children, youth and adults in Puerto Rico with reduced mobility who need affordable housing and public space, and some also need assisted living, so this must be considered in the reconstruction and by enabling existing structures.

The PRDOH's agenda should include an active and constant participation of the communities in the design and construction of housing and public space, considering the document of the New Urban Agenda of the UN and following the principles of the Right to the City. I'm thankful for the opportunity of being able to make comments to this draft. I hope the information remains transparent and the interchange continuous."

PRDOH Response: PRDOH has collaborated with other governmental agencies, municipios, non-profit entities, citizens and others in the development of the Action Plan. Comments received as a result of this collaboration is included in the "Citizen Engagement Report" and all formal written comment received is available at www.cdbg-dr.pr.gov.

Specifications related to the reuse of abandoned structures and accessibility measures offered will be outlined in program guidelines, which will be drafted and made publicly available after HUD approval of the program. PRDOH will take into account the input provided in this comment during development of program guidelines. PRDOH looks forward to continued engagement with the citizens and communities of Puerto Rico.

Comment via Email: #021_25-05-18_Enid Rivera Sánchez (ERS)

"As established in Public Notice on May 14, 2018, very respectfully, we present our comments to the draft Action Plan for the CDBG-DR funds.

We remain at your disposal to expand or discuss the comments presented. "

Attachment to Email:

The attachment submitted includes suggestions to include a program which could provide gap financing for projects to be developed using 4% and 9% Low Income Housing Tax Credits under Section 42. The attachment also lists developers represented by ERS Consulting who have projects with construction permits in several municipalities.

PRDOH Response: The Action Plan includes the CDBG-DR Gap to Low Income Housing Tax Credit program.

Comment via Email: #022_25-05-18_Eduardo Cintrón (Mayor Guayama)

"Attached document in reference for corresponding action. Thank you."

Attachment to Email:

The attachment submitted includes suggestions for projects to be funded under CDBG-DR including:

- Relocate families out of high-risk areas*
- Rehabilitate housing for families of low-income*
- Acquire existing housing units and to allow an opportunity for low-income families whose homes were totally destroyed to acquire a replacement unit*
- Provide rental assistance for low income families*
- Improve drainage system*
- Demolish and reconstruct public nuisance properties in the urban center*
- Provide required match funding for activities partially funded by FEMA*

The attachment also suggests that PRDOH guarantee an amount of financial assistance for Guayama that is proportional to the amount of damages sustained by Guayama and requests fair access to assistance for citizens of Guayama.

PRDOH Response: PRDOH has outlined programs in the Action Plan which allow options for voluntary relocation, rehabilitation of housing units, option to acquire existing homes to be used for voluntary relocation. At this time, PRDOH aims to address rental housing needs through the CDBG-DR Gap to Low Income Housing Tax Credit program, Rental Assistance and Social Interest Housing Assistance programs.

Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Comment via Email: #023_24-05-18_Rolando Ortiz Velázquez (Mayor Cayey)

“Below we include for your evaluation and response the following comments related to the Draft Action Plan for the CDBG-DR funds published on May 10, 2018 for review.”

Attachment to Email:

The attachments suggest that municipios have shown a capacity to respond to the impact of Hurricanes Irma and Maria by responding quickly to community needs after the storms, with little assistance from the central government, and urges that responsibility to administer CDBG-DR funds be transferred to the municipios.

Additionally, the attachment suggests that mayors be consulted in order to prioritize projects to be provided funding under CDBG-DR. It is mentioned that “housing incentive for total loss” and “Construction and Improvements of Drainage System” and Reconstruction of Indoor Courts were not captured.

The attachment calls attention to low approval rates of FEMA Individual Assistance, Tu Hogar Renace and Techo Dorado programs. Furthermore, it is stated that figures recorded in the Action Plan regarding Tu Hogar Renace are incorrect because as of April 24, 2018, the Municipio of Cayey had 2, 829 applications and only 1,397 were eligible, contrary to reported in the Plan with figures of 208,801 applications and 208,799 eligible throughout Puerto Rico.

The letter also suggests that methods of distribution for the planning initiatives and Home Resilience Innovation Program are not clear. Regarding the Housing Rehabilitation, Reconstruction, or Relocation program, it is noted that the Action Plan does not provide maximum and minimum limits or alternative methods to prove ownership and requests that single women with children be considered priority.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Projects proposed by mayors informed development of programs outlined in the Action Plan. All formal written comment submitted by municipios is available in its entirety at www.cdbg-dr.pr.gov.

Methods of distribution are outlined in the Action Plan. Program award caps are listed for each program in the Action Plan. Specific program guidelines, including documentation and process used to determine eligibility will be developed after HUD approval of the programs. Program guidelines will be posted at www.cdbg-dr.pr.gov, as required by 83 FR 5844. PRDOH will consider input provided in this comment into consideration as programs are further developed.

Comment via Email: #024_24-05-18_William Miranda Torres

"We include a copy of the letter with the comments requested to the Autonomous Municipality of Caguas on the draft of the CDBG-DR Action Plan. We are sending the original letter by regular mail. If you have any questions, you can contact the Plan. "

Attachment to Email:

The attachment submitted outlines observations from the municipio of Caguas regarding the draft Action Plan. Regarding the Homeowner Rehabilitation, Reconstruction or Relocation Program, the attachment asks the following:

- What is the direct distribution model?*
- How will equal access to the program be provided?*
- What role, if any, do municipios have under this type of program?*
- Who will evaluate eligibility of applicants?*
- Can municipios request reimbursement for administrative costs incurred for this program?*
- Are program guides available?*

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Information regarding Methods of Distribution is available in the Action Plan. Reimbursement of pre-award costs may be allowable, as necessary and reasonable, when related to approved programs. Program guidelines will be developed after programs are approved by HUD, and will be made available at www.cdbg-dr.pr.gov, as required by 83 FR 5844.

The CDBG-DR Gap to Low Income Housing Tax Credits program attachment requests information on 11 shovel-ready projects mentioned. The attachment also suggests that the

Home Energy Resilience Program be expanded to allow for solar power, and that the eligibility requirement that assisted individuals be LMI be expanded to include households above 80% AMI.

The attachment requests that the Small Business Loan program be expanded to include loans for businesses to acquire green energy sources, like solar.

We request instructions on how to request the initial \$10,000 funds outlined for municipal phase 1 planning as described in the Whole Community Resilience Planning program and request that funding be reprogrammed in this allocation or allotted under the second allocation for direct municipal implementation of programs. The attachment also requests information on program guidelines and calls for transparent implementation of programs to prevent duplication of efforts.

PRDOH Response: PRDOH is not considering solar power solutions at this time. However, PRDOH is actively seeking ways to contribute to the strengthening of Puerto Rico’s electric grid. The mention of 11 shovel-ready projects in the Action Plan is not intended to indicate a commitment to those projects. Specific details regarding how projects may receive funding under the CDBG-DR Gap to Low Income Housing Tax Credit program will be outlined in guidelines, which will be developed after HUD approval of the program.

Comments offered regarding program expansion and eligibility criteria will be taken into consideration by PRDOH as programs are further developed. It is of the utmost importance to PRDOH that all programs be implemented in a manner that is radically transparent. Information regarding programs administered under CDBG-DR will be maintained for public consumption at www.cdbg-dr.pr.gov.

The attachment submitted also includes allegations of deficiencies in the draft Action Plan. Deficiencies alleged include:

- *The plan does not address comments submitted by the public.*
- *Appeal process is not sufficiently defined.*
- *PRDOH did not post its Certification of Financial Controls, Implementation Plan and Capacity Assessment for citizen comment.*
- *Citizen Participation Plan was not available on the PRDOH website*

PRDOH Response: PRDOH is required to address all public comments regarding the draft Action Plan received during the public comment period. All comments received are hereby addressed in the version of the Action Plan submitted to HUD.

Appeals processes will be tailored to meet the needs of each program and further defined within program guidelines for each program.



PRDOH submitted the Certification of Financial Controls, Implementation Plan and Capacity Assessment to HUD, as required, prior to April 15, 2018. As part of the review of the Action Plan, HUD must also review and approve of the aforementioned documents.

The Citizen Participation Plan is available in Spanish on PRDOH's disaster recovery website at <http://www.cdbg-dr.pr.gov/es/avisos/> and available in English at <http://www.cdbg-dr.pr.gov/announcements/>.

Comment via Email: #025_25-05-18_Nelson J. Torres-Yordan (Mayor Guayanilla)

"Attached is the presentation from the Municipio of Guayanilla."

Attachment to Email:

The attachment includes information regarding HUD's methodology for determining need, and information regarding regulations which govern development of PRDOH's Action Plan. Also included is updated information regarding storm impact, adjusted scope and budgets for proposed projects listed in the original submission of the municipio's proposal. Also included in the amended submission is a project suggestion for development of programs to identify alternatives for industrial development on municipal land.

PRDOH Response: PRDOH appreciates the ongoing efforts to update information on storm impact and identify proposed areas for recovery. Information submitted regarding storm impact and proposed projects informed PRDOH's development of the storm impact section of the Action Plan and program design, respectively.

Comment via Email: #026_19-05-18_Alberto Guzman

"Due to the situation of hurricane Maria I am past due on my mortgage payments, and I have not been able to catch up. I read that you can help me here. Thank you in advance for your response!!!"

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: Eva #027_25-05-18_Eva Bono

“To contact us, please call or text...”

Attachment to Email:

The attachment outlines a description of the Fundación Jesús de Nazaret and its mission as a not-for-profit organization in Puerto Rico. The attachment also outlines a proposed project to renovate the facilities used by the organization, complete with a phased budget and organizational chart representing key personnel.

PRDOH Response: PRDOH understands the importance of providing recovery assistance to vulnerable populations. The project suggested in this comment helped inform program design for programs including the Social Interest Housing Assistance Program and will continue to be considered as programs are further developed.

Comment via Email: #028_25-05-18_Nelson J. Torres-Yordan (Mayor Guayanilla)

“Attached are letters in Spanish and English”

Attachment to Email: “Plan de Acción Carta Secretario - Guayanilla”

The attachments submitted include Spanish and English versions of a letter from the Mayor of Guayanilla, Nelson J Torres-Yordán. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Email Comment: #029_25-05-18_Christiana Slugg

“Good afternoon. Attached please find our comments to the Disaster Recovery Action Plan for the Use of CDBG-DR Funds in Response to 2017 Hurricanes Irma and Maria, Draft for Public Comment, May 10, 2018. Kindly confirm receipt of these comments.”

Attachment to Email:

The attachment submitted includes comparisons of PRDOH’s action plan with other published reports regarding Puerto Rico, such as Build Back Better and Congressional Task Force on Economic Growth in Puerto Rico. Specifically, differences between the Action Plan and other reports, along with recommendations, are highlighted in the following areas:

- *Workforce Training Program: It is recommended that the program be expanded to include training for sectors other than those related directly to construction and recovery efforts.*
- *Whole Community Resilience Planning: It is recommended that planning programs be expanded to allow private, for profit entities to apply for planning grants so they can evaluate the best approach for rebuilding or establishing businesses in Puerto Rico.*
- *Commercial Redevelopment and Revolving Loan: It is recommended that the Action Plan contemplate grants to privately owned businesses for “any activity where the assistance is appropriate to carry out an economic development project,” and allow construction revolving loans to be provided to privately owned businesses. The attachment also recommends that the Action Plan be amended to include allocations for special economic activities, as outlined on page 115 of the Plan.*

PRDOH Response: Although PRDOH’s Action Plan was informed by existing reports such as Build Back Better, it is intended to be separate and apart from such reports and is guided by the Federal Register specific to the CDBG-DR funding allocation.

Although other training opportunities are not excluded at this time, it is the intention of PRDOH to use the Workforce Training Program to aid in the rapid recovery of the island. PRDOH will consider other sectors as needs in other sectors are identified.

PRDOH invites privately owned business to participate in the Small Business Loans, Construction Revolving Loan, and Small Business Incubators programs. Input regarding added specificity will be taken into consideration as program guidelines are developed after HUD approval of programs.

Comment via Email: #030_21-05-18_Henry Morales Colinas del Mar



“We submit the following for your consideration, this proposal for a residential project in the Cabo Rojo Municipality. We have attached the following letter which details and explains the proposed project”

Attachment to Email:

The attachment proposes the Colinas de Mar Housing Project, which consists of 32 units located in Cabo Rojo proposed to be used to house families of moderate income. The proposal also describes the number of jobs that would be created, should the project be funded. \$3,840,000 is requested to fund the project. The proposal includes project plans, permits, and aerial photos of the proposed site.

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #031_21-05-18_Henry Morales Arecibo Villages

“ We submit for your consideration this proposal for a residential project in the Arecibo Municipality. We include this letter as an attachment to explain in detail the proposed project”

Attachment to Email:

The attachment proposes the Arecibo Villages Housing Project, which consists of 85 units located in Arecibo proposed to be used to house families of moderate income. The proposal also describes the number of jobs that would be created, should the project be funded. \$10,200,000 is requested to fund the project. The proposal includes project plans, permits, and aerial photos of the proposed site.

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low-Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #032_21-05-18_Henry Morales Colinas del Sol



“We submit the following for your consideration a proposal for this residential project for the Municipio of Cabo Rojo known as colinas del sol. We attach this letter which explains in detail the information related to the project”

Attachment to Email:

The attachment proposes the Colinas del Sol Housing Project, which consists of 88 units located in Cabo Rojo proposed to be used to house families of moderate income. The proposal also describes the number of jobs that would be created, should the project be funded. \$10,560,000 is requested to fund the project. The proposal includes project plans, permits, and aerial photos of the proposed site.

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #033_21-05-18_Henry Morales Quebradillas Elderly

“We submit for your consideration a proposal for a residential project of 75 units in Quebradillas. We attach this letter explaining in detail information related to the project”

Attachment to Email:

The attachment proposes the Quebradillas Elderly Housing Project, which consists of 75 units located in Quebradillas proposed to be used to house families of moderate income and elderly persons. The proposal also describes the number of jobs that would be created, should the project be funded. \$12,500,000 is requested to fund the project. The proposal includes project plans, permits, and aerial photos of the proposed site.

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #034_21-05-18_Henry Morales Grand View Villas



“We submit for your consideration a proposal for a residential project of 50 units for the Quebradillas Project. We attach the letter which explains in detail the information related to the project”

Attachment to Email:

The attachment proposes the Grand View Villas Housing Project, which consists of 50 units located in Quebradillas proposed to be used to house families of moderate income persons. The proposal also describes the number of jobs that would be created, should the project be funded. \$6,000,000 is requested to fund the project. The proposal includes project plans, permits, and aerial photos of the proposed site.

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low-Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #035_21-05-18_Henry Morales Palmettos Verdes

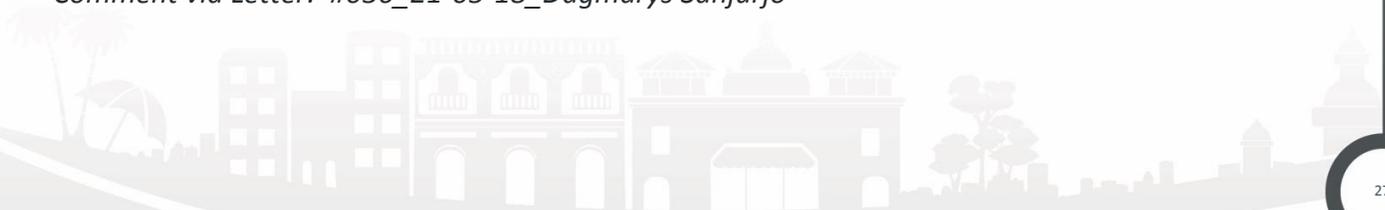
“We submit for your consideration a proposal for a residential project in the Cabo Rojo Municipality. We attach this letter which explains in detail information related to the project”

Attachment to Email:

The attachment proposes the Palmettos Verdes Housing Project, which consists of 35 units located in Cabo Rojo proposed to be used to house families of moderate income persons. The proposal also describes the number of jobs that would be created, should the project be funded. \$3,850,000 is requested to fund the project. The proposal includes project plans, permits, and aerial photos of the proposed site.

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Letter: #036_21-05-18_Dagmarys Sanjurjo



“My name is Dagmarys Sanjurjo and I reside in.... Loiza PR. I lost my wooden and zinc home and personal articles due to Hurricane Maria. My children, who are around 1 years old, also lost their belongings. I asked FEMA for help and was approved for \$18,176.25 to rebuild my home and \$4,786.79 for personal property. The funds received so far have not been sufficient to cover all the work needed due to the cost of material and to include all the personal property lost.”

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #037_21-05-18_Myriam Irene

“My name is Miriam Irene Adorno; 75 years old and a resident of... Loiza PR for over 20 years. My home has been deteriorating and hurricane Maria made it uninhabitable. Water filtration doesn't happen properly anymore, the electrical system doesn't work, the windows are broken, the doors were swept away by the hurricane and the windows are broken. I have covered the windows as best as I can with the help of my grandson. He has also helped me locate some materials....

My daughter helps me paying for the water and electricity and with any other way she can economically, but my home is in need of major repairs. At the time of my marriage, my husband had two sons from previous marriages and for this reason I put my home in my daughters' names so that if something were to happen to him, I would not be homeless. Due to this reason I did not qualify for FEMA help but my home is falling apart and I really need help to have a decent home again. My community is in a flood zone. My lightbulbs don't work and there is no stable security but this is my only home I have.

The Tu Hogar Renace program also was not able to provide me help for the same reason. This is the only home I have but I don't qualify for help with any entity. I asked someone to help me write this email since I don't know how to write much. One of my neighbors from the community told me about this help and tried to help me get an engineer estimate for the work to be done, but my neighbor told me the funds are not being given yet.

I am writing to you with the hope that I can get help for my home and be able to have a better quality of life. All my windows are broken, I don't have any light since the electrical system doesn't work. The stairs in my home are broken and even though my grandson and daughter have helped me purchase materials I cannot find someone to help me do the job of fixing the stairs for a price that I can afford. My house also doesn't have doors and the house is full of mold and humidity. I cannot do much for the home. My daughter wants to take me to live with her, but this is my home and I would like to stay here.

If you could be able to help me it would be a great help to me. I am attaching photos for viewing.”

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

PRDOH will take concerns regarding proof of ownership into consideration when developing program guidelines. A title clearance program has been added to the Action Plan.

Comment via Email: #038_22-05-18_Kelly Huck

“Please find comments to the Puerto Rico Action Plan attached to this email. These comments are largely related to housing program operational considerations based on experience as both a program manager and a builder in these exact types of disaster recovery programs. The intent of the comments is to provide feedback on changes to the current draft of the Action Plan to assist in having a smoother housing program, from an implementation standpoint.”

Attachment to Email:

The attachment outlines recommendations for the Action Plan, in the following specific areas.

- *Housing Rehabilitation, Reconstruction, or Relocation Program*
 - *The attachment recommends not including or identifying caps for rehabilitation or reconstruction.*
 - *It is suggested that the \$120,000 award cap for reconstruction outlined in the Action Plan is insufficient. Comment requests support for how the cap was established.*
 - *The attachment questions how “current value” will be determined in order to make a program decision regarding which homes will be eligible for reconstruction and recommends methods for adjusting the methodology used to deem a home eligible for reconstruction including: (1) Define a dollar amount that, if exceeded, would qualify a home as a reconstruction instead of a rehabilitation; (2) use 75% of the rehabilitation cap as the amount that, if exceeded, qualifies a home as a reconstruction instead of a rehabilitation.*
 - *It is recommended that the compliance period of 15 years that an assisted homeowner occupy the assisted property be lowered to 3 years with the repayment balance being forgiven in the amount of 1/3 of the principal each year for three years.*

- *The attachment alleges that relocation is a lengthy process and it will be a difficult program to execute due to aging housing stock on the island and challenges associated with Lead Based Paint.*

PRDOH Response: The Federal Register requires that the Action Plan establish “description of the maximum amount of assistance available to a beneficiary under each of the grantee’s disaster recovery programs”. Additional detail on the award cap has been added to the Action Plan.

The Action Plan outlines how current value will be determined for purposes of making a decision on reconstruction or rehabilitation; and further outlines that homes may be deemed reconstruction through a program feasibility inspection or if the cost of repair exceeds 50% of current value. The program compliance period for homeowners assisted with home rehabilitation has been adjusted from 15 years to 3 years.

PRDOH will consider comments submitted regarding relocation during the development of program guidelines.

The attachment also asks the following questions of the Action Plan.

- *“What does the program intend to do with applicants that spent the proceeds already received to date and cannot bring them to the table for their CDBG-DR award (or does not have documentation/receipts for the expenditures made to date)?*
- *Why has the program chosen not to rebuild in the 100-yr floodplain with adequate elevation (flood mitigation) measures provided by the program?*

PRDOH Response: Procedures regarding duplication of benefits will be further outlined in program guidelines, which will be published for all HUD approved programs. PRDOH will elevate structures when required by federal regulations.

Comment via Email: #039_18-05-18_AI Rizek

“Attached please find our comments to the CDBG-DR Action Plan Draft published on 5-10-18.

Our recommendations are focused on providing the mechanism to fulfill the urgent "Unmet Housing Demand" in the aftermath of hurricane María.

We would like to take this opportunity to request an appointment, so we may discuss the recommendations in detail.

Look forward to meeting with you in person next Week before the 5-25-18 deadline for comments.”

Attachment to Email:

The attachment outlines recommendations for the Action Plan, in the following specific areas. ((The attachment was submitted in English. Quoted portions have been translated for accessibility and are not direct quotes due to translation.))

- **Unmet Needs Assessment:**
 - *“There is a structural flaw in the calculation of Housing Unmet Need as homes which are NOT repairable and therefore must be demolished (Cap of \$15,000) and replaced with new or existing homes; or new homes to be built in vacant lots, are not accounted for.*
 - *The methodology assumes that the damage to the housing unit will be repaired; utilizing SBA’s averages; however the cost to replace an unrepairable unit is much higher (up to \$135,000 including replacement and demolition)”*

PRDOH Response: This specific impact and unmet needs assessment utilized the HUD provided method for determining Minor-Low, Major-Low, Minor-High, Major-High, and Severe provided by the Federal Register for two reasons. First, the register does not differentiate destroyed homes from other homes damaged. Although accounting for these homes using a higher estimate may lead to larger overall estimates of losses the assessment used existing data to create a replicable view of impacts and available resources. The unmet needs assessment may be updated as additional data becomes available.

Method of Distribution:

- *“Alternative (B) Subrecipient Distribution Model should be implemented with municipios which have the need to relocate entire communities from high risk or fold areas to specific Housing Projects within the “PRDOH – Certified Development Roster” utilizing “Project Based Vouchers” with the municipio administering the program for the beneficiaries.”*
- *“Alternative (B) Subrecipient Distribution Model can also be utilized for Infrastructure improvements required by governmental agencies to housing developments: AAA, AEE, ACT, JRTC which benefit the municipio and neighborhood as well.”*

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan.

Consultation of municipalities:

- *How will the specific requests made by the municipios be incorporated into the Action Plan?*

- *Will the requests made by municipios for specific allocation of funds to acquire housing projects to relocate their affected residents be translated into the “PRDOH – Certified Development Roster”?*

PRDOH Response: Projects suggested by municipios helped inform the development of programs included in the Action Plan.

The attachment comments that for purposes of temporary relocation under the Uniform Relocation Act, “Complete Projects; not LIHTC projects, can be created for temporary rental within the stipulated 42-month window; and then converted to sale; especially in the 2nd round of \$18.5 billion CDBG-DR Funds,” and requests that planning and administrative costs listed in the program budget be defined.

PRDOH Response: Thank you for your comment. Planning and administrative costs are defined by HUD.

*Homeowner Rehabilitation, Reconstruction or Relocation Program:
The attachment has questions regarding:*

- *how prioritization of elderly persons will be accomplished*
- *what qualifies as an eligible structure*
- *how eligibility criteria will be applied*
- *how income levels will be proven and who will make eligibility determinations*
- *How municipios will be involved, including how requests made by the municipios will be honored*
- *It is noted that income figures in Puerto Rico are underestimated by approximately 40% and requests that the definition of Moderate Income be modified to 100% or 120% of the Area Median Income*

PRDOH Response: Program guidelines, including details on documentation and processes used to determine eligibility and income level will be tailored to each program. Program guidelines will be posted to www.cdbg-dr.pr.gov, as required by 83 FR 5844, after HUD approval of programs. PRDOH will take these comments into account as program guidelines are developed.

Projects suggested by municipios helped inform the development of programs included in the Action Plan. PRDOH looks forward to continued collaboration on the municipal level throughout the life of the CDBG-DR grant.

Area Median Income levels are established by HUD.

Regarding the relocation portion of the Homeowner Rehabilitation, Reconstruction or Relocation Program, the attachment includes the following comments and questions:

- *How will the “Housing Voucher” work?*
- *Who will administer the “Housing Voucher Program”?*
- *How will the Vacant Lots be identified?*
- *What will be the Criteria?*
- *Zoning?*
- *Infrastructure availability*
 - *AEE*
 - *AAA*
 - *ACT*
 - *JRTC*

- *“Eng. Dennis González explained that a “Market Voucher” for the total acquisition price (up to \$120,000) is going to be provided for the Beneficiary.”*

- *“We believe this is an excellent idea as the “Market” will drive the demand to the Housing units based on their attractiveness and perceived “Value” to the Beneficiaries.”*

- *“However; a “Project Based Voucher” program can also be implemented to provide a mechanism for the municipios to be able to coordinate initiatives to relocate entire communities to nearby Housing Developments.”*

- *“25% of the Total Vouchers can be “Project Based” utilizing the Criteria of “Unmet Net Housing Demand” and the specific requests from the municipios.”*

- *“The “Project Based Vouchers” also provide the advantage to the Financing Institutions; Banks and Cooperatives, of providing certainty of demand; thereby reducing Market Risk and making the Housing Development projects more attractive and/or less risky for Construction Financing.”*

- *“The municipios can negotiate a better unit price with the Developers for “Project Based Vouchers” due to Volume discounts thereby being more efficient in the use of CDBG-DR Funds and being able to assist more beneficiaries.”*

- *“How will the municipios be actively involved in the qualification and eventual fulfillment of providing housing to the Beneficiaries?”*

- *“The Voucher should be utilized to acquire homes in non- hazard areas from available inventory; not to rebuild as the homeowners are not Developers or Contractors.”*

- *“Is the Voucher going to be utilized to pay Contractors building or repairing homes thru certifications?”*

PRDOH Response: PRDOH appreciates the thoughtful comments provided regarding the relocation program. Further detail regarding use of “vouchers” as related to the Homeowner Rehabilitation, Reconstruction or Relocation program will be further defined in program guidelines which will be developed upon HUD approval of the program. Comments and questions voiced on this matter will be taken into consideration by PRDOH as program guidelines are developed. As required by 83 FR 5844, program guidelines will be posted to www.cdbg-dr.pr.gov. PRDOH looks forward to continued collaboration with municipios throughout the life of the CDBG-DR grant

Further regarding the Homeowner Rehabilitation, Reconstruction or Relocation Program, the attachment includes the following:

- *“How will the PRDOH – Certified Development Roster be Created?”*
- *“What will be the Criteria utilized:*
 - *Documented and scientific Unmet housing needs in the municipality and the region*
 - *“Shovel Readiness”*
 - *Land Control*
 - *Permits in place*
 - *Ability to build and deliver the housing units within the 2-year time limit*
 - *Building Code Compliance*
 - *Including conforming existing units and inventory to current Building Code Standards to have a “Level Playing Field”*
- *Green Building Construction Certification*
- *“Resiliency”*
 - *Energy Efficiency*
 - *Solar Panels*
 - *Batteries and Inverters*
 - *Emergency Power Generators*
 - *Solar Heaters*
 - *“Gas Readiness” for appliances*
 - *Water Cisterns*
- *Priority to Local Businesses*
- *Priority to SBA 8A Certified & Hub Zone Certified Companies as required by the Stafford Act”*
- *“How will “market reasonable” be determined?*
- *PRDOH already has a system to determine Social Interest maximum prices (see attached “Ley 47 Cálculo Precios Interés Social”) and we recommend utilizing the already established standard ranging from \$99,000 to \$159,000 depending on the following criteria: Single Family vs. multifamily, zoning and population density.”*
- *“Are housing units going to require an appraisal?*
 - *Who will be qualified to perform said appraisals if required”*

- *“It is imperative that the PRDOH – Certified Development Roster be created ASAP so that new housing units can be built and delivered within the 2 year time period of the initial \$1.5 billion CDBG-DR Funds to invest the funds.”*
- *How will this program be administered?*
- *What is a “Program Designed Home”?*
 - *Will there be an RFP process to qualify said “Program Designed Homes”?*
- *Are Pre-Fabricated Homes going to be utilized as an alternative?*
- *Is there going to be a “Qualified Contractors Roster” created for this purpose?*
- *Who will be responsible for obtaining the Construction Permits for the Vacant Lots?*

Regarding the estimate that approximately 9,000 units will be served under the Housing Rehabilitation, Relocation or Reconstruction Program, the following questions are included:

- *How did the PRDOH arrive at this number?*
- *Is this number consistent with the “Unmet Housing Demand”?*

PRDOH Response: PRDOH appreciates the thorough comments regarding this program. PRDOH will administer the Homeowner Rehabilitation, Reconstruction, or Relocation program via the Direct Distribution model, as outlined in the Action Plan.

Estimated number of units to be served is based on program award caps and available funds.

Questions and comments provided will be taken into consideration as program guidelines are developed. Program guidelines will be posted at www.cdbg-dr.pr.gov, as required by 83 FR 5844.

Regarding the overall allocation of CDBG-DR funding, the attachment makes the following inquiries:

How much will the 1st draw be?

How will the 2nd \$18.5 billion dollars be allocated to Housing?

PRDOH Response: Information regarding program expenditures and Quarterly Performance Reports (QPR) will be available at www.cdbg-dr.pr.gov, when it becomes available. The release of a Federal Register associated with any subsequent allocations will inform the Action Plan for those allocations.

Additionally, the following comments are made regarding the Housing programs outlined in the Action Plan:

- *“It is imperative that a reliable and consistent methodology be utilized to determine “Unmet Housing Demand” by municipality and region.”*
- *“The “Unmet Housing Demand” should be compared with the Housing “Offer” or inventory thus calculating the “Unmet Net Housing Demand” in the municipality and region considering:*
 - *Existing “Affordable” Homes for sale*
 - *Foreclosed “Affordable” Homes for sale*
 - *Existing “Affordable” Homes Development projects in construction; and/or partially built*
 - *New “Affordable” Homes Developments with Permits “Shovel Ready” to begin construction and deliver the units within the 2-year required period”*
- *“This data should be prepared by a reliable and reputable Economics Consulting Firm and utilized as Critical criteria for housing projects become certified in “PRDOH – Certified Development Roster”.”*
- *The “PRDOH – Certified Development Roster” should be an “Elite Certification” which provides the Financing Institutions; Banks and Cooperatives, with a certainty that these projects have passed the Test to belong in the “Roster”; and therefore, their Market Risk should be lower as Voucher Recipients; both “Market and Project” will be prospective buyers of the Housing Units.*
- *“For the “Old” housing unit; if it cannot be repaired or reconstructed, the cost to demolish must be added to the cost of the new housing unit for “Unmet Demand” purposes.”*

PRDOH Response: Thank you for the comments. Feedback provided will be taken into consideration as program guidelines are developed.

Regarding Housing Counseling services associated with relocation, the attachment includes the following questions:

- *Who will perform the Housing Counseling Service?*
- *Will Credit & Homeownership Counseling be provided to empower the affected parties to qualify for a mortgage?*
- *What will be the Criteria to recommend housing options or alternatives to the homeowners?*
- *If there are no alternative options within the municipio; will a regional solution be pursued?*
- *How will this effort be coordinated with the municipios?*

PRDOH Response: Housing counseling services will be provided by HUD-approved counseling agencies under the oversight of PRDOH. PRDOH will take these questions into consideration when developing program guidelines.

Regarding the permitting process, the attachment offers the following:

- *“How will the “Streamlined Permitting Process” work?*
- *Is priority going to be given to projects identified as CDBG-DR?*
- *How will OGPe coordinate with the pertinent governmental agencies (AAA, AEE, ACT, DRNA, JRTC, Municipios, etc.) to ensure that in effect a “Streamlined” process is implemented?*
- *How will its efficiency be measured?*
- *Timelines?*
- *How will environmental compliance be insured?*

- *A good idea is to establish a program with CDBG-DR funds to pay for Infrastructure improvements required by the governmental agencies in their Endorsement to housing projects such as:*
 - *Potable Water*
 - *Sanitary Sewer*
 - *Electricity*
 - *Communications*
 - *Roads*

- *because the problem with Permits is not OGPe; but the governmental agencies and their delays in establishing requirements for Offsite Infrastructure when Endorsing a Housing Project.*

- *As part of the “Streamlining Permits Process” specific rules and guidelines should be applied to the Governmental agencies including, but not limited to:*

- *Time to respond to Permits requests*
- *Reasonableness of Offsite Infrastructure Demands*
 - *These Offsite Infrastructure requirements are a burden on “Affordable” housing projects for which profit margins are typically low to moderate and can “Make or Break” the economic viability of the project*
 - *A separate “Infrastructure as Related to Affordable Housing Projects” CDBG-DR Category should be created to Finance these projects separately form the “Insite” Pure Construction Costs*

PRDOH Response: PRDOH appreciates questions and comments provided regarding the permitting process and will take this feedback into consideration when further developing programs.

Regarding the CDBG-DR Gap to Low Income Housing Tax Credit Program, the attachment recommends that the program be coordinated with project-based vouchers for future residents and questions whether operational subsidies are available under CDBG-DR.

PRDOH Response: At this time, operational subsidies are not available under CDBG-DR. PRDOH will take these comments under consideration as programs are further developed.

The attachment asks if developers can utilize the energy resilience program to provide housing units with energy efficient features.

PRDOH Response: At this time, developers may not apply for the Home Energy Resilience program.

Comment via Email: #040_25-05_Lizzie Rosso

Attachment to Email:

The attachment submitted provides an overview of the mission of the Condado Lagoon Neighbors in Action, who represent approximately 600 households. The group submitted comments on the Action Plan, grouped by category.

- *Needs assessment: It is recommended that the needs assessment included in the Action Plan should be expanded to account for severity of damage to community infrastructure and assessment of the economic impact of fixing the damage.*

PRDOH Response: The Needs Assessment conducted by PRDOH includes information related to infrastructure needs. However, available data on infrastructure impact is still preliminary. PRDOH will take these comments into consideration as needs assessment is updated.

- *Planning activities: It is recommended that minimum standards be defined for community plans, and that funding be allocated to other types of planning, including plans for vehicular access to communities and economic revitalization plans.*



PRDOH Response: Comments regarding community plans will be considered by PRDOH as planning programs are further developed. The Action Plan includes information about Economic Development planning initiatives developed by PRDOH.

- *Housing activities: It is recommended that housing programs be expanded to include the following activities:*
 - *“Repossession of blighted and abandoned”*
 - *Housing activities should include planning of communities for active-living (culture of health), fitness and promote food security*
 - *Programs should also address mitigation of blight, mold, and mildew which exacerbate asthma*
 - *Housing programs need to be coupled with an economic development program to address these issues both in the short and long-term.*

PRDOH Response: Thank you for the comments. Information regarding Economic Development programs developed by PRDOH can be found in the Action Plan. PRDOH will take feedback provided regarding housing activities into consideration as programs are further developed.

- *Infrastructure activities: It is recommended that the Action Plan be expanded to address the following activities:*
 - *“Urban interventions to enhance community cohesion including investments in sidewalks and common areas like parks and plazas”*
 - *“Garbage management and disposal system”*
 - *“Reconstruction of aqueducts/sewage/sanitary and storm drainage infrastructure”*
 - *“Flood control to prevent contamination of the bodies of water through runoff, including the establishment of dikes and the installation of pumps”*
 - *“Establishment of parking garages to increase parking spaces near businesses and tourism attractions”*
 - *“The establishment of trails and other fitness circuits to promote community health”*
 - *“Landscaping and irrigation systems”*
 - *“Acquisition of solar/alternate power generation equipment”*
 - *“Acquisition of illumination, high technology security equipment and closed-circuit cameras to prevent crime and improve safety”*
 - *“Establish a community police station “*
 - *“Renovation of dilapidated infrastructure, including bridges and roads, that allow access to our communities”*

PRDOH Response: Data regarding infrastructure needs is preliminary currently, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

- *Economic Revitalization activities: It is recommended that funding be used to invest in “enhancing the offering to services and public spaces to further attract tourists and taking advantage of the natural resources offered by the Condado Lagoon to establish sustainable eco-tourism that supports small business development and creates employment.” Examples of activity types suggested are included in the document submitted.*

PRDOH Response: Information regarding the Tourism and Business Marketing program can be found in the Action Plan.

- *Mitigation Activities: It is recommended that CDBG-DR funding be used for efforts that mitigate against flooding.*

PRDOH Response: PRDOH appreciates the feedback and will take these comments into consideration as programs are further developed.

The document also urges PRDOH to make funding available to non-profit organizations to present community-led projects and recommends that priority be given to applications which address multiple efforts in the areas of housing, infrastructure, and economic development.

PRDOH Response: Opportunities for involvement of non-profit entities are outlined in the Action Plan. PRDOH recommends that interested parties monitor www.cdbg-dr.pr.gov for opportunities.

Comment via Email: #041_17-04-18_Joseph Mambretti

“To whom it may concern, I am the President/CEO of Visions R Us Corporation, a 501-C Non-profit with a program named Visions for Puerto Rico. I would like to present it to you if possible, your response would be greatly appreciated. I believe it is what you are looking for to help rebuild the Puerto Rican economy.. I am attaching a brief narrative of the project, if you would like to see the business plan I would be glad to send it for your viewing. Please advise..”

Attachment to Email:

The attachment offers modular buildings which would “have a floor and wall systems that interlock to form a habitable building. The building units are knock-down and palletized for easy delivery, this new housing wall system will create a reliable mechanism to quickly respond to

changing internal and external market conditions and allow instant shelter for disaster relief efforts.

PRDOH Response: All Requests for Proposals will be posted to www.cdbg-dr.pr.gov. Organizations interested in providing services should monitor the procurements page of the website for opportunities.

Comment via Email: #042_18-05-18_Carl Seville

“In reviewing your plan for rebuilding, I noted that green building standards for residential construction and renovation did not include the National Green Building Standard (NGBS). NGBS is the key residential green building program in use throughout the US, including the Caribbean. It effectively assures high quality construction for single and multifamily projects, both new construction and renovation, through complying with specific requirements and additional optional criteria, confirmed by onsite inspections by trained professionals. I urge you to include NGBS to help promote sustainable and high-performance construction and renovation during the reconstruction and recovery process.”

PRDOH Response: Thank you for your comment. Information regarding green building strategies is outlined in the Action Plan.

Comment via Email: #043_18-05-18_Evelyn Rivera

Body of email contained no content, but an attachment was included.

Attachment to Email:

The attachment proposes several infrastructure projects to be undertaken in Urb Parque Flamingo in Bayamón. The document estimates that \$258,600 will be needed to complete the following projects:

- *Replace PVC board with cement board*
- *Repair cement on upper portion of wall*
- *Contention wall*
- *Gate for cyclone fence*
- *Cistern and generator for gazebo area*
- *Game area for children*
- *Repair of curbs*
- *Replacement of lighting*
- *Tree-cutting team*

PRDOH Response: Data regarding infrastructure needs is preliminary, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Comment via Email: #044_18-05-18_Eva Bono

After the publication of the Action Plan, I called and visited Vivienda to solicit information about the next steps for the CDBG-DR funds. However, since the program is still new, there hasn't been much information available. I would like to know if there was another reunion for the foundations, as well as how to obtain the guide for the proposition. Or, will you be referring to one of your offices for technical assistance? Due to the time sensitivity, your expedited response is appreciated.

PRDOH Response: The next step is for PRDOH to submit the final version of the Action Plan to HUD for approval. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #045_22-05-18_Edwin Soto Santiago (Mayor Las Marías)

"Please note that on your internet page, an older version of our municipality is displayed. An updated version was sent in on May 2, 2018. I hope this does not bring adverse situations to our municipality."

PRDOH Response: Thank you for your comment. PRDOH continues to update its website as new and additional information is received.

Comment via Email: #046_23-05-18_Erik Domenech Uso mixto de fondos y casas de interes social

"Greetings,

As a Puerto Rican, I would like to help and participate in the recovery of our island. To achieve this, I would like to know if, in addition to providing help for the construction of new homes, you will be providing opportunities for employment. I have an approved Project in Cabo Rojo for housing, but it includes commercial areas which would encourage the local economic sector.

Would you permit these commercial areas to also partake in the benefits of the infrastructure created to service housing? Or should we eliminate the commercial component and substitute it with another component of housing?

The Cabo Rojo project is located in an area that is considered one of the best for the creation of renewable energy – in this case solar or wind. We believe it would be extremely beneficial to be able to create a community that is semi self sufficient. One where you could create housing, a small hotel, develop local agriculture, small businesses and a packaging/distribution center for the produce as a result from this project and the sector in general. To achieve this, the roofs of the houses would have photovoltaic plates with the capacity to produce excess energy which could be used by others such as a hotel, commercial, or agricultural need. Additionally, we would like to implement a project for recycling water for the purposes of irrigation in green areas. This project would serve as an example for future development both for the island and our country.

Would the government of PR, PRDOH, HUD, or FEMA be willing to contribute to a project of this nature and assign funds for these end goals?

This project has 406 approved housing units, a hotel that encompasses 201 units, a 9 hole golf course, convention center, and a small sports center. These components are all contingent on determining the most efficient way to provide solar energy to the community. We believe we could reasonably accommodate about 250 social interest housing units; a small hotel which is agro-tourist friendly and consists of about 100 units; the golf course could be converted to a sowing area; the convention center could be converted to a packing and distribution center; and the sports complex could be turned into a commercial area. We would like to confirm the approval of our proposal. This would facilitate expediting environmental permits. As owners of the property, we are willing to make the changes. However, a project of this magnitude would require the help of the agency. We would be providing a safe efficient home, creating jobs, helping tourism and encouraging the growth of the agricultural sector with the new concept of micro-grids.

Summary of my comments: we should leverage funding for projects of this nature that provide multiple benefits and would be more viable if we construct all types of concepts at the same time. I hope to receive some feedback in response. Thank you and you can count with our service to help the recovery of our island.

PRDOH Response: As PRDOH is the grantee for CDBG-DR funding, PRDOH is only suited to provide responses specific to CDBG-DR funding. Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low-Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. Current information regarding both programs is available at www.cdbg-dr.pr.gov . PRDOH recommends that

interested parties monitor the aforementioned website for forthcoming information regarding these programs.

Comment via Email: #047_23-05-18_Erik Domenech Turismo Médico

“I am currently managing a project with construction permits which was started, but due to financial constraints of the island, has been postponed. We are considering repurposing the project to create a center for disaster recovery in an area west of the island. We think the Economic development program funding would fit our project by addressing the creation of jobs and attention to health services. This project could create jobs and provide a service that doesn't exist in the area. It could also encourage tourism for medical staff and help expedite patient care, as well as increase bed capacity at hospitals. We estimate there would be approximately 40 permanent jobs created.

I would like to suggest consideration to add funds to help address health issues, create jobs and attract more direct investment once this project is in operation. Thank you for providing us the chance to share our opinion. We await your comments in response.”

PRDOH Response: At this time, PRDOH is not considering medical tourism programs. PRDOH appreciates the comments provided and will take them under consideration as programs are further developed.

Comment via Email: #048_23-05-18_Erik Domenech Proyecto Lares 300 unidaes multy familiares

“We have located an area for a project in Lares. Since we recognize that the heaviest damage happened to the middle of the island, we are offering our land for development depending on the feedback of the agency and the government. The property is located in Lares at Carr 129 int carr111. We are proposing a multifamily Project for 300 units, 89 homes for social interest housing, and commercial areas that add up to 82,000 square feet. We are making this land disposable for the needs of the community as best identified.

This project would help hundreds of residents relocate to a safer area, with greater accessibility to primary needs and services closer to homes. Commercial areas should be substituted by residential or institutional areas as needed.

I suggest the government welcome projects such as ours in different areas of the island and adopt, as a principle, to dedicate funds for the creation of these new sectors for housing. This would be safer and provide a higher functional use for the island.



An example of this could be the government buying these projects in the early stages and develop them with the borrowed services from the private sector/private industry.

In our case specifically, we are willing to sell our land and work hand in hand with the government to develop it. We are contractors, developers and project managers. Why do I offer this? In a project of this magnitude, for us as well as many others in our industry, it would be almost impossible to obtain financing from private banks unless we have a commitment to purchase the project at the end due to the economic restraints we are all currently facing.

If the government agrees to acquire them from the beginning, then the private banks would be able to enter into negotiations and lend funds. This would be a kind of APP to be able to start the construction cycle and in turn the economy of the country.

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. Current information regarding both programs is available at www.cdbg-dr.pr.gov . PRDOH recommends that interested parties monitor the aforementioned website for forthcoming information regarding these programs.

Comment via Email: #049_23-05-18_Erik Domenech Viviendas Lares

“We have located an area for a project in Lares. Since we recognize that the heaviest damage happened to the middle of the island; we are offering our land for development depending on the feedback of the agency and the government. The property is located in Lares at Carr 129 int carr111. We are proposing a multifamily Project for 300 units, 89 homes for social interest housing, commercial areas that add up to 82,000 square feet. We are making this land disposable for the needs of the community as best identified.

This project would help hundreds of residents relocate to a safer area, with greater accessibility to primary needs and services closer to homes. Commercial areas should be substituted by residential or institutional areas as needed.

I suggest the government welcome projects such as ours in different areas of the island and adopt as a principle to dedicate funds for the creation of these new sectors for housing which will be safer and/or provide a higher functional use for the island.

A concept in which the funds could provide more performance could be the government buying these projects in the early stages and develop them with the borrowed services from the private sector/ private industry.

In our case specifically, we are willing to make our land disposable through the sale of it and work hand in hand with the government in the development of it. We are contractors,

developers and project managers. Why do I offer this? In a project of this magnitude, for us as well as many others in our industry, it would be almost impossible to obtain financing from private banks unless we have a commitment to purchase the project at the end due to the economic restraints we are all currently facing.

If the government agrees to acquire them from the beginning, then the private banks would be able to enter into negotiations and lend funds. This would be a kind of APP to be able to start the construction cycle and in turn the economy of the country.”

PRDOH Response: Private businesses may be eligible for assistance through Construction Revolving Loan program. Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. Current information regarding both programs is available at www.cdbg-dr.pr.gov. PRDOH recommends that interested parties monitor the aforementioned website for forthcoming information regarding these programs.

Comment via Email: #050_24-05-18_Carlos Saavedra

“Good Morning, I am working for the Puerto Rico Rises Non-profit organization in helping the people of PR in their recovery efforts after Maria. My question is, do you have any help or programs that the non-profits can apply for funds and help our people. PR Rises helps primarily in the mountainous regions west and east. Thank you!”

PRDOH Response: Non-profit organizations are eligible applicants under several programs, including the Whole Community Resilience Planning Program, Social Interest Housing Assistance Program, and Housing Counseling program. Please review the Action Plan, available at www.cdbg-dr.pr.gov for more information.

Comment via Email: #051_24-05-18_Belinda Hill

“Attached are our comments on the Action Plan.”

Attachment to Email:

The attachment outlines the mission of Solo por Hoy and voices concerns regarding support for homeless populations outlined in the Action Plan.

“This opportunity of funding lacks the support the homeless population would need to be placed in, obtain or maintain permanent housing. Presently, the inventory of RRH and Prevention

programs operated by the CoC's will not cover the entire geographic region. A significant number of vouchers and services under these programs are already committed and finally, we believe more supportive services are required in the recovery effort. As the situation stands now, and considering the devastation of hurricanes Irma and Maria, one would assume that the number of unidentified homeless individual is significant. These individuals are most likely the most vulnerable of disaster survivors. Most of them have lost everything. Others finds themselves being homeless for the very first time or are living in imminent risk due to partial or complete destruction of their dwelling. Additionally, we know many families are doubled up and others on their way back from FEMAs TSA program and will have no where to go.

Our concerns are directed at the fact that whomever builds, refurbishes or rehabilitates properties for the homeless should comprehend their needs. They should also understand the Department of Housing and Urban Development (HUD) emphasis on the practice of Housing First. This evidence-based model promotes placing individuals in housing with the least number of barriers possible. If administrators of the units put a multitude of requirements in place to gain access to housing, homeless individuals will not have the opportunity to benefit from this funding.

Solo Por Hoy, Inc. is a member of the CoC-PR502. We hold a position on the Board of Directors, Belinda Hill, Executive Director, is the Vice-President of the Board as well as the administrator for the Coordinated Entry System for this body. As such, it is from our own experience that we foresee little or no benefit for the homeless population in the action plan as it stands.

We would recommend consideration be given to community-based organizations to submit supportive service programs conducive to assisting the homeless population in the process of being placed and remaining in permanent housing. Our experience in the collaborative work during the closing of shelters tells us that disaster survivors of low or no income are extremely vulnerable and are in great numbers suffering from PTSD. The existing conditions of the island and environment, combined with the possibility of an overwhelming bureaucratic processes, we believe will present many barriers for them to navigate alone, leaving little or no benefit to the homeless and at-risk populations.

We respectfully request CDBG-DR funds consider supportive service programs as part of this Action Plan. Organizations that serve the homeless are here and ready to participate in the recovery of our great Island."

PRDOH Response: The Social Interest Housing Assistance Program is designed to provide housing for vulnerable populations, which may include homeless individuals. PRDOH appreciates the thoughtful comments provided related to provision of support services and will take this feedback under consideration during further development of programs.

Comment via Email: #052_24-05-18_Margarita R. Torres Millán

“Attached are comments regarding the action plan for CDBG-DR 2018. Thank you.”

Attachment to Email:

“Public broadcasting’s multi-platform local programming and community initiatives such as HIV prevention, ready to learn, empowerment for disabled students, English teaching in early childhood, and veterans support result in an engaging, robust and relevant service to Puerto Rico’s community.

After Hurricane María, Puerto Ricans need to be informed about the recovery plans in all various aspects: housing, economic, infrastructure, security issues to be considered before, during and after disaster events, among other relevant topics, even more than before. The hope, mental health, and a sense of quality of living can be achieved through providing information of the processes that are taking place in the Island.

There is a need to produce short form content to address local community issues and give information related to Puerto Rico’s recovery. Sistema TV can be the voice of the efforts realized by the non- profit organizations, private companies and government, to serve its communities. Being a private non- commercial station, it has credibility and objectivity in its information and content and can give the people a sense of normality and hope in the recovery.

Sistema TV submits these comments for your consideration and with genuine belief that there is a great need to include communications efforts in the CDBG- DR 2018 action plans.”

PRDOH Response: PRDOH appreciates the comments and looks forward to ongoing engagement with stakeholders, including those interested in communications efforts, throughout the life of the CDBG-DR grant.

Comment via Email: #053_10-05_18_Yamira Santiago

“Good Day,

Please forgive my ignorance since I don’t have an understanding of your program, but I would like to explain the situation I am currently facing. I live in Bayamon in a wooden home which suffered damage after the hurricanes. Although the zinc roof was not taken off, the home suffered significant water damage and is now infested with moths due to the water creating openings as well. Perhaps this problem is not addressable by you, but my living circumstances are uncomfortable because wherever I walk in my house moths fall on top of us. I am in a single room with my 3 girls while little by little I am able to fix my home. “

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #054_24-05-18_Laura Cantero

“Please find Grupo Guayacán’s comments to the Community Development Block Grant Disaster Recovery Action Plan attached to this email.”

Attachment to Email:

The attachment submitted outlines the mission of Guayacán and historical accomplishments of the group. The document offers support of economic development initiatives designed by PRDOH and offers suggestions for the Small Business Loans, Small Business Incubators, and Workforce Training programs.

- *Small Business Loans:*
 - *“Access to capital for local entrepreneurs was a prevalent need even before the Hurricane and has been exacerbated by the deterioration in local economic conditions. In our experience, limited access to capital has hindered the growth and development of local businesses at different stages of growth.*
 - *Immediately after the Hurricane, a series of local partners attempted to launch a small business loan fund precisely to address this need. However, the project was unsuccessful, and the need continues to be unmet by current resources.*
 - *At Guayacan, thanks to the support of our partners at Fundación Banco Popular, we were able to launch a Start-Up Grants Program that offered \$225,000 to 22 local start-ups so they could resume their operations after the Hurricane.*
 - *Puerto Rico’s financial market has evolved to include financing offerings from existing and new players (i.e. private equity funds under Act 185, Community Development Financial Institutions CDFIs), Start-Up Popular by Banco Popular, among others). In our experience, these capital providers are strongly positioned to act as partners in this proposed program. Given their track record and expertise, these financial institutions and capital providers would prove to be valuable collaborators (as referral sources, administrators, etc.) for the public sector. We would strongly encourage that consideration be given to how these private sector stakeholders could help maximize the impact of this program by leveraging their existing infrastructure and domain expertise in small business financing.*
 - *The loan ranges (\$1,000-\$50,000) are reasonable for start-up or emerging companies but may be insufficient for larger established companies that may also have suffered significant damage to their infrastructure and business*

because of the Hurricane. We encourage the consideration that part of the funds may be directed to a loan guarantee or matching funding program for larger loan amounts.

- *Preference should be given to entrepreneurs and companies that have participated in entrepreneurial development programs offered by DDEC's ecosystem partners. In our experience, these entrepreneurs are much better prepared to deploy the loaned capital and successfully operate their businesses.*
- *We support the inclusion of potential incremental loan forgiveness based on the company's creation and retention of jobs."*

PRDOH Response: PRDOH appreciates the thoughtful response on the small business loan. Feedback provided in this document will be taken into consideration as PRDOH and DDEC further develop program guidelines.

- *Small Business Incubators:*
 - *Incubators, accelerators, and other training programs are key components of any successful entrepreneurial ecosystem. In Puerto Rico, where the ecosystem is still young and emerging, these organizations play a key role in building a pipeline of entrepreneurs and ventures and providing the tools and resources to increase their likelihood of success.*
 - *It's crucial to note that incubators (i.e. organizations that offer physical space in addition to other support services) are not the only type of support organization that is needed for the ecosystem to flourish. Other organizations, such as GGI, offer robust entrepreneurial development programs, while not offering access to a shared office space.*
 - *In our opinion, limiting the proposed program strictly to business incubators leaves out key stakeholders in the entrepreneurial ecosystem who play important roles in supporting local companies. This would be a disservice to an ecosystem which is badly in need of resources in order to continue supporting entrepreneurs.*
 - *We propose that this definition be expanded to include organizations that provide entrepreneurial development, training, and capacity building programs irrespective of whether they provide participants with physical office space.*
 - *Guayacan offers a robust portfolio of programs that support entrepreneurs at different stages of growth. The proposed grant amount of \$1 million would help fund 5 editions each of our cornerstone programs for idea validation (1-Corps PR), start-up acceleration (EnterPRize Competition), and growth (Guayacan Venture Accelerator). Such funding would support the long-term continuity of our program portfolio.*

PRDOH Response: PRDOH appreciates the thoughtful suggestions for modifying the Business Incubators program. Feedback provided in this document will be taken into consideration as PRDOH and DDEC further develop program guidelines.

- *Workforce Training Program*
 - *With respects to this program, our only recommendation would be to expand the scope of categorical areas to include entrepreneurship training for displaced or disadvantaged workers. We firmly believe that, if given the proper tools and support, a key segment of the population could turn to self-employment and entrepreneurship as ways to seek financial sustainability for their families and communities.*
 - *As an organization, Guayacan is ready to collaborate in the development of training and capacity building programs, engaging a broad stakeholder group, to promote educational tools and resources around entrepreneurship and small Business development.*

PRDOH Response: Displaced or disadvantaged workers are not excluded from participating in the Workforce Training Program. Non-profit organizations are invited to participate in the Workforce Training Program. Interested non-profits should monitor www.cdbg-dr.pr.gov for opportunities to participate as they become available.

Comment via Email: #055_23-05-18_Annie Mayol

The body of the email included no text, but an attachment was included.

Attachment to Email:

The attachment provides information regarding the “Visitor Economy Strategy” implemented by the Foundation for Puerto Rico and discusses accomplishments of the initiative. The document also offers commentary and suggestions related to the Action Plan.

It is noted that activities proposed in the Action Plan under the Economic Recovery Programs do not include the development of regional programs and suggests: “Regional economic development approaches actively engage communities and businesses in identifying their assets and build sensible and viable solutions for business growth and for job retention and creation.”

The document suggests that a regional approach also be used under the Small Business Incubators program and that the program supports “acceleration and incubation” outside of metropolitan areas. Furthermore, it is recommended that the Small Business Loans program include provisions to allow loans to be used for technical support and to expand the program to include business counseling and coaching.

Regarding the Workforce Training Program, Foundation for Puerto Rico recommends that training programs be expanded to include training related to tourism and hospitality.

PRDOH Response: The Economic Recovery Planning program outlined in the Action Plan aims to create comprehensive economic recovery strategies.

Although other training opportunities are not excluded at this time, it is the intention of PRDOH to use the Workforce Training Program to aid in the rapid recovery of the island. PRDOH will consider other sectors as needs in other sectors are identified.

PRDOH appreciates the thoughtful opinions provided and will consider feedback included in this document as it further develops economic recovery activities.

Comment via Email: #056_23-05-18_Ramon Lopez

"I am writing in response to a communication I received from the Association of Hospitals in PR where they were looking for feedback and new ideas for the best use of these funds. Attached to this email is my paper in relation to the construction model for housing that identifies a holistic approach the needs of this special population.

It is with much enthusiasm that I hope you find this concept as something that can be integrated and align the initiatives started and the requirements of the funds of cdbg-dr and that we can meet and discuss in greater detail in the near future."

Attachment to Email:

The attachment submitted provides demographic and needs information related to elderly populations and proposes to serve those populations through creation of assisted living facilities which include luxury amenities such as concierge services. The document requests that CDBG-DR funding be used to create the pilot luxury, assisted living community, which will be made accessible to senior citizens.

PRDOH Response: Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. Additionally, projects which provide housing for the elderly may be considered under the Social Interest Housing Assistance program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #057_23-05-18_Silvia Aquilo

"I am writing on behalf of Incubadora Creativa in Mayaguez, which I am honored to preside over, in consultation of the services we offer. It interests us to know the requirements and



needed processes to be considered like a refuge and community assistance center as well as our possibility to be eligible for the CDBG-DR that Governor Ricardo Rossello announced yesterday in his message of proposal since our services contribute to the economic development of Puerto Rico.

Incubadora Creativa is an Enterprise and center for research and development for the cultural and creative sector industries in Puerto Rico. We are an incubator for industrial and creative industries whose services are both intramural and extramural. Our first cycle is maturing and successfully producing. We would like to include space for our workshops of production at the same time move to a larger space since our next cycle registration has tripled.

We are registered as a nonprofit organization according to the laws of Puerto Rico and ruled by the Director Committee. Our Director Committee is known as a “working board” that, in addition to establishing the institutional politics and implement our strategic plan, works in all operations of our incubator since we don’t have a recurring annual operational budget to have employees under a fixed salary.

We offer a proper model for incubation for cultural and creative industries of various programs designed for attending to the needs of designers, artists, filmmakers, musicians, writers and creative types of all kinds. We help develop prototypes, products, services and ideas for cultural and creative industries such as fashion designs, industrial designs, television, film, graphic design, video game designs, music, printed and digital editorial, neo-crafts, and cultural creative tourism.

If you desire more information about our services and needs, we are available to provide you with any additional information. If we were to be eligible for the option of community assistance center and refuge center for the CDBG funding I would appreciate having that information provided whether one or both or all of the options would entail the type of proposal or solicitation we would have to send you.”

PRDOH Response: Non-profit entities are eligible to apply for assistance under the Small Business Incubators program outlined in the Action Plan. PRDOH encourages interested parties to monitor www.cdbg-dr.pr.gov for opportunities.

Comment via Email: #058_24-05-18_Pablo Vazquez Ruiz

The body of this email contained no text, but an attachment was included.

Attachment to Email:

The attachment offers specific recommendations to amend language included in the action plan. Suggested changes include:

Page 41, paragraph 1:

“...method of construction completed without the use of an architect”.

*Debe leer “...method of construction completed without the use of an engineer or an architect”.
(In Puerto Rico law, both practices are the equivalent).*

Page 96, paragraph 1:

“...RDOH acquisition of the damaged property, coupled with construction of a program designed home on a new lot. New lots must be located outside of the floodplain and must comply with all applicable environmental regulations. This option may be exercised if no suitable options are available under option 1.

Should read “...PRDOH acquisition of the damaged property, coupled with construction of a program designed home on a new lot. New lots must be located outside of the floodplain and must comply with all applicable zoning district regulations and environmental regulations. This option may be exercised if no suitable options are available under option 1.

Page 126, option 2:

“...Puerto Rico certifies that it will comply with applicable laws”. Should read “Puerto Rico certifies that it will comply with applicable laws and regulations”.

PRDOH Response: PRDOH thanks you for your comments and will take the recommended edits into consideration during final edits of the Action Plan.

Comment via Email: #059_24-05-18_Jorge A. Negron Vega

“Attached to this email, we are submitting an informative analysis gathered from our experience as an agency of Vivienda. Thank you for the opportunity and taking into consideration counseling agencies who greatly help families.”

Attachment to Email:

The attachment outlines a history of services provided by the Career Center of Puerto Rico and emphasizes the pivotal role played by counseling agencies. Additionally, the attachment includes the following bulleted list of comments and/or questions regarding the Action Plan:

- *“Responsibilities of the counseling agency in terms of qualification of the program*
- *It is not made clear who will be responsible for qualifying the participant in terms of compliance in relation to the specific CDBG requirements for each program.”*
- *Who is responsible for promoting the counseling service (the outreach program), getting the information to the communities, the municipalities and mobilizing people to receive the services?*

- *We do not see that the title ownership controversies are mentioned. Currently, it is one of the biggest problems that the people requesting help have related to the passage of both disasters. It is important to integrate the counselor and the lawyers, since there are problems of ownership titles of easy solution that should be addressed before discarding the participant for any of the programs contained in the Plan.*
- *In relation to the budget assigned to each program, the analysis that was made to average the people who will benefit from them does not arise from the writing, which creates important doubts about the numbers presented. We do not know if those estimates were consulted with counseling agencies, HUD or another entity. In addition, we cannot specifically appreciate if the budget assigned to each program that includes housing counseling, contemplates only the counseling or includes other types of items or "allocations"*
- *Legal representation must be related to counseling, the success of the services when meeting the need of a citizen is closely related to the integration of the aids, the detachment or fragmentation of this causes delays, confusion and unrest in those who receive services. Moreover, we have impacted hundreds of people providing legal services related to the emergency and one of the biggest problems we have faced is the lack of information and access to files and transactions made by the participant, for which lawyers and counselors depend on information that sometimes it is not certain, which prevents doing a better job when meeting the needs of the participants. The integration of services and the impact within the community should be an important spearhead at the time of the implementation of these programs.*
- *The plan mentions that there are ten HUD-certified counseling agencies in Puerto Rico. We understand that the information is not correct, from the official HUD listings there are six certified agencies.*
- *It does not arise from the plan if the regulations of the goals establish in time and quantity of clients the regulations of counseling agencies have in relation to the standards established by HUD in terms of the documentation, data entry, and reports that are due, among others .*
- *There are sectors that are out of possibility, given the requirements of the programs, even though we know that the CDBG funds are very specific in their requirements and that the part of the program that deals with mortgage arrears could be a way to serve other sectors of the population, the impact of the hurricanes has disrupted all of the economic sectors of Puerto Rico, which we suggest is working in parallel and through the search for other funds or sister organizations that can provide for those families and citizens who do not qualify under the CDBG-DR funds allocation standards*
- *The problem in mortgage foreclosure that existed in Puerto Rico before the storms could deepen if we do not give customers a way of understanding their rights and responsibilities when they get some kind of economic help. It will help the country and the families keep their home secure with the help of the Housing Agencies.*

PRDOH Response: Program guidelines will be tailored to each program and will further describe documents and processes used to make eligibility determinations and outreach.

Guidelines will be posted to www.cdbg-dr.pr.gov, as required by 83 FR 5844, after programs are approved by HUD.

PRDOH understands the magnitude of the issue of lack of proper titles on the island and has developed the Title Clearance Program to address it.

Estimated number of beneficiaries to be served is based on program award caps and available funds. The budget for the Housing Counseling program is specified in the Action Plan.

PRDOH will consider feedback provided in this document when further developing programs and program guidelines.

HUD-approved counseling agencies in Puerto Rico can be found at <https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm?&webListAction=search&searchstate=PR>. The listing, current as of May 30, 2018, shows ten centers. Information has been clarified in the plan.

Comment via Email: #060_24-05-18_Gloria Calderon

“Greetings,

I am writing to you as a citizen of loiza, I have lived on ... in loiza PR since July 1995. We did not know about the CDBG-DR funds, and we didn't know about the public sessions in our community. I think since we did not know about this, we didn't have the opportunity to participate or submit comments or proposals for the use of these funds and are not informed about the proposed plans for these funds in our town. We recently found out through another community member and leader. They have briefed us about the help that you are offering and for that reason, I would like to share with you directly the conditions that my husband and I have in our home and community.

Our home has serious problems with filtration since the passing of Irma and Maria. The vibration of the storm was so strong that it cracked the ceiling in such a way that in some parts of the house, water runs down the walls. We included photos of the seriousness of this matter. We asked FEMA for help with the repair for the roof but it was denied. When it rains, we have to place newspapers on the floor to collect the water that falls from the ceiling. We also have a broken window due to the strong winds. In addition, since September to the end of January, we were without electricity. On Gardenia street, we have the issue of voltage fluctuations which has caused electrical appliances to become damaged and our inability to use them since they are not being replaced in kind to us. In our case, we have lost the water shower heater and we fear that the same thing will happen to other appliances such as a refrigerator, microwave etc. AEE came and apparently fixed the issue, but this problem continues. The only thing we are asking is

for help in our need since economically has not allowed us to incur the materials needed for this repair due to the high costs of these materials.

On the other hand, in our community, gardenia street and 23 are missing several things such as; lighting in the streets and being able to have the sewer and sanitary pipe since we have the well wall. This is a problem because when there is a lot of rain, it results in the piping being clogged, at least in our home. We have to pay the municipality every time to come and empty it. In addition, we need sidewalks, re-pavement of streets, etc.

We know that in our community we have many bedridden, elderly and minors that need to be able to count on all the services that we can offer to provide them a better quality of life.

The reality is that we don't feel prepared for the next eventual natural phenomena/disaster."

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. Information about programs developed by PRDOH is available at www.cdbg-dr.pr.gov. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #061_25-05-18_Omayra Rivera

In the past few days, I have tried to contact you several times for information related to the CDBG project and can offer my recommendation for the plan proposed by you for the funds. Please reach out to this citizen ready to serve to coordinate an informative session and additional orientation related to the CDBG project and so I can offer my recommendations for the proposed plan.

PRDOH received recommendation from Dra. Crespo. Please see comment #020_24-05-18_Omayra Rivera Crespo.

Comment via Email: #062_24-05-18_Karilyn Bonilla Colón (Mayor Salinas)

Greetings. Attached is the document related to the issue at reference for your procedure.

Attachment to Email:



The attachment includes a letter in which the alcaldesa of Salinas urges that CDBG-DR funds be assigned and administrated by municipios and points out that municipios have the experience and proven track record to administer the funds.

Also included in the attachment is a resubmission of the formal proposal previously submitted by Salinas.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding, and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. The formal proposal submitted is available for public consumption in the Public Hearings section of www.cdbg-dr.pr.gov. PRDOH responds to all formal proposals submitted in the appendice of the plan.

Comment via Email: #063_25-05-18_Juan C. García Padilla (Mayor Coamo)

Attached to this letter are the comments for the plan of action for the CDBG-DR funds.

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from Juan C. García Padilla, Alcalde de Coamo. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #064_25-05-18_Erika Ruiz



The comment submitted by Enterprise included a bulleted list of questions regarding the Action Plan. Questions and suggestions included in the attachment are responded to below.

“Comment - SUMMARY OF STORM IMPACT | P. 10

- *Suggest adding the continued climate risks facing PR, including seismic disturbance. Also recommend noting the climate trends occurring in Puerto Rico. See this resource for potential impacts to PR: <http://caribbeanlcc.org/press-release-new-study-explores-consequences-of-projected-climate-changes-in-temperature-and-rainfall-for-puerto-rico/>*
- *Recommend pointing out the impact of the primary storm on infrastructure like dams, leading to secondary risks. Amplify message about risks to communities.*

PRDOH Response: PRDOH appreciates the additional information.

WHOLE COMMUNITY APPROACH AND INTEGRATED PLANNING | P. 12

- *What are some of the findings of Reimagine PR and other processes?*

PRDOH Response: The findings of the Reimage Puerto Rico Commission may be found at <http://www.resilientpuertorico.org/en/resources/>

THIRD SECTOR AND CIVIC VISIONS FOR RECOVERY | P. 13

- *What was the total number of survey respondents?*
- *Is the cited Housing Industry Situation document by PR Builders Assoc. / Estudios Técnicos available for review? Is the out-migration study available? Does it address the issue of returning survivors? Are there any criteria to benefit municipalities that were in the path of the hurricanes?*

PRDOH Response: The complete copies of the cited studies are included as an Appendix to the Action Plan. PRDOH does not have information on the number of survey respondents for those studies.

MOST IMPACTED AND DISTRESSED AREAS | P. 20



- *Migration figures do not consider the effects of circular migration in the Puerto Rican community, something that has been amply documented by scholars like Jorge Duany and Carlos Santiago, among others.*

PRDOH Response: PRDOH appreciates the additional information.

BUILDING BACK BETTER | P. 22

- *Given sun and wind conditions, PRPHA could consider Energy Performance Contracting (EPC) through HUD's Energy Center to reduce utility consumption. EPCs can support both solar and wind, and typically include water-saving devices, Energy Star-rated appliances and other "green technologies." EPCs finance the improvements and pay for them with the savings in utility costs. Another model is "Sustainability as a Service," which does not require financing. Rental Assistance Demonstration program conversions can also support similar energy conservation measures. Note: Bacardí uses wind power to support its operations, and there are some solar installations in Puerto Rico as well.*
- *LEED is cited but it is very expensive for residential development and out of the question for affordable housing owners/low-income communities. Recommend considering Energy Star standard and perhaps discuss an adaptation of the LEED standard with USGBC to reduce commissioning costs. Consider utilizing icable Enterprise Green Communities guidelines as an alternative, more affordable standard of green certification. Pre-approve products and materials in advance to provide owners with suggested pathways to implement green and sustainable processes.*
- *It is critical to ensure that whatever standards are utilized will be truly applicable to the climate and feasible in terms of costs and implementation. For example, no standard will be successful without trained inspectors to effectively certify methods.*
- *At what point does adherence to standards apply? If a household is not pulling the permit, when do they interface with regulation? This should be resolved.*

PRDOH Response: PRDOH appreciates the additional information. The program states that "Puerto Rico will enforce procurement procedures that increase the use of sustainable standards, which may include LEED standards" (emphasis added). Housing construction contractors will ensure proper permitting and inspectors will be trained to appropriate standards.

"LEVERAGING OF FUNDS | P. 23

- *Federal Register 83 FR 5844 requires Disaster Recovery grantees to demonstrate use of their own resources. Puerto Rico is unable to meet the local leverage requirement due to the economic crisis and high bond debt. The Puerto Rico Public Housing Authority Draft Annual Plan states that it is making efforts to refinance the Capital Fund Finance Program (CFFP) bond to free up an additional \$20 million in CFFP funds annually. PRPHA should target these funds for long-term redevelopment efforts that build resilient affordable communities and further the goals of the Asset Repositioning Strategic Plan. PRPHA has been working on a total refinance of its CFFP debt (originally over \$660 million). Given the barriers to such a major refinancing, they can also refinance in stages, achievable with RAD conversions as appropriate. RAD conversions can also leverage 4% Low-Income Housing Tax Credits, which are abundantly available in PR – 2018 is an optimal year for RAD conversions, given the opportunity to capture and preserve the sizable "bonus" of capital funds that Congress provided in this year's budget. This is an increase of about \$70 per unit month.*
- *Now that PRPHA has been awarded \$151 million in Capital Funds through Congress (an increase of \$47 million from last year), how will this new funding be incorporated into the immediate hurricane recovery plan and/or future redevelopment plans based on the Asset Repositioning Strategic Plan?*
- *Has there been an analysis as to what is feasible in Puerto Rico, considering U.S. Department of Energy guidelines besides appliances? Will guidance materials be available for developers? Builders?*
- *Opportunities for private and philanthropic sector contributions are noted, but no further mention is made of this in the document. Document sources are listed, as stated, but not all of them are accessible.*
- *Additional allocation for 9% LIHTCS could be pursued, as it was done in the Gulf Coast following Hurricane Katrina."*

PRDOH Response: PRDOH appreciates the additional information. The Build Back Better Report (document source) is included in the Appendix and is available freely on the internet at:

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Build_Back_Better_PR.pdf Puerto Rico continues to develop opportunities for private and philanthropic sector contributions, as well as for opportunities for innovation related to energy resources.

"IMPACT TO DEMOGRAPHICS | P. 26

- *SOVI does not address the issue of extremely vulnerable populations like homeless,*

seniors or children. There are non-profit entities that service these population groups, and may very well be able to share data that allows better planning.”

PRDOH Response: Information on children is accounted for in the Youth and Child Welfare Index and the children and elderly are accounted for in Census data sources. The Department of Family Summary Counting of the Homeless was cited in the plan.

“OUT-MIGRATION AND CHANGES TO THE POPULATION | P. 28

- *Recommend adding female-single head of household as an as an additional vulnerability. This vulnerability is noted on page 41 and identified as a priority population in the State Housing Plan 2014-2018.*
- *Data demonstrates that the senior population is significant enough for it to be considered an important priority in redevelopment and reconstruction activity as it relates to developing housing with proximity and access to medical services and public transportation.”*

PRDOH Response: PRDOH appreciates the additional information and understands the vulnerability of female single-head of households. This recommendation will be taken into consideration. The elderly are a priority population for several of the programs outlined in the Plan. PRDOH understands the importance of accessibility and will keep that in mind as programs are implemented.

“SPECIAL NEEDS POPULATION | P. 35

- *Special needs population groups are not merely highly vulnerable, but extremely vulnerable, when we consider economic indicators such as poverty rates. In addition, they should be identified (children, the homeless, seniors, HIV+ individuals, and victims of domestic violence, among others).*
- *Special Needs Populations, as described in the first paragraph, do not only live in owner-occupied homes. They also live in rental housing affected by the storms and should be accounted for.”*

PRDOH Response: PRDOH appreciates the additional information. There is a table for Special Needs Renters in the plan.

“SPECIAL COMMUNITIES | P. 40

- *There is mention of dedicated resources available for special communities. Is there a program being contemplated for layering or leveraging CDBG-DR funds for these communities? Are they going to be priority areas for the programs developed for use of CDBG-DR?*



- *There is still no site-specific data available on which communities are under consideration. The reference to 725 “special communities” does not define “poor housing status” or “high social stresses.” There is no mention of land title situation or land use.”*

PRDOH Response: Special Communities are designated by criteria established by the Puerto Rican Government. These communities will be taken into careful consideration throughout the planning recovery processes and may become priority areas for ongoing recovery efforts.

“HOUSING IMPACT | P. 41

- *The definition of Informal Housing is not clear. It seems to shift the focus on the actions of individuals rather than acknowledging the limited capacity by government to provide the infrastructure for appropriate and transparent permitting processes and procedures, and the historical context regarding lack of affordable, safe and sanitary housing options that are contributing factors to the development of self-built housing.*
- *No reference is provided for this statement: “It has been estimated that anywhere from 45% to 50% of PR households have either erected or maintained houses through informal construction, a self-managed method of construction completed without the use of an architect, proper permits and in many cases without proper title to the land.”*
- *A reference is also missing for this statement: “Funds are needed for the repair or reconstruction of aging and fragile structures, informally constructed houses, and homes unlawfully located on public lands or through illegal subdivisions.”*
- *The housing sector is fragile as a whole – insurance, registration of tenure, property tax collection, permits, foreclosure, etc. There is not adequate and affordable housing supply to meet the need.”*

PRDOH Response: PRDOH has clarified the use of the term informal housing for the purposes of the disaster recovery program. The reference for the statements in question are in the subsequent paragraph in the plan.

“MULTIFAMILY HOUSING MARKET | P. 44

- *What is the definition of substandard housing? The estimate of 53,000 households living in substandard housing seems low, given the prevalence of informal housing in Puerto Rico.”*

PRDOH Response: Please see the cited Puerto Rico Builder’s Association study included in the Appendix for more information.

- The report states that PRPHA identified \$41 million in unfunded damages for public housing. These are preliminary estimated as loss assessments are not completed. Of the \$100 million in damages so far identified just for public housing, they estimate \$60 million will be paid by insurance. When will the loss assessments be completed? Will damage assessment information be available publicly? Will there be strategic thinking around immediate repairs needed vs. more comprehensive repairs that may affect the current Asset Relocation Strategic Plan? – i.e., does it make sense to make larger investments in public housing that may be slated for later demolition and redevelopment in the Asset Relocation Strategic Plan?*
- In addition to PRPHA's Mixed-Finance Asset Relocation efforts, consider expanding the use of Project-Based Section 8 vouchers. PHAs have been able to project-base up to 20% of their vouchers, and the passage of the Housing Opportunities Through Modernization Act (HOTMA) in 2016 increased this to 30%. One possibility would be for the authority to work with owners of existing housing to provide project-based vouchers that would support owners refinancing to complete repairs.*
- The recent revision (March 2018) to the Section 18 program, Notice 2018-04 (PH), introduces several new options, including "vouchering out" scattered-site units, and partially vouchering out inefficient properties, without having to meet HUD's obsolescence test of capital needs. This new Notice also authorizes PHAs to receive tenant protection vouchers for 25% of the units in RAD rehab projects, which can be project-based at the same project. This is valuable in cases where the Section 8 Fair Market Rents are higher than the RAD Contract Rents, resulting in a blended rental income level. Note: FMRs vary by location, so this would need to be a geographically specific analysis.*
- Consider Section 18 dispositions outside of the RAD program with TPVs. This allows people to make their own housing choices and would support the statement they make in the CDBG-DR Action Plan regarding housing choice.*
- What are the State Projects? Are those included in the over 55,000 units?"*

PRDOH Response: PRDOH appreciates the commenter’s interest in public housing repositioning and has taken the comments into consideration. The Action Plan states that public housing loss figures related to the hurricanes are still being finalized. The Unmet Needs Assessment may be updated at a future date when additional data becomes available. Additional questions regarding future public housing Asset Relocation Strategic Plans are not addressed as part of this Action Plan but may be considered in the future.

“SHELTERS | P. 47

- *What are the plans for adapting community spaces for appropriate shelter use when needed for emergencies, while providing spaces for community use?*
- *Will PR PHA continue to oversee the shelters?”*

PRDOH Response: PRDOH continues to coordinate with governmental stakeholders on addressing the need for multi-use emergency shelter facilities. PRPHA is one of the agency stakeholders with a role in the provision of shelters and it is anticipated that they retain that role at this time.

“HOUSING TYPOLOGIES | P. 48

- *Seismic considerations should be woven in throughout document with respect to hazards. Self- built housing is particularly ill-suited for seismic disturbance due to its unreinforced quality.*
- *Explain and provide a working definition of “real” property losses.*
- *There does not appear to be a strategy to identify the number of households that meet your current definitions of formal housing. Recommend a plan for building a database to identify housing overall and developing strategies to formalize adequate connection to resources and safety.*
- *No reference for this statement: “Although there is not reliable public record of these units, it is estimated that more than half of the islands’ housing stock has been erected though “informal constructions” or construction completed without the assistance of an architect or engineer, or the requisite permits.... Puerto Rico is committed to incentivizing recovery assistance that will minimize the occurrence of “informal construction” and prevent rebuilding in high-risk flood zones or on public land.”*
- *Informality occurs at all levels. More data is needed to understand the issue.*
- *A discussion of typologies should be researched and expanded – ADU (Accessory Dwelling Units), SFH (Single Family Homes), MFH (Multifamily Homes), etc.”*

PRDOH Response: PRDOH agrees that seismic considerations are important; additional notations have been made in the plan. Real Property Loss is defined by FEMA; a definition has been added. The Agency GIS initiative outlined in the Action Plan will indeed provide much more complete data on housing typologies, including informalities; PRDOH appreciates the commenter’s support for this initiative.

“PROPERTY TITLE CONCERNS | P. 49

- *Can data from the chart on p. 49 be made publicly available – or the methodology used – showing the number of parcels with and without property titles for selected municipalities?”*

PRDOH Response: PRDOH is exploring avenues to promote transparent data sharing with the public in a manner that protects personally identifiable information.

“FLOOD MAP | P. 49

- *Flood zone map is unclear. Recommend a stronger visual.”*

PRDOH Response: The map has been made bigger in the Plan so that it is more visible.

“NATIONAL FLOOD INSURANCE PROGRAM AND PRIVATE INSURANCE | P. 51

- *Does this statement reference the most recent flood maps as of April 2018? “An overlay of FEMA applicant locations to the current 100-year flood boundary identified 139,643 applicants in the flood zone.”*

• *A National Flood Insurance Program may need to be created, similar to the compulsory automobile insurance. However, given the issues with historical and actual conditions in Puerto Rico’s communities, the insurance program should address special conditions inherent in the communities. A cap could be established as a payment amount that could be paired with other assistance after an emergency.*

- *What was the reason that two households were deemed ineligible?*

• *Risk and safety are presented lightly with emphasis in floodplains only, omitting from the diagnostic the storm surge areas, which contributed to major damage and disaster over coastal housing and communities. Other risk factors like landslides and high- winds areas are not mentioned in the diagnostic.”*

PRDOH Response: The flood map overlay has been updated to reflect the 2018 map and the figure has been updated. PRDOH appreciates the information regarding national flood insurance policy recommendations, however setting federal policy is beyond the scope covered in the Action Plan. For information on the Tu Hogar Renace Program, please see <https://tuhogarrenace.com/>. PRDOH will consider adding storm surge data in an update to the Unmet Needs assessment should that data become available.

“HOUSING UNMET NEED | P. 54

- *The high denial rate and the 75 SBA figure are indicative that advocacy for survivors is key to be able to get dollars – Spanish language materials are critical to help explain complex requirements, along with the capacity of people to understand the process.*
- *Define “real property losses” vs. “average verified loss amount.”*
- *Table 17 on page 59 denotes that there are \$71 million in public housing funds available for Hurricane Maria damage (insurance, loans and recovery sources.) Based on the data on page 46, these are solely insurance payouts for three categories of projects: public housing, state projects and tax credit projects. It may be clearer to identify these as insurance payments for the larger category of Affordable Housing (with a footnote indicating that it covers these three areas.)*
- *What are the defined scope and categories of loss referenced for this statement: “The average FEMA real property loss for Irma and Maria was \$4,542, based on 269,777 applicants with FEMA verified losses.” is it primarily roofing, fenestration, plumbing and electricity? If so, that seems low. What is the difference, if any, between SBA and FEMA real property loss and why is there such a substantial difference in calculation (\$4,542 vs. \$32,221)?*
- *The plan calls out low estimates of FEMA-inspected renter loss, with less than 1,000 renters having verified real property damage from Maria vs. over 225,000 applicants without FEMA inspections. What is the delay in inspection attributed to, and how are costs getting determined? It appears that this number did not include public housing residents as their inclusion likely would increase the number significantly. How were losses claimed?*
- *We must understand the specific damages to multifamily housing and understand how public housing particularly fared. In addition, HUD historically has accepted a 30% escalation rate of additional costs to account for resiliency measures. The plan notes that due to the high number of informally built homes in Puerto Rico, it is estimated that the cost of resilience will be higher than 30%. The plan states that resiliency will account for high costs due to more stringent building codes, compliance measures, and elevation and freeboard requirements. The additional costs should ensure connection to resilient power, water and transport.*
- *It appears that the whole document focuses too much on individual houses and not on the community level and the environmental mitigation measures needed to increase communities’ resilience. The reconstruction costs cannot be calculated only in terms of repairs to housing units: if the houses were affected by existing site conditions that can be mitigated, reconstruction costs must include landscape, hydrology and resilient infrastructure components, among others.*
- *It is troubling that the concept of resiliency is seen throughout the document as the application of add-ons to the houses, and not as an integral part of the reconstruction work. We believe the methodology for calculating the repairs (first providing a cost for the repair work,*

and then adding a cost for the “resilience measures”) increases this perception. Also, by dividing the costs, it will be easier to eliminate the resilience measures if the reconstruction cost becomes too high.

- The document says, “Due to the high number of informally built home in Puerto Rico, it is estimated that the cost of resilience is higher than 30%.” This statement omits the fact that a lot of “formal” communities are also in floodable areas and require the application of resilient measures. The plan neither references these communities nor programs or funds allocated for their reconstruction.”

PRDOH Response: PRDOH appreciates the comment regarding Spanish-language materials and advocacy. The Housing Counseling Program outlined in the plan will consist of service providers who are Spanish-speakers and HUD-certified in methods for advocating for individuals and families. The commenter is encouraged to contact FEMA for additional information regarding how FEMA calculates verified loss and how homes are inspected. Input regarding the commenter’s resilience philosophy are taken into consideration.

“INFRASTRUCTURE IMPACT | P. 60

- There is no mention of damage to highways or roads. It mentions damage to bridges, but road damage was one of the major issues that contributed to lack of access to basic and first-aid supplies in many communities.
- Table 22 on p. 64 shows that the majority of funds for Public Assistance projects would be directed to public utilities (51%). Only 8% is allocated for water control facilities. Recommend adding single female head of household as an additional vulnerability (noted on p. 41).”

PRDOH Response: The Table on page 64 does not direct funds to specific categories; it is a preliminary summary of estimated costs being assessed, by FEMA Public Assistance Category.

“ECONOMIC UNMET NEED | P. 72

- Was there any engagement with the small business community and/or SBA regarding why their SBA loans were rejected, and the particular resources they requested?
- The high percentage of SBA loans issued and not returned should be researched more. Some families did not understand that they had to be denied SBA to get other help.”

PRDOH Response: The commenter is recommended to contact SBA regarding additional data on their outreach strategy.



“RECOVERY PROGRAMS | P. 76

- *Diagram on p. 76 does not mention strong and safer homes or traditional mitigation of climate risks. It also does not mention renters or multifamily housing.*
- *Should multifamily be included in the housing bracket graphics?*
- *What would be the selection process for selecting partners? Definition of UGLGs should be included on p. 77 instead of p. 78, and should clarify that this includes municipal governments.*
- *On p. 77, the plan says “PRDOH will utilize MOD method A to administer the housing repair, reconstruction, and relocation program.” Will the agency be contracting with individual homeowners and/or residential owners directly, or will the beneficiary be the municipality and/or a CDFI or network of agencies? Who is the proposed recipient and what is the methodology for selection? If the entity is a for-profit entity, what will be the terms of selection, and will there be a public review of bidding procedures and formal procurement?*
- *The plan recommends MOD Method A for housing reconstruction. Does that mean that no self- construction will be allowed?*
- *Based on PRDOH public meeting attendance, and considering the need to build trust, both with PR agencies and institutions, as well as among the citizenry and its communities, it is important to acknowledge that transparency and accountability are at the heart of public concern. The more intermediaries participate, the higher the likelihood of confronting risks. That said, there is interest in promoting open-information on all transactions, as it may be the best way to convey trust in the process.*
- *Also based on PRDOH public meeting attendance, the role of Municipal Governments is not contemplated in the plan. Arguments have been made that merit clarification of the role of Municipal Governments throughout the planning and implementation processes. This will allow municipalities to establish clear communications with their respective communities.”*

PRDOH Response: PRDOH appreciates the general comments and has taken them into consideration. The Housing Repair, Reconstruction, and Relocation program will be administered directly by PRDOH to homeowners. Self-construction will not be an eligible activity under the program.

PROGRAM REQUIREMENTS | P. 79

- *Moderate-income should be defined – e.g., 120% of AMI. That is important, given low-income levels in PR. Moderate income in PR would be potentially low income on the mainland.*

- *There is no mention of support for renters or multifamily housing.*
- *When will the duplication of benefits policies and procedures be available? Reference to the national objective (2), “aiding in the prevention and elimination of slums or blight,” should include some clarification of what that can mean. Considering the high number of settlements in PR that may be considered slums, this language, without the context of strategies to address this objective, could be alarming and threatening. All objectives should include definitions specific to PR and short examples of strategies to address each one.*
- *The CDBG-DR national objective to “[aid] in the prevention or elimination of slums or blight” has raised significant concern in low-income communities due to the negative history of slum elimination in PR. Public education and outreach are needed to assuage undue concern in these uncertain times.”*

PRDOH Response: HUD defines the low-and-moderate income (LMI) national objective at 80% or below Area Median Family Income; as well as the HUD national objective related to aiding in the prevention and elimination of slums or blight. Multi-family housing will be generated under the Low-Income Housing Tax Credit Program.

“MINIMIZING DISPLACEMENT | P. 80

- *Most areas and communities impacted by the storm are not located in an urban context or their redevelopment/rebuilding may not create an urban environment. Programs should be tempered to address special conditions that once mitigated will enhance the quality of life in the community.*
- *Efforts to minimize displacement must be supported by ensuring that the Puerto Rico Disaster Recovery Action Plan includes provisions for rebuilding housing within locations and communities that have “informal” developments.*
- *The definition of “demonstrable hardship” should consider post-hurricane trauma and mental health issues.*
- *The plan states, “This is not intended to limit the ability of PRDOH to conduct buyouts or...damaged units or units in a flood plain.” Here, again, it is assumed that flooding condition cannot be mitigated by resilience measures.”*

PRDOH Response: Buyouts of damaged units or voluntary relocation out of the flood plain does not preclude the consideration of resilience measures. PRDOH appreciates the suggestion regarding demonstrable hardship and has added the mental health consideration into the plan.



“PROGRAM BUDGET | P. 81

- *Direct engagement with communities should be a strategy included in helping identify housing needs and developing solutions for vulnerable populations. While housing counseling is absolutely necessary, it is not sufficiently proactive in reaching populations in this category. Like other entities, Public Housing should be an eligible beneficiary of programs that allow for planning and housing resources.*
- *Is “vulnerable populations” a generic term or specific population – not low-poverty areas or non-minority? The term minority is not utilized in Puerto Rico to depict a local population.*
- *“Not suitable for rehabilitation” policies need to be tempered to historical and actual conditions in Puerto Rico because a not-suitable-for-rehabilitation policy may be applied to conditions not targeted to structures and therefore initiate displacement.*
- *Elevation standards should take into consideration that flooding may be prevented before it reaches each house, which may make it unnecessary to elevate housing.*
- *With respect to feasibility and cost reasonableness, it is important to define the parameters for the PRDOH term “not suitable for rehabilitation.” If PR Agencies are going to define what is not suitable for rehabilitation they must be educated about resiliency.”*

PRDOH Response: PRDOH appreciates the comments and has taken them into consideration.

“PLANNING PROGRAMS | P. 84

- *As far as planning is concerned, the following should be prioritized: the development of a methodology for assessments, and the development of systems for data gathering and dissemination, and capacity building. There is currently very little planning capacity and these activities would be more effective with careful guidance and a focus on capacity building to sustain these efforts in the long term across the island.*
- *GIS is mentioned as a valuable tool but only with respect to the data collection and data analysis focused on planning. GIS should be included in the economic planning to incorporate spatial- economic variables into the plan.*
- *The Puerto Rico Planning Board should create a multisector ad-hoc team to build and handle GIS planning process activities.*
- *Consider open-source data so everybody can access the information.*



- *Will assessment guidance and data be provided to municipalities? Are municipalities expected to do municipal-wide assessments, or will municipalities have to narrow their focus to communities with the highest vulnerabilities? What are your expectations for a thorough assessment? Will PRDOH review all assessments? Will PRDOH prioritize municipalities for planning development? Can the Planning Board be a partner to provide guidance and information to municipalities in their assessments?*
- *Considering the extent of damage sustained by our communities, the outcomes derived from Whole Community Resilience Planning activities should be extensive to all communities in Puerto Rico, beyond those declared program priorities. Whole Community Resilience Planning guidelines and associated information products should be made publicly available so that communities, community groups and community organizations may engage in disaster preparedness and resilience planning.*
- *Is \$10,000 for a Municipio to conduct Phase I of the initial assessment intended for the entire municipal territory or instead for one identified community?*
- *The “whole community” approach is mostly social. It does not include physical factors or communities at risk. It also overlooks the provision of other community amenities, like public spaces and gardens.*
- *The Plan does not indicate where the money will be allocated to implement resiliency measures at the community level.*
- *As far as project accomplishments, most municipalities do not have the planning capacity to develop Phase 1 planning. Only municipalities that have completed the level 5 of autonomy should be permitted to develop Phase 1. The other municipalities will need help from the central government or universities, with the Planning Board taking the lead.”*

PRDOH Response: PRDOH appreciates the comments and has taken them into consideration. Additional information regarding planning program guidelines will be available on the PRDOH website at a later date, subsequent to HUD approval of the Action Plan.

“AGENCY PLANNING INITIATIVE | P. 87

- *Why is this a subrecipient model instead of a partner model? While this activity goal is to develop a registry of properties to identify all housing, including those without permits, where is the complimentary activity that will provide counseling and resources to “register” properties officially and ensure they have the appropriate tenure and hazard mitigation to receive FEMA benefits in case of future impact?*

- *The plan does not indicate what will be done with formal houses and communities located in flooding zones.*
- *The Planning Board’s budget and resources must be improved to perform the task of determining eligibility.*
- *Again, all this information should be structured as open-source data to ensure access and engagement.”*

PRDOH Response: PRDOH appreciates the comment on open-source data and will further explore the feasibility. This is not a Partnership model because no further subrecipients are anticipated under the program. The Planning Board is not determining eligibility.

“ECONOMIC RECOVERY PLANNING | P. 89

- *Why are the following employment sectors highlighted: pharmaceuticals, manufacturing, technology, construction and real estate?*
- *Which communities are being referenced?*
- *Responsibilities for the plan’s implementation are spread too widely among different agencies (PRDOH/ housing, DDEC/economic development, etc.) The PRPB should be responsible for all housing and economic development planning activities.”*

PRDOH Response: The employment sectors are included but not limited to the sectors identified. The communities referenced are the Puerto Rico business communities writ large. PRDOH acknowledges the commenter’s strong support for the Puerto Rico Planning Board.

“HOME RESILIENCE INNOVATION PROGRAM | P. 91

- *Excellent idea to develop a Resilience Innovation Program. Recommend including extensive community training and higher funding allocation.*
- *What types of competitors do you expect to receive submissions from?”*

PRDOH Response: PRDOH looks forward to a diversity of talent interested in leading innovation on the Island.

“HOUSING PROGRAMS | P. 93



- *Program priorities must include seismic and not just flooding. Eligibility must reference moderate income as well as low income. What will be the approved methods of property ownership verification? Recommend detailing the process of determination. Why is eligibility limited to single-family?*
- *The following guidance – “Homes meeting this damage threshold will be reconstructed to include resilient measures in structural materials” – should be referenced. Consider referencing in the resilience manual being produced by UPR.*
- *Households with small children should be prioritized along with seniors and households with residents with disabilities. What is the definition of alternative methods in the eligibility criteria of ownership?*
- *The cap for demolition seems somewhat low. Families should get more than one bid on pricing for demolition as there is probably fluctuation on pricing in the marketplace.*
- *The relocation caps listed on p. 96 seem low. How were they determined?*
- *What is the strategy for relocation? Assuming a family must be temporarily relocated during rehab or reconstruction, where will they be relocated to in the interim?*
- *Is social-interest housing assistance exclusively programs, or does it involve capital, such as reconstruction of congregate housing and shelters?*
- *While the document states that “Units of General Local Government, UGLGs (municipios) have been consulted throughout the development of this plan and will remain active participants in the execution of recovery programs,” the Action Plan does not provide details on UGLG access to participation in the planning process.*
- *The document notes, “Limited legal services for applicants participating in the relocation program may be provided on a case by case basis.” The provision of additional legal services may be met by way of collaboration agreement with one or more several nonprofit and academic entities willing and able to offer pro bono services to surviving individuals and families.*
- *The sections “Anti-Displacement” under Housing Programs (p. 93) and “Whole Community Resilience Planning” under Planning Programs (pp. 84-86) need more analysis by experts who have dealt with eligibility and funding in practice. The programs look positive because the door is opened for comprehensive community planning and participation. Planners and urban designers with experience in community planning should be alerted now to this possibility.”*

PRDOH Response: PRDOH appreciates the comments and has taken them into consideration. Social interest housing may also include reconstruction activities. Additional information on alternative methods of ownership documentation and

temporary relocation options will be outlined in program guidelines, which will be posted on the PRDOH website and communicated to applicants. Additional information regarding housing caps has been provided in the Plan.

“HOMEOWNER REPAIR, RECONSTRUCTION, OR RELOCATION PROGRAM | P. 94

- *The program does not provide a mechanism for beneficiaries that fail to find a new housing unit and vacate their existing albeit unfit home, or refuse to accept a housing unit offered in replacement of their own.*
- *Relocation of families in hazardous areas should be done only if risks factors cannot be mitigated.*
- *If relocation is inevitable, it must be done at the community level – a whole community or a portion of it should be relocated – never individual families who would risk losing social and economic ties.*
- *This program is going to be implemented by Direct Distribution Model. We recommend that it include additional means of implementation such as through nonprofits or private developers.*

PRDOH Response: PRDOH has taken the comments into consideration. Homeowner relocation under this Action Plan is voluntary.

“PROGRAM CAPS | P. 96

- *Program caps appear to be low: \$15,000 to purchase a lot or \$15,000 to rehabilitate a replacement home. These quantities were utilized by the Housing Department years ago. The costs may be associated with unsold projects and do not address deterring urban sprawl or higher density development. Recommend researching current costs and determining whether policies addressing urban sprawl and high-density developments will be implemented.*
- *Option 1 indicates that relocated families shall be moved to sound, sustainable and resilient houses. Confirm whether sufficient structures are available and vacant in PR.*
- *The plan states that “damaged properties acquired by PRDOH will be demolished and converted into green space.” Because it would not be permissible to relocate an individual family (only whole communities or portions of it), the new vacant space would be converted into public parks to avoid occupancy by displaced people.”*

PRDOH Response: PRDOH has taken these comments into consideration.

“MORTGAGE CATCH-UP PROGRAM | P. 97

- *Clarity is needed on income eligibility. Is this capped for owners at 80% or 120% AMI?*
- *Consider tying the mortgage catch-up program to workforce development opportunities for households with lost wages.*
- *The estimate of 130,000 mortgage holders appears low. Our most recent conversations with the Mortgage Bankers Association indicate a higher number of mortgage holders in Puerto Rico. Is this number just FHA mortgages or is it inclusive of private mortgages as well?*
- *The number of people served, cited in the last paragraph on page 98, is 2,250 households. We have been told as many as one-third of mortgage holders are behind in payment. If there are 130,000 mortgage holders in Puerto Rico, the number of households in need of this program would be as many as 42,900. The proposed service level is just 5% of the estimated need. Is the estimate based on program restrictions, such as the requirement that households were current at the time of Hurricane Maria, or is it based on reasonable funding availability? Is there a way to ease eligibility restrictions to increase the percentage of homeowners in need of assistance who would be eligible for the program?*
- *We also note the absence of a program to address loss mitigation. Can a proposal be included for a loss mitigation program to address the rising foreclosure rates beyond the period of forgiveness provided by FHA for households that would not be able to benefit from a catch-up program?”*

PRDOH Response: The mortgage catch-up program is tied to workforce development via a vis guidance provided by the Housing Counseling service providers. The estimated number of mortgage owners has been clarified in the Plan. There is limited funding availability to meet the entirety of the Island’s unmet needs at this time. Eligible applicants under either the LMI or Urgent Need national objectives are eligible for this program.

“SOCIAL INTEREST HOUSING ASSISTANCE | P. 99

- *Is social-interest housing assistance exclusively programs, or does it involve capital, such as reconstruction of congregate housing and shelters?*

Is the max award \$500,000 per development or should the project costs not exceed \$500,000? Requirement criteria should include demonstrated experience serving special populations and a service plan. Can the award go directly to support the activities?

- *The Social Interest Housing Assistance program may should consider collaboration with Community Housing Development Organizations (CHDOs) in the effort of providing technical expertise, educational capacity and outreach collaboration.*

The eligibility criteria require that sites must comply with ADA standards. Accessibility is always an issue in urban sites. Most of the projects serving special needs populations are in urban locations. ADA compliance is addressed within the building and immediate surroundings. However, accessibility beyond the project site is unaccounted for.

- *Services as well as operational funds must be provided.”*

PRDOH Response: PRDOH has taken the comments into consideration. Social interest housing is for the rehabilitation or construction of housing units to serve targeted populations.

“HOUSING COUNSELING PROGRAM | P. 101

- *The Housing Counseling Program should provide support to owners seeking to incorporate resilient/safer housing practices as part of reconstruction. Enterprise has held counseling programs that could serve as potential models. The Sandy Help Desk emerged after Hurricane Sandy. It paired homeowners with pro-bono engineers and architects who provided information on resilient rebuilding, code compliance and reconstruction. The program served four New York City communities. Flood Help NYC, a counseling program supported by the New York Governor’s Office of Storm Recovery to help single- and multifamily housing owners identify vulnerabilities to flooding and other climate risks, offer guidance on incorporating resilient and safer housing mitigation standards, and provide elevation certificates. The program operated throughout New York City’s flood plains.*
- *The Home Energy Resilience Program (p. 105) should pay additional consideration to solar PV power and backup rather than solar heating and/or gas heating. Other renewable energy systems also should be considered, e.g., wind, methane and/or equivalencies.*
- *Will there be geographic criteria, so this service is available across the island? Why 10 housing counseling agencies?*
- *The criteria for HUD-approved counseling agency is limiting, given the amount of need. Also, a lot of issues are related to tenure, which require participation from legal experts.*
- *The Housing Counseling Program should consider the development of educational products/services for seniors. Due to their family composition, health and economic situation, they are a more vulnerable group and thus less resilient in the event of future disasters. Furthermore, the counseling program should extend to rural homes, and to groups of homes or communities that face shared mitigation priorities (erosion, safe water consumption, infrastructure, health concerns) to ensure their future resiliency.”*

PRDOH Response: PRDOH has taken these comments into consideration. Care will be taken to ensure geographic coverage of housing counseling services.

“CDBG-DR TO LIHTC | P. 103

- *What are the income parameters for the CDBG-DR to LIHTC? Will the program leverage the new permanent provision on income averaging? That would allow Housing Credit units to be affordable at up to 80 percent of AMI, offset by deeper targeting in other units to maintain average affordability in the project at 60 percent AMI. Or is there preference for projects that offer deeper affordability?*
- *Will upcoming QAP include guidance for this program? Is housing construction inclusive of rehabilitation of existing properties (occupied or not)?*
- *The description in the Action Plan suggests that grant funding may be made available for LIHTC projects. LIHTC equity is only expected to provide about 20% of total development costs (TDC). Typically, the balance of TDC must be funded with loans. The primary concern is that the eligible basis must be reduced by a federal grant made with respect to the building or its operation. Most developments do not have sufficient excess basis. The other concern is that a grant is taxable income. The owners of the property could find themselves subject to a substantial tax liability with no cash available to pay the taxes. For these reasons, CDBG funding is usually provided to a deal in the form of a loan. Could CDBG be used as a deferred payment loan instead, or equity investment in 4%? See www.lhc.la.gov/page/PiggybackProgram for an example of CDBG-DR and 4%.”*

PRDOH Response: PRDOH has taken these comments into consideration. The rent rates have been added to the Plan to provide additional information. Program guidelines will be posted to the PRDOH website with specific application information subsequent to HUD approval of the Action Plan.

“ECONOMIC RECOVERY PROGRAMS | P. 106

- *The Economic Recovery Program should consider promoting and incentivizing economic activity at the community level, as it generates a significant amount of economic activity. Likewise, there should be a category under which other economic recovery activities might take place. Acknowledgement that the existence of social entrepreneurship ventures, and other nonprofit initiatives yield economic activity and constitute important elements in the construction of a resilient ecosystem is crucial, as undertaking business challenges is equally important as tackling the social ones (in the DR context).”*

PRDOH Response: PRDOH has taken these comments into consideration.

“INFRASTRUCTURE COORDINATION | P. 116

- *While we may be cognizant of the priorities established in this Action Plan, as well as the fact that the subject of safe drinking water may be addressed elsewhere, it is critical that attention is paid to the consumption of safe drinking water in the housing units to be occupied, especially those pertaining to non-PRASA communities. No previous mention of that subject has been made in the document.”*

PRDOH Response: PRDOH has taken these comments into consideration.

“CITIZEN PARTICIPATION | P. 119

- *A public hearing is not quite what was witnessed, which, with all due respect, resembled something more like a town hall meeting. In fact, it should be referred to as a public meeting facilitated by PRDOH because “public hearing” connotes a formality and structure that this public meeting lacked.*
- *Based on participation in, and feedback on, PRDOH public meetings, the following recommendations emerged:*
 - *Increase efforts to address the issues of announcement, convoking and confirming attendance. Also, timely communications are critical to ensure the success of CDBG-DR funding and implementation in Puerto Rico.*
 - *Clarify the expected role of nonprofit organizations in the CDBG-DR planning and implementation process. In addition, their presence should be made public to enable collaboration among them (or with the state or municipal governments), which may result in implementation efficiencies.*
 - *Improve public awareness of details covering the CDBG-DR planning and implementation processes, such as rules, regulations and expected processes as well as definitions and their applicability in the context of Puerto Rico. Information must be provided in Spanish and go beyond traditional media or digital communications to enable awareness.*
 - *Increase transparency and access to information. While digital media may be the best vehicle to communicate this information, it must be available in print, as well as distributed via other media channels such as TV, radio and in person (e.g., information kiosks or telephone hotlines) to avoid future claims and grievances.*
 - *Intake and Disbursement processes should be clearly documented and explained to the public, while training may be warranted for municipal government staff, as they have historically acted as intermediaries in these kinds of situations.*

- *Significant improvements must be made to achieve effective communication with beneficiary audience groups as well as intermediaries and other important stakeholders related to the planning and implementation process. For example, the website did not make all the submitted presentations available; email announcements were not received; alternative methods of distributing public notice did not successfully help reach the public or interested parties; and traditional media, as well as digital and social media, must be enhanced to improve relations with beneficiary audience groups”*

PRDOH Response: PRDOH is not sure which meeting the commenter is referring to; however, assumes that the commenter is not referring to the public hearings that were conducted from March 6th – March 10th. PRDOH has taken these comments into consideration.

“GENERAL COMMENTS

- *No particular programmatic strategies for acquisition are included.*
- *There is no focus on capacity building approach for various industry partners.*
- *PRDOH should develop a more robust community engagement strategy to continue understanding community needs as this recovery evolves and resources are made available and leveraged.*
- *Focus on development of capturing housing resources in a comprehensive location and collating data on usage and outcomes.*
- *Predevelopment Loan access should be included use.*
- *No mention of development of rental housing voucher dollars for development of projects to households with incomes below 50% AMI. This should be prioritized as there are no additional resources to apply to new development through Section 8 or Law 173.*
- *The action plan mentions long term. However, I did not see any statement related to: avoiding urban sprawl, stimulating higher density developments, or locating housing within or near urban centers or close to basic services. Also missing were statements related to developments and their impact on the power and water supply – and how the strategy of providing affordable housing would be integrated into the new approach of resilient power and water supply systems.*
- *While the plan has a primary focus on family and community rebuilding from a humanitarian vantage point, this humanitarian perspective is not actively present throughout the document.*

- *The document must include a glossary of terms. There are too many acronyms and technical terms that require a definition to avoid confusion and enable proper handling of the planning/implementation process.*
- *The document must be made public in Spanish for the citizenry of Puerto Rico to read and understand. This is consistent with messages made today in Congress by Nydia Velázquez (New York), Luis Gutiérrez (Illinois), Raúl Grijalva (Arizona) and Adriano Espaillat (New York).*
- *The overall DR Action Plan includes information collected from federal agencies, showing the lack of data or information to fulfill the actions for recovery and reconstruction. Many of the graphs and tables reflect information from the Individual Assistantship Program, which left out many families that for many reasons did not report damages to FEMA. There is no mention of informal communities, illegal/immigrant communities, etc.*
- *Many of the maps used to reinforce concepts and arguments describing the actual situation before or after Hurricanes Irma and Maria do not include data sources or methodologies. In most of the cases, they only show the agency responsible for the map creation.”*

PRDOH Response: PRDOH has taken these comments into consideration. A glossary of terms has been added. Please note that the Action Plan was made available in Spanish concurrent with the publication in English. A copy of the draft Plan in Spanish may be found on the PRDOH website.

Comment via Email: #065_25-05-18_Marcelo Trujillo Panisse (Mayor Humacao)

“Greetings. Attached is the document related to the issue in reference to the procedure. Please confirm you have received this message.”

Attachment to Email:

The attachment acknowledges that the Action Plan primarily addresses housing, but voices concern that there is no financial commitment to address infrastructure included.

PRDOH Response: Thank you for your comment. Infrastructure funding has been added to the plan.

The document expresses concern that the Action Plan does not comply with Federal Regulation that resources be invested in the most impacted geographic areas and that the plan does not

adequately provide analysis or statistics used to determine that infrastructure and local economic development are not included in the plan.

Also, regarding the needs assessment, the letters questions: The content of the draft Plan prompts a question of does the analysis of damages done by HUD to justify the allocation of delegated funds to Puerto Rico? Since the data of damage documented in the Municipality of Humacao amounts to \$ 52,433,543, with a total of 1,198 housing, does the analysis of the Department's support these activities? Is the amount of \$ 0 in the plan accurate? The Punta Santiago Community was entirely erased by Hurricane Maria. This Plan does not include anything to address the basic infrastructure and assistance component businesses and businesses in the area? We ask that you indicate what is the need not covered housing, infrastructure and economic development calculated by the Department for the Municipality of Humacao. Also, we request that a table with the same information for all the Municipalities of Puerto Rico so that we can identify which are supposed to be the areas of highest priority for the delegation of the individual aid.

PRDOH Response: PRDOH appreciates the comment. FEMA data regarding damage in each municipio has been added to the plan. The methodology used to determine unmet needs is outlined in the Action Plan. Programs outlined in the Action Plan cover a geographic area which includes all of Puerto Rico, including residents of Humacao. Information regarding priority applicants for each program is outlined in the plan.

The document submitted voices concerns regarding the method of distribution of funds, as follows:

“We are not in agreement with the method of distribution proposed since this method only addresses the needs of individuals but doesn’t allow for community character strategies that allow to achieve long term resilience.

As a reminder the municipality of Humacao has more experience than the Department of Vivienda in the administration of CDBG funds. Failure to recognize this will entail an unnecessary investment in hiring, training and equipment among other unnecessary expenses. We request that the distribution method be changed to delegate the funds to the municipalities since that will result in a better administrative cost. Our original request was not answered as required by the Federal Register we are resubmitting the same for the department to explain why this request has not been considered.

The situation exposed represents a serious limitation to the process of organized and strategic recovery that the country needs and demands. The CDBG-DR funds are the only source of funds available for the State Government to begin to attend with concrete actions for the recovery of the country. The flexibility in use of these funds can facilitate directing activities to advance the restoration of housing, infrastructure and economic development in Puerto Rico. Nevertheless, it

should be a combined effort of everyone's will to promote collaboration and integration of all components.

This plan reflects these purposes so that it becomes another exercise to administer a delegation of funds without the commitment to meet goals, achieve objectives and more importantly effectively guide the recovery of this island."

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. PRDOH was designated as the grantee of CDBG-DR funding, and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds.

Comment via Email: #066_20-05-2018_Maria Fuentes

"Hello. I live in the Community La 23, near the Activity Center. I did not know about this Project. In this community we have had problems for a long time. When there are floods, we cannot enter or leave, since the center is flooded and there is no way to get out or enter. I would like you to help us. Personally, I would like you to help me, since I had to knock down half of my roof, since it is in poor condition, on the recommendation of a contractor, but I do not have the money. I do not want anything for free, so it could be a loan. FEMA did not give it to me and I did not appeal. At this moment I need a washing machine. Thanks for your help."

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #067_25-05-18_Rolando Ortiz Velázquez (Mayor Cayey)

"Attached is the letter with comments for the CDBG DR action plan"

Attachment to Email:

The attachment cites the capacity of municipios to implement recovery efforts and references, as evidence of capacity, the municipal level response that has been carried out under FEMA categories A and B. It is noted that the existing need, nearly eight months after the storms, is far greater than the federal assistance provided. The document advocates for PRDOH to work directly with all 78 municipios to carry out recovery programs and alleges historical mismanagement of federal funding by PRDOH.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding, and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds.

Comment via Email: #068_25-05-18_Wanda J. Soler Rosario (Mayor Barceloneta)

“As requested, attached are letters about the subject referenced. Thanks for your usual cooperation. I reiterate your orders.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Barceloneta, Wanda J. Soler Rosario. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #069_25-05-18_Roberto Ramírez Kurtz

“Please refer to the included document”

Attachment to Email:

The attachments submitted include the Spanish version of a letter from the Mayor of Cabo Rojo, Roberto Ramírez Kurtz. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #070_25-05-18_Sergio Luis Torres

“We are attaching the Action plan for the CDBG DR funds for the Municipality of Corozal.”

Attachment to Email:

The attachments submitted includes the Spanish version of a letter from the Mayor of Corozal, Sergio Luis Torres Torres. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #071_25-05-18_Carlos A. Lopez Rivera (Mayor Dorado)

“I am enclosing communications with the request of the municipality of Dorado for the review of the Action plan and corresponding actions.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Dorado, Carlos A. López Rivera. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and

administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #072_25-05-18_Adi G. Martínez Román

“Greetings. Please see the letter attached with our comments for the draft action plan – CDBG DR funds. Thanks”

Attachment to Email:

The attachment offers comments on the Action Plan related to the two following items:

- *“Mechanisms for participation and defense for the right of housing*
- *Actions proposed that are contrary to the rights of housing.*

Mechanisms for the participation and defense for the right of housing

It is noted in the attachment that there is a need for education regarding and elaboration of the citizen participation plan. The document states:

- *“Many organizations are unaware of CDBG-DR funds and the important role they play in community recovery.*
- *Public meetings held during the draft action plan comment period and materials distributed to organizations were insufficient.*
- *It is essential that resources be invested to work with*
- *Organizations and community groups, especially in the most affected areas by the hurricane, where dialogue sessions and orientation on the CDBG-DR funds and how to meet community needs.*
- *Under the “Whole Community Resilience” program, the draft proposes the development of plans community through two phases. The development of these plans can be very positive, if it is reversed before in the process of dialogue and education mentioned above, so that communities can be prepared to contribute significantly in this planning*

phase. It is not clear from the draft what the objectives of phase 1 are or how phase 2 will be carried out. It is necessary to establish defined principles and establish community participation so that vulnerable populations can be heard during the process of planning projects.”

PRDOH Response: PRDOH appreciates these comments. Full copies of the Citizen Participation Plan are available in Spanish and English at www.cdbg-dr.pr.gov. PRDOH looks forward to continued collaboration with citizens, non-profit organizations, government agencies, municipios, and other interested parties throughout the life of the CDBD-DR grant.

Further information regarding the Whole Community Resilience Planning program has been added to the Action Plan.

- *“Need to ensure collaborative work with the closest non-profit organizations who are active in the communities affected by the hurricane - The Draft highlights the importance of collaborative work of the Third Sector in the recovery work and mentions the work of some of the most recognized non-profit organizations in Puerto Rico. It is an important recognition, since the collaboration of non-profit entities will be crucial for the effective participation and attention of the needs of the affected people and communities. In addition to mentioning collaborative work with the Third Sector, it’s important that the Action Plan details the roles of non-profit organizations as intermediaries between government agencies or contracted to carry out development activities and people or affected communities. It must be clearly specified that it will be required to establish these collaborations and fulfill the roles designated in the Action Plan regarding the participation of the communities in the decision-making process in the development and implementation of the development plans.”*

PRDOH Response: Non-profit organizations are eligible applicants under several programs, including the Whole Community Resilience Planning Program, Social Interest Housing Assistance Program, and Housing Counseling program. PRDOH values collaboration with the third sector and looks forward to a continued working relationship with non-profit entities.

- *“Secure the accessibility of information for the most vulnerable populations. Almost all the information available to the public about CDBG DR funds is in the English language and on internet platforms not always accessible to the entire populations of Puerto Rico, especially the most vulnerable. Not being able to have accessible information for affected populations violates the requirements of the allocation notice (5844 Federal Register) as well as laws that protect people with disabilities. It is possible to claim a social status discrimination, which is prohibited by our Constitution. Therefore, all information about the CDBG DR funds, the action plan and other plans with said funds in*

Spanish and in other media formats should be made accessible to all the population of Puerto Rico.”

PRDOH Response: Materials posted to the PRDOH website are available in Spanish and English.

"2. Proposed actions that may be contrary to the right to housing. "

- *"... The vulnerable communities of Puerto Rico, especially those in dangerous environments, the actions of the government under this action plan must be limited to preserving the intrinsic value and the right of some communities to associate and participate in the decisions on how to address these vulnerabilities. It is essential to begin by establishing in the Action Plan a clear public policy in defense of the right to decent housing that promotes participation in decision-making, prevents the displacement of communities and their association networks, and encourages mitigation of the dangers in vulnerable communities. In the absence of this clearly established public policy, it is allowed during the planning of actions, communities should have the right to seek viable alternatives for an effective integral recovery of their environment."*

PRDOH Response: Thank you for your comment. PRDOH shares your concerns. The Whole Community Resilience Program was designed as an avenue for citizens in vulnerable communities to actively participate in decision-making related to the creation of resilient, whole-community solutions.

- *"It is necessary to clarify "alternative methods" for proving ownership outlined in the housing programs outlined in the Action Plan. Failure to do so may result in irregularity and discriminate some of the most vulnerable communities in the implementation of the plan."*

PRDOH Response: PRDOH understands the unique challenges surrounding property title on the island. Documentation and processes used to determine eligibility, including homeownership requirements, will be further defined in program guidelines. PRDOH will consider these comments during development of program guidelines. When available, guidelines will be posted at www.cdbg-dr.pr.gov, as required by 83 FR 5844. Additionally, a Title Clearance program has been added to the Action Plan.

- *"Carrying out project development involves the need to establish mechanisms of transparency and accountability of government and private entities hired. The Draft does not establish transparency mechanisms, which require entities carrying out development projects, to report in detail how they will invest the funds granted. It also*

does not provide accessible mechanisms for individuals or communities to submit a claim for the violation of their rights or established procedures. As we know, having to resort to the courts is a burdensome process, not only for those who claim, but for the justice system itself. The Action Plan must present detailed information and also provide accessible complaint methods for the people and communities assisted in these recovery processes with CDBG-DR funds.”

PRDOH Response: PRDOH is committed to leading a transparent recovery effort. Information related to programs implemented, including information regarding expenditure of funds and procurement, will be posted to www.cdbg-dr.pr.gov as it becomes available, as required by 83 FR 5844.

Appeals and complaint processes will be specifically tailored to each program and outlined in program guidelines. PRDOH will take these comments into consideration during development of such guidelines.

- *“There is a need to identify and incorporate into the Action Plan the citizen participation and integral development of the communities that are already established in local laws - In Puerto Rico there are already laws of community socioeconomic development that present requirements and schemes of citizen participation that seek to guarantee the integral development of the communities. Among these, we already mentioned the Organic Law of the Office of Community Socioeconomic Development, but we can also mention the Law for the Integral Development of the Special Planning District of the Caño Martín Peña (Law No. 489 of September 24, 2004), the Law that Creates the Company for the Integral Development of the Cantera Peninsula (Law No. 53 of July 5, 2013), among others. Failure to consider these laws and the public policies that are established in their framework of action may cause the violation of rights and of advanced processes of community development.”*

PRDOH Response: Thank you for your comment. PRDOH is committed to administering programs which comply with applicable federal and local laws and regulations.

Comment via Email: #073_25-05-18_Rosachely Rivera Santana (Mayor Gurabo)

The body of the email submitted contains no content, but an attachment was included.

Attachment to Email:

The attachment includes the following comments and/or concerns regarding the Action Plan:

“The description of the hurricane impacts is general and not addressed by municipality. Page 22 shows a graph titled “Table 3. Areas designated by HUD as the most affected and devastated (MID), in which it only mentions municipalities in alphabetical order and postal codes.

The document in which the table is drawn is the “CDBG-DR-Puerto Rico and Virgin island Allocations (January 2018 - Draft 2-14-18) in its” Appendix B - Most Impacted Areas - Housing “identifies the needs not covered in the Municipality of Gurabo for the amount of 410 homes, for the amount of \$ 17,478,204.00 ...

1. The question is how will the housing department assure us that those unmet needs in our municipality will be met? How will we know that they Will be covering not only the needs not addressed to the month of December, up to the current ones today?

Recommendation: The Department of Housing should attend our citizens in our municipality. It should carry out a written plan where an appointed liaison works between the municipality and Housing to ensure that communication flows constantly and effectively.

PRDOH Response: Thank you for your comment; FEMA data regarding damage by municipio has been added to the Action Plan. PRDOH developed an island-wide unmet needs assessment, in accordance with 83 FR 5844, using the best available data. Programs outlined in the plan aim to serve a geographic area which encompasses the entire island of Puerto Rico, including citizens of Gurabo. PRDOH values collaboration at the municipal level and looks forward to a positive working relationship with municipios throughout the life of the CDBG-DR grant.

“The distribution method is not clear in several of the projects. It does not explain how the funds will be distributed. How will the money allocated to the municipality reach us?”

PRDOH Response: Method of Distribution is described in the Action Plan.

“The possible activities and projects, and the allocation and use of funds delegated to the government are not clear. The planning program on page 95 ais the only location where “municipalities” are named. Other projects mention “Partners” that may include government agencies or governmental organizations as applicable to the program established in the Action Plan on page 86, likewise for “Sub-recipients”. In which of the categories mentioned before are municipalities included?”

PRDOH Response: Partners and sub-recipients eligible to apply for programs are outlined in program descriptions. Municipios are considered Units of General Local Government (UGLG, for its English acronym). Municipios are included in the planning project referenced.

“The Municipality of Gurabo, through Mayor Rosachely Rivera Santana, deposed at the public hearings March 7, 2018 at the Science and Technology Center in Caguas delivered a

presentation. On several occasions, emails have been sent to be included in the web page but have not done so. Page 137 mentions the mayors' meetings and the commitment of the municipalities, and they do not exclude. Our commitment is real and very serious when it comes to our constituents. Please include it in the Action Plan and on the website."

PRDOH Response: Thank you for bringing this to our attention. PRDOH continues to upload updated and additional information as it is received.

"The Municipality of Gurabo formally requests that the money allocated by HUD be used by its citizens and that unmet needs be met."

PRDOH Response: Programs outlined in the plan aim to serve a geographic area which encompasses the entire island of Puerto Rico, including citizens of Gurabo.

Comment via Email: #074_25-05-18_Desiree Bartosiak

"Habitat for Humanity appreciates the opportunity to submit comments on the Government of Puerto Rico's Community Development Block Grant Disaster Recovery (CDBG-DR) Action Plan. As such, please find the aforementioned commentary attached for your review and consideration.

Habitat shares Puerto Rico's goal of achieving a full housing recovery and preparing for future disasters, and the CDBG-DR program is an important tool for reaching that goal. We complement the Department of Housing of Puerto Rico on your participatory process to solicit feedback on the use of these funds through your Action Plan.

Please feel free to contact us if you should have any further questions or would like a further discussion in this matter."

Attachment to Email:

The attachment outlines Habitat for Humanity's mission and pledges support of the long-term housing recovery of low-and-moderate income individuals in Puerto Rico. The document outlines the following observations regarding the Action Plan.

"Protect the threshold for income targeting to make sure that the LMI residents in need of housing are able to obtain housing. The CDBG-DR statute requires that not less than 70 percent of the aggregate of funds shall be used to support activities benefitting low- and moderate-income persons. Habitat supports the Action Plan upholding the 70 percent overall benefit requirement and prioritizing the immediate housing needs of the most vulnerable populations, especially the elderly, in this initial CDBG-DR allocation. However, Habitat strongly urges that no changes are made to the 70% LMI allocation if requested by an individual grantee. The housing needs of LMI people across the archipelago is enormous and complex, and far beyond what the

resources in this CDBG-DR allocation can meet. Therefore, it's paramount that 70 percent of the funding goes directly to supporting the affordable housing projects of the LMI population. CDBG-DR will be one of the only resources these families can rely on to rebuild their homes and livelihoods and prepare for the next disaster."

PRDOH Response: Thank you for the comment. PRDOH will take these comments into consideration.

"Homeowner Repair, Reconstruction, or Relocation Program

Habitat encourages broadening the Homeowner Repair, Reconstruction, or Relocation Program in the Action Plan to allow nonprofit organizations to submit a proposal on behalf of eligible families, and to be able to access the funding directly to do single family home repairs. Many families, especially those with special needs and circumstances, will have a difficult time applying for and accessing CDBG-DR funding, and will need the support of the nonprofit sector to help them secure a grant. When residents do access the funding for homeowner assistance, the application process and required documentation must be taken into consideration because most of their belongings in many cases have been destroyed, so exceptions and accommodations should be allowed. In addition, Habitat encourages the ability of nonprofits to be able to directly apply for the funding. Granting nonprofits access to the funding will give more options and flexibility to affected residents with established relationships with the nonprofit community, and those populations that nonprofits can uniquely find and support, that need significant housing repairs."

PRDOH Response: At this time, PRDOH will be directly administering the Homeowner Repair, Reconstruction or Relocation Program. Non-profit organizations are eligible applicants under several programs, including the Housing Counseling program.

"Whole Community Resilience Planning

Habitat supports the intent of the Whole Community Resilience Planning to ensure that communities are rebuilt holistically and comprehensively so that displaced families can return home, and families currently living in severely damaged areas can live in a healthy community again. It is vital that the opinions, experiences, and solutions of the local residents are reflected in this initiative because they know the needs of their communities best and have a vested interest in the outcome of this planning process. Out of the issues that will be considered, Habitat considers effective land-use to be a top priority, especially the issue of land tenure.

The tenure uncertainty and de facto informality in tenure issues, particularly in rural areas and informal settlements, have limited the opportunities to bring housing support to families in need. Habitat recommends creating sufficient flexibility in documentation and other requirements to allow security of tenure (right to the surface- "usufructo" - vs. legal tenure) to

be used as criteria for assistance; supporting tenure research and the production of guidelines and manuals to clarify the process for beneficiaries, organizations, and entities working in the reconstruction efforts, as well as municipalities; funding legal assistance to families trying to get a clear title document; and supporting legislation which reduces the current onerous number of steps required to achieve security of tenure. Habitat encourages developing solutions to the land tenure challenges facing the island to be an integral aspect of the Whole Community Resilience Planning.”

PRDOH Response: PRDOH appreciates the support offered in this comment. The Title Clearance Program has been designed and added to the Action Plan to address the issues associated with informal housing tenure. Guidelines regarding documentation and processes used to determine program eligibility will be included in program guidelines. PRDOH will take the feedback offered in this comment into consideration when developing program guidelines.

Comment via Email: #075_25-05-18_José A. Rodríguez Cruz (Mayor Hatillo)

“I am sending letters - comments Action Plan” CDBG-DR “. as requested.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Hatillo, José A. Rodríguez Cruz. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #076_25-05-18_Santiago Domenech

The body of the email contained no content, but an attachment was included.

Attachment:

The following 19 comments are included in the email.

“Is The Home Resilience Innovation Program (HRIP) intended to pursue better building materials, improve construction methods for new housing, etc? If so, how long will it take to produce this guidebook for developers to use and follow? It appears to me that the HRIP needs a lead time of about 6-10 months to come with the guidebook to be implemented.”

PRDOH Response: Thank you for the comment. PRDOH will take this into consideration during further development of the program.

“Homeowner Repair, Reconstruction, or Relocation Program (HR3P). Under this program, and eligible activities are those listed under section 105(a)(18) of the HCDA. When studying the HCDA document, it appears that such section is no longer valid. Please clarify or point to the right document...”

PRDOH Resonse: The document can be found online at <https://www.hudexchange.info/onecpd/assets/File/CDBG-State-National-Objectives-Eligible-Activities-Appendix-A.pdf>.

“How does a Contractor willing to work in the reconstruction of houses under the HR3P qualify and make himself available to PRDOH? Who will be responsible for assigning reconstruction work to the contractors? Will it be on a case by case basis? Will it be under a bidding process? If so, how will PRDOH plan to prepare bidding documents when each case is different from the other?”

PRDOH Response: Information regarding procurement, including Requests for Proposals (RFP), will be posted to www.cdbg-dr.pr.gov. PRDOH encourages interested parties to monitor the website for opportunities.

“Please present a link or information of the HUD Housing Quality Standards and the Green Building features to be incorporated in the HR3P.”

PRDOH Response: Thank you for your comment. Information regarding green building strategies is outlined in the Action Plan.

“Applicant awardees must subrogate any additional funds received for damage caused by hurricanes Irma or Maria back to the housing program. CDBG-DR funding must be funding of last resort and if additional funds are paid to applicant awardees for the same purpose as the housing assistance award they receive through PRDOH funding (i.e., repair or replacement of the damaged structure) after PRDOH has completed the repair/rehabilitation project, those funds must be returned to Puerto Rico.”

Does this mean that any awardee that has received money from FEMA has to return those funds to PRDOH?”

PRDOH Response: In accordance with the Robert T. Stafford Act, as amended, the Puerto Rico will implement policies and procedures to ensure no individual receives duplication of benefit for the same purpose and/or effect to recover from the hurricanes. If additional funds are paid to applicant awardees for the same purpose as the housing assistance award they receive through PRDOH funding, those funds must be returned to the program.

“The housing counseling services under the HR3P will be from PRDOH personnel or will it be from the private sector? For profit or Not for Profit Organizations?”

PRDOH Response: Non-profit entities are eligible to apply to the Housing Counseling Services program.

“On the HR3P relocation option 1, it mentions: Homes will be existing units or units identified on a PRDOH-certified development roster. Units may be bankforeclosed properties, on a PRDOH certified development roster, a market-listed unit, or a home in a condominium or co-op. Is there room for new housing developments complying with all the HUD’s and PRDOH Standards?”

PRDOH Response: This option refers to purchasing existing properties. Existing properties which exist within new housing developments are not excluded under this option.

“Who is in charge of creating and maintaining the PRDOH CERTIFIED DEVELOPMENT ROSTER?”

PRDOH Response: Thank you for your question. PRDOH will consider this when further developing programs.

“Could a project qualify for more than one program... if the house achieves Resilience Standards could it use funding from the HOME RESILIENCE INNOVATION PROGRAM and the HR3P?”



PRDOH Response: Eligibility criteria for each program is outlined in the Action Plan. Qualifying for one program does not automatically disqualify an applicant from receiving other assistance.

“Under the HR3P, “Option 2: PRDOH acquisition of the damaged property, coupled with construction of a program designed home on a new lot. New lots must be located outside of the floodplain and must comply with all applicable environmental regulations. This option may be exercised if no suitable options are available under option 1”. Is this the option where all new housing projects will fit?”

PRDOH Response: This option refers to construction of a new home outside the floodplain.

“Under the HR3P, “PRDOH will work with the Permit Management Office (OGPE for its Spanish acronym) to establish a streamlined permitting process for the Disaster Recovery Program” . New Housing developments will require power, water and sanitary services... for the amount of housing that PRDOH is shooting for and the weak power grid and the weak water supply system and sanitary facilities, how does the PRDOH plan to manage and to supply these demands?”

PRDOH Response: Thank you for the comment. PRDOH will take these questions into consideration during further development of programs.

“For Developers, they need to go to the Bank for a construction loan... how can it be structured if the vouchers are not available at the time the developer goes to look for funding? Will the PRDOH pre-approve the new housing development, if it complies with all the requirements? Will the PRDOH provide enough /convincing documentation to the awardee to be used as a “Bond” in order to qualify the candidate in the pre-sale of the project. This is in order for the Bank to show interest in financing the project...”

“Can a Developer take advantage of more than one Program on the same project Site? Can it qualify for HR3P and Gap to LIHTC? In other words, can we present a project with housing for the elderly along with single family construction units?”

PRDOH Response: Developments that qualify as Low-Income Housing Tax Credit (LIHTC) properties may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit Program.



At this time, commercial developers are not eligible applicants under the Homeowner Rehabilitation, Reconstruction or Relocation program.

“What must a vendor do in order to be qualified under the HOME ENERGY RESILIENCE Program? Will an Off-Grid Power Solution qualify under this Program?”

PRDOH Response: Eligibility criteria for the Home Energy Resilience program is outlined in the Action Plan.

“CONSTRUCTION REVOLVING LOAN: What does the Contractor have to do in order to enter into this Program? What paperwork does the Contractor needs to present and to whom in order to be evaluated for this Program?”

“If the Developer has a shovel ready project for new housing, what documents are needed to present and where does he have to go in order to be evaluated and enter the PRDOH roster?”

PRDOH Response: Information regarding the process and documentation used to determine eligibility will be tailored to the program and published, when available, at www.cdbg-dr.pr.gov. Program guidelines will be developed after HUD approval of programs.

“Under §570.207(b)(3) CDBG funds may not be used for the construction of new housing unless the funds are provided under one of the following programs or conditions:

- o Housing Development Grant (HODAG). Reference: §570.201(m)*
- o Or under 24 CFR Part 42, Subpart I. Reference: §570.207(b)(3)*
- o “Special Activities by CBDOs.” Reference: §570.207(b)(3)*

Under which instance are the funds for new construction approved?”

PRDOH Response: Eligible Activities are cited in the Action Plan for each program.

“Has the proposed action plan been certified or will it be certified in compliance with 24 CFR 200.? Without compliance with this section any CBDG funds used may be deemed improperly used by HUD and be subject to claims for returns by HUD.”

PRDOH Response: Thank you for your concern. All CDBG-DR funded activities carried out by PRDOH must comply with all applicable regulations.

“Will the CDBG funds be deposited in a banking institution under a separate Trust Account for the exclusive use under the “PLAN” to avoid being commingled with the PRDOH funds so they may not be subject to control, clawback or seizure by any claimant, government unit, court or under any provision of PROMESA or any other applicable law or judgment?”



PRDOH Response: Information regarding expenditures of CDBG-DR funding will be publicly accessible at www.cdbg-dr.pr.gov, as it becomes available.

Comment via Email: #077_25-05-18_Marcelo Trujillo Panisse (Mayor Humacao)

"Letters of comments are submitted for the CDBG-DR Action Plan on behalf of Mayor Hon. Marcelo Trujillo Panisse in Spanish and English for everyone's corresponding knowledge and action."

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Humacao, Marcelo Trujillo Panisse. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #078_25-05-18_Christina Walsh

"Please find attached the Institute for Justice's comments on the Puerto Rico Disaster Recovery Action Plan. Thank you."

Attachment to Email:

"The attachment voices concerns regarding the use of eminent domain during recovery efforts and cites: "...we understand Puerto Rico's government has a long history of using eminent domain to accomplish its private development objectives. It is our fear and the fear of our Puerto Rican colleagues that eminent domain will continue to be used to take people's hard-earned property to transfer to private developers, not for legitimate public uses that serve the recovery effort or because the property poses an immediate threat to public safety."

PRDOH Response: PRDOH appreciates your comments and has taken them into consideration. All programs will comply with applicable local and federal laws and regulations.

Comment via Email: #079_25-05-18_Jorge González Otero (Mayor Jayuya)

"Attached are documents pertaining to the Action Plan CDBG-DR funds of the Municipality of Jayuya. Thank you."

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Jayuya, Jorge González Otero. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #080_25-05-18_Juan de Dios Videau Soler

"In the Action Plan presented, the chapter of "Homeless People" proposed ... The problem of being homeless brings more complexity in recovery due to social problems, such as substance abuse, mental health disorders and poor health conditions.

Notwithstanding the funds received by CoC 502 and 503 through the annual competitions convened by HUD, it is necessary to change the paradigms and start looking for combinations of funds in such a way that they lead to definitive solutions in the short and long terms, if not eradicate, at least minimize the homeless population so we can work with less homeless people seeking changes in personal and social behavior.

Our philosophy in Puerto Rico, given the need to change the paradigms of services to homeless people, is based on the search for permanent housing programs combined with employment programs for this population, helping to empower its participants. The program objectives are to achieve the creation of new work habits and skills, social responsibility, eliminating leisure, reducing government dependency, developing social awareness, contributing to food sustainability and consequently making the program sustainable.

Our Institution, Centro Deambulantes Cristo Pobre, is currently developing a program of Permanent Housing with Support Services, which has included agricultural services for the creation of employment of the 10 participants that make up the program, It is located on the highway 511 Km 2.7 Sector Vista Alegre of the Barrio Real Anón.

For its development, the program has made alliances with the Agricultural Extension of the Municipality of Ponce, INSEC (Socioeconomic Development Institute) and the Pro Agriculture Student Coalition of the UPR Ponce Campus, as well as receiving funds from HUD's competencies for the operation and services of program support.

Based on our experiences, we seek to develop an institution, and at the same time propose to the Department of Housing the creation of Housing Programs for the Homeless that includes a parallel program of employment in any of the productive areas of Puerto Rico. Institutions understand it is necessary and it tend to the future sustainability of the program, work alternatives for this population and psychotherapeutic support to obtain behavioral changes to reach the level of self-sufficiency necessary for inclusion in the family and therefore in society.

Our institution will present a proposal for this purpose of acquiring a maximum of 5 to 10 acres of land in the rural area of Ponce or another municipality to develop a Permanent Housing Program with Agricultural Support and Employment Services, CDBG-DR funds will be requested funds for: acquisition of property and the construction of a facility where between 10 to 15 studio apartments of its participants can be located (the dimensions of the land depends). The program support and operation services will be obtained through a Competency Proposal through the CoC where the program is located.

Another of the need that we consider must be supported by the Department of Housing through the CDBG-DR funds for the Homeless constitutes the Emergency Shelter in times of atmospheric events. The CoC 503 currently has 18 emergency shelters and 287 beds available; however in the count of Homeless People 2017, the count were of 1418 people living in the streets.

In times of Atmospheric Emergencies, the number of beds available for this population in CoC 503 is insufficient. This population has its peculiarities which require them to be located in shelters that have the professional tools to deal with the problems related to the use of drugs, alcohol, prescription drugs and other habits and customs of people who have been wandering for long periods. According to the 2017 count in CoC 503, 60% present such situations. In the Municipality of Ponce where we are located, the 2017 Homeless Count showed that of the 3,501 PSH of all of Puerto Rico, 6.3% belongs to this municipality, representing the amount of 221 PSH.

Ponce has a single program of Emergency Shelter for the homeless. administered by the institution, Centro Deambulantes Cristo Pobre, with 52 beds (36 gentlemen, 10, ladies, 2 disabled and a family apartment composed of 4 people).

During the passage of Hurricane Maria, it was found that the capacity of beds in the shelter is insufficient for the existing population. Foreseeing the occurrence of atmospheric events that require more homeless people to be accommodated, we will present a proposal through the CDBG-DR funds to expand the Emergency shelter to 20 additional beds to respond to the atmospheric events in the city of Ponce. We hope that other institutions and municipalities act in the same way, to avoid events like the past that catch us off-guard.

Thank you for giving us the opportunity to contribute our granite so that Puerto Rico can provide the homeless population with quality of life in difficult situations.

PRDOH Response: PRDOH appreciates the comments. Non-Profit entities are eligible to apply under the Social Interest Housing Assistance Program, which aims to provide housing options for vulnerable populations, like the homeless.

Comment via Email: #081_25-05-18_Alfredo Alejandro Carrión (Mayor Juncos)

“Attached are the comments for the Action Plan from the Municipality of Juncos”

Attachment to Email:

The attachment provides demographic information about Juncos and calls attention to the experience municipios have in administering CDBG funds and urges for a leadership role be granted to municipios. The attachment also submits the following comments regarding the Action Plan:

"Compliance on provisions related to comments to the Plan: According to the Guidelines on Procedures for Public Views of the CDBG-DR Funds published on the Internet, page 2 of the Department of Housing to the municipios, specific information was requested on projects to be subsidized with the CDBG-DR funds including costs and development costs. Following these guidelines given by the Department of Housing, the Municipality of Juncos, like other municipalities, is complying with the request of the agency. This requirement implies an investment of time, resources and efforts of our municipality. According to paragraph c.3, on page 5854 of the Federal Register, Vol. 83. Num. 28 of February 9, 2018, the grantee of the funds must consider all comments received orally or in writing in the Plan. Action or any substantial amendment to said plan, requires you present a summary of the comment and its specific response to it. The draft CDBG-DR Action Plan, p. 120, indicates that all oral and written

comments as well as the response of the Department of Housing are included as part of the Action Plan. However, in the Draft CDBG-DR Action Plan submitted for comments, there is no specific reference to the projects presented by the municipalities and others nor the specific response of the state. "

PRDOH Response: Project suggestions submitted informed program design during the development of the Action Plan. PRDOH is required to address all public comments regarding the draft Action Plan received during the public comment period. All comments received are hereby addressed in the version of the Action Plan submitted to HUD.

"Method of Distribution of Funds: In paragraph 2a4, of page 5849 of the Federal Register, mentioned above, the Action Plan to be submitted to HUD must identify the proposed use for all funds including eligibility criteria and how the proposed uses meet the expenses necessary to cover the long-term recovery efforts, restoration of infrastructure, housing and economic revitalization in the most impacted and depressed areas resulting from the disasters declared in 2017 Hurricanes Irma and Maria. Likewise, other specific requirements in the Federal Register, such as a description of the connection between the identified unmet needs and the allocation or distribution of CDBG-DR funds is required. On page 58455 of the Federal Register, it is established that 80% of the Funds must be used in 60 municipalities mentioned by the Federal Register, among which is the Municipality of Juncos. The Plan of Action presented by the Government of Puerto Rico, presents a needs analysis that presents variables alien to the Puerto Rican reality; it doesn't link this information with the distribution method it propagates. There are no criteria in the plan to ensure that in geographical terms the most affected and vulnerable municipalities will receive CDBG-DR assistance. More worrisome is the lack of specificity in the distribution of the funds which will not allow the municipalities adequate planning for the combination of sources of funds so as to maximize the resources available to the State. The only instance in which specific amounts are addressed to municipalities is the activity context called Whole Community Resilience Planning, which establishes that each of the 78 municipalities will receive \$ 10,000 to conduct an evaluation. However, it is not clear from the text of the Draft Action Plan how that amount was arrived at. It is imperative that the State define which are the parameters that were used to establish that amount and that it more specifically defines the amounts that will assist families in our municipalities."

PRDOH Response: Proposed use for all funds is outlined in the Action Plan, both in an overall Budget and for each individual program. Eligibility criteria and program accomplishments are outlined in each program listed in the Action Plan.

The needs analysis was conducted in accordance with guidance outlined in 83 FR 5844, using best available data.

Information regarding phase 1 of the Whole Community Resilience Planning program has been expanded upon in the Action Plan. Thank you for your comment.

PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant.

"There are very few instances in which it's indicated a municipality can execute as a sub-recipient. We understand the need to use innovative approaches for the execution of these activities. The State must reevaluate its capacity to directly serve the communities. The management of this type of program from a centralized structure, as related to the provision of the service, could result in a more expensive process, ultimately affecting the citizen who urgently needs to meet his needs after the passage of Irma and Maria. The effective response of the municipalities after these hurricanes should not be taken lightly. It is the key to meet the urgent basic needs of our communities to save lives. The municipalities have a duty to attend to their residents in an equitable manner since they are closest to the community and know the needs of our vulnerable populations. Non-profit organizations and other government agencies are important collaborators, but they do not substitute the mayor's legal responsibility (and its structure), as elected officials by their constituents. This recommendation is in line with municipalities being able to execute CDBG-DR activities, and programs must have access to the use of funds for administrative purposes. According to the Federal Register, page 58556, 5% of the award plus program income can be used for administrative expenses by funds, municipalities or other sub-recipients. Therefore, it is recommended that the Plan expressly delegate administrative funds to the municipalities."

PRDOH Response: Programs which will be administered with partners or subrecipients are outlined in the Action Plan. Information regarding expenditures, including administrative costs, will be available at www.cdbg-dr.pr.gov, as dictated by 83 FR 5844.

Comment via Email: #082_25-05-18_Julio C. Roman Moreno

We are attaching the following documents related to the project referenced:

- Project Presentation letter*
- Contract*
- Résumé for Karimar Construction Inc.*

In a second email, we will be sending the permits and endorsements.

Attachment to Email:



‘The attachment proposes development of 105 housing units, located in carretera PR-115 in Rincón. The attachment includes site plans, a contract, and a résumé of the construction firm involved.’

PRDOH Response: Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #083_205-05-18_Jorge E Estévez Martínez (Mayor Añasco)

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from Jorge E. Estévez Martínez, Alcalde de Añasco. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #084_25-05-18_Ivonne María Marcial

“Attached is the comment document for the Draft Action plan from the College of Architects and Landscape Architects of Puerto Rico”

Attachment to Email:

The attachment alleges that although CAAPPR and CIAPR wished to participate with PRDOH, the government has failed to answer inquiries to establish a post-Maria dialogue. The letter cites poor communication as the reason both schools were absent from the public hearing outlined in

the Action Plan. The attachment also makes the following comments regarding specific portions of the Action Plan:

- *Little accessibility and participation by all the components of society in the process. The public hearings show little participation, pages 122-123 of the BPA, our understanding from this is that the public outreach sessions were not effective. Once BPA is submitted, the time the Housing Department has granted to make a detailed analysis of each exposed point is limited.*

“On page 33 of the BPA they establish:

“Spanish is the predominant language in Puerto Rico. Government business is conducted in both English and Spanish, and English is taught in public and private schools as a second language from first through 12th grade. Although a large fraction of the population is bilingual, the map on the following page shows Spanish is the primary language spoken across the island. All programs and recovery assistance will need to address this diversity in language to ensure critical assistance information and recovery guidance reaches all residents, especially those with limited English language abilities.” (See map of population that doesn’t speak English well)

However, BPA is presented in Spanish and has provided only 15 days to read and provide comment on a document that few people had access to since they do not have English proficiency. It is contradictory to understand this data and not react proactively in order to allow for citizen participation on page 119.”

PRDOH Response: Spanish and English versions of the Action Plan were concurrently published to www.cdbg-dr.pr.gov. The website is accessible in both Spanish and English. Comments are accepted in both Spanish and English. Publication of public meetings was also available in Spanish and English and interpretation services were available at the meetings.

“Data Available

The statistics that are presented in the document are presented as:

“The available data and input from multiple stakeholders” have not been developed or disclosed in a coherent consistent manner to make an accurate view of the exact punctual damage and thus be able to throw informed solutions. In the BPA document they end up contradicting each other. Take, for example, the data on the housing universe in 2016 in Puerto Rico.

On page 42 of the BPA, Table 9 informs that there are 1,571,744 Department of Housing housing units. This data is perfectly aligned with the information provided in the American Community Survey (ACS) of the United States Census Bureau web page. (See part of the 2016 table)

<https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkml>.

However, later on page 44 states: "According to ACS 2012-2016 data in 2016, there were a total of 1,237,180 housing units in Puerto Rico..."

Given this scenario, in which information coming from an entity that works with censuses, and another that gives us a study of a professional organization, the Association of Builders of Puerto Rico, do not coincide. It is worth asking if the use of the data from these entities will eventually benefit from these funds and therefore present a conflict of interest when used in a government output report.

If the BPA document aims to "take us through a transparent and coordinated recovery", as established on page 11, the CAAPPR recommends that Puerto Rico entities trained for this purpose be used, such as the Puerto Rico Statistics Institute whose vision objectively supports government management.

The institute will be the leading entity in statistics. It can guarantee Puerto Rico can depend on complete, reliable statistics, with quick and universal access. It will inspire confidence, seriousness and prestige for its high methodological standards. It will objectively support government management, promote the use of universal norms and standards and stimulate research capacity among the new generation of professionals.

The Institute will be an agile public entity, with a clear sense of mission and direction, and a leader in the use of technology as a tool for work and service, which will model teamwork, camaraderie and call for the creation of a professional community of learning about statistical methodology, in a way that unites academics, researchers, public officials, the private sector and non-profit organizations. "

PRDOH Response: Thank you for the comment. Data regarding storm impact and unmet needs was compiled using various sources. Methodology used to determine unmet needs is described in detail in the Action Plan. A list of data sources consulted in development of the plan, including the Puerto Rico Institute of Statistics, is available in the plan appendices.

"Metrics

In the document, we miss some metrics for each line of work. We established that 9,000 will be relocated homes (page 96); 500 for housing (page 99); and 6,000 for betterment in energy resilience (page 105.) We don't have the breakdowns of whether a home is accounted for more than one of those items, or if they are different units. We recommend working more elements of expected metrics for each line discussed in the BAP."

PRDOH Response: Thank you for the comment. Estimated number of units to be served outlined in program descriptions is based on program award caps and available funds.

“IV. Housing Category

- *Informal Construction*
- *Page 41, the subject of what is defined as: “a self managed method of construction completed without the use of an architect, proper permits and in many cases without proper title to the land.*
- *According to the BPA data, it is estimated that it is equivalent to 45-50% of the homes in the country. From what source does that figure come? In the 2010 census there were 75,037 more units than those that appear in the offices of permits constituting 34% of the total of new homes: 218,470. The percentage presented seems high and it’s not clear if this housing data is being combined with homes without property titles or permits; therefore, clarifying this would be important. On page 88, the Planning Board is identified as the entity that would use technology to gather accurate information. More detailed description of this procedure to capture this data would help decipher how this will be accomplished as the nature of this subject usually goes on under the radar.”*

PRDOH Response: Further details regarding the Agency Planning Initiative Program (GIS, Planning Integration) program will be released with program guidelines. PRDOH will take these comments into consideration when developing program guidelines.

The percentage referenced came from the Housing Industry Situation Puerto Rico Builders Association Report, which has been added as an appendix to the plan.

“Overcrowded” Housing

On the same page we find a sentence that gives us data of overcrowded houses (defined in Spanish). In that number, it is established that overpopulated can be a house of a person. We would be interested to know what is defined as a house not overcrowded. The data is not logical and should be defined. This information comes from the study of the Association of Builders of Puerto Rico”

PRDOH Response: PRDOH appreciates the comment.

“New Construction

We are concerned that in the image on page 15, “Proposed housing projects” will be awarded the largest amount to new housing units. There is no data later on to validate that decision. While the universe of housing units is shown, similarly the percentage of vacant units that can be rehabilitated and put into operation properly should be shown. If we review the American Community Survey (ACS) table from the United States Census Bureau website, (See part of the 2016 table) it shows 21.3% of the total vacant universe that is equivalent to 334,564 available

units. CAAPPR is committed to the rehabilitation of vacant homes, especially in the most important urban centers. Enabling them not only produces economic development for construction, but, by repopulating the urban texture of the town, commercial development is strengthened, which allows the economy to continue growing once the construction work is finished. This does not happen in the complexes that are built in isolation without references of past commercial movements. We can decrease our ecological footprint and establish small areas of renewable energy outside the "grid" with the existing electrical system."

PRDOH Response: The image referenced is not indicative of funds assigned. It is a representation of the types of projects proposed by those who submitted formal written comments prior to the publication of the draft Action Plan.

"Displacement of communities

We support what is stated on page 80 which establishes the BPA plans to minimize the movement of people or entities as a result of the implementation of projects of these funds. We strongly encourage specifying that projects in these source communities will not displace or force expropriations in established communities but will foster a sense of belonging in well-known places."

PRDOH Response: Thank you for the comment. Relocation under the programs proposed in the Action Plan is voluntary.

"Community Participation

On page 93, municipalities are mentioned as active participants in the consultations of the plan to be carried out, but it doesn't include the community. If we expect active participation, there should be more explanation on how that will happen beyond the initial period of public hearings and comments. We are in a historical moment, where we have the opportunity to turn the development of the country towards a more resistant sustainable future. We understand that a new perspective in the plan for housing reconstruction would achieve this change, as long as the focus of new housing projects is geared towards the revitalization of urban areas or previously impacted areas."

PRDOH Response: PRDOH values collaboration with all interested stakeholders and looks forward to a positive working relationship with all who wish to be involved throughout the life of the CDBG-DR grant.

"Revitalizing urban centers and densifying already built areas allows for economic benefits and environmental issues in a synergistic manner for the short and long term. These are:

- *The proximity of the population in areas with greater availability of infrastructure and service facilitates the provision of rescue and rapid recovery in the events of an emergency.*
- *Minimize infrastructure repair and maintenance costs*

- Increase the cost-effectiveness of alternative transportation
- Greater proximity between commuting from home to work minimizes time and energy invested in transportation
- Greater proximity between shops, services and residences makes it possible to generate opportunities for work and development for local small and medium businesses
- The decrease of crime zones and increased safety in neighborhoods that maintain an active 24-hour day
- A dense, mixed-use neighborhood allows for an increase in pedestrian lanes and/or for bicycles, which promote healthy lifestyles
- Minimizes the area needed for parking and allows better use of those lands
- The rehabilitation of existing buildings minimizes the consumption of new materials and generated waste, beautifies depressed areas such as neglected structures and capitalizes on existing resources and infrastructure.

Strengthening the already built areas will allow an economic benefit for the users of the area and the country in the long term. In addition, it can help the welfare and safety of citizens from disasters caused by inadequate planning and minimize the effect that climatic phenomena such as landslides, water pollution, floods, etc, has on the community.

To address this, we have outlined some guidelines to follow in new housing projects roughly based on the LEED Neighborhood Development guides of the US Green Building Council that we have attached to this document.

The College of Architects and Landscape Architects of Puerto Rico is available for assisting the corresponding agencies and organizations as it represents the guild empowered by law to carry out design and construction tasks. For more details about the proposed revitalization of impacted areas, you can contact us at info@caappr.org

PRDOH Response: Thank you for the suggestions. PRDOH will take these into consideration as programs are further developed.

“Sketches to promote the design of houses is built areas.

- *Preferential location. To promote the conservation of natural areas, urban growth should be in already impacted areas (urban, suburban or existing activity centers), by filling in underutilized or remnant spaces and reusing existing abandoned buildings. This densification must be accompanied by a diversity of uses to meet the multiple needs of the inhabitants at accessible distances. No protected areas should be allowed under any special permit; nor areas with potential to develop without first considering the areas already impacted.*

- *Avoid at all costs sites susceptible to risks and environmental impact: The selection of the project site cannot be in any of the areas of continuation*

- *Maritime-terrestrial areas*
- *Flooding areas*
- *Areas susceptible to landslides and karstic area*
- *Areas of wetlands, bogs, or bodies of water (100 'apart) minimum)*
- *Areas with agricultural potential*
- *Areas with endangered species*
- *Any other zone identified in the PUT not described here.*

1.2. Promote sustainable localities. Search locations with the following Characteristics:

1.2.1. Projects that maximize the reuse of existing buildings

1.2.2. Projects that are filling an existing urban footprint

1.2.3. Projects that demonstrate being within a transportation network existing alternative, trolley, bus or train to reduce dependence on the private car or proposing alternative means of transport.

1.2.4. Projects that are inserted in areas with a diversity of existing uses: businesses, schools and other services at accessible distances.

1.3. Contextualized projects. Every project must arise and be justified by a site analysis that integrates at least the following factors, such as:

1.3.1.1. Social

1.3.1.2. Profile of the community

1.3.1.3. Population density

1.3.1.4. Admission profile

1.3.1.5. Identification of active and active community groups

1.3.1.6. Identify shops and services near the area

1.3.1.7. Climate and environmental

1.3.1.8. Precipitation

1.3.1.9. Wind

1.3.1.10. Noise pollution

1.3.1.11. Light pollution

1.3.1.12. Runoff patterns

1.3.1.13. Existing waste management

1.3.1.14. Among others

1.3.1.15. Studies and minimum tests for existing buildings

1.3.1.16. Have a structural compliance study

1.3.1.17. Study of asbestos and lead

1.3.1.18. Updated land survey identifying existing infrastructure

1.4. Design interconnected with the existing environment and community.

- 1.4.1. *The projects must be of compact footprint allowing mixed use areas both recreational or green areas for resident and community use.*
- 1.4.2. *Maximize residential density and diversity of unit types*
- 1.4.3. *Allow mixed uses within the same project that are complementary to the existing uses of the place for benefit and reinforcement from the community itself. These spaces of different uses should be flexible and adaptable to different future scenarios.*
- 1.4.4. *Allow residences that promote users and residents of multiple income levels, social profile and ages to promote diversity community*
- 1.4.5. *The project should promote connectivity with its surrounding areas by means of proposals for accessible and pleasant sidewalks (vegetated and in shade) for the pedestrian and possible bicycle net.*
- 1.4.6. *The design must comply with all applicable parameters of accessibility and universal design.*
- 1.4.7. *The design must provide the potential for its users and residents to implement local food production and consumption strategies*

The attachment also calls for eco-friendly infrastructure to be incorporated into recovery efforts and offers suggestions for how to accomplish this.”

PRDOH Response: PRDOH appreciates the thoughtful suggestions offered and will take feedback provided into consideration as programs are further developed.

“3. Community participation and self-management

Beyond master plans on a large scale, urban life is generated in small pockets or city centers that serve those who live and need it. For this reason, community participation is the key to direct a transformation that is based on the sense of belonging by the end users. This appropriation of the space allows an authentic urban revitalization thus ensuring the maintenance of it.

Allowing self-developed urban planning is instrumental for creating a sustainable environment which can safeguard health and safety in high-poverty areas. To promote participatory processes, the project must draw on the inclusion of the community in the analysis of the state of the areas, in the granting of intervention priorities and the assignment of operation and maintenance tasks to members of the community. This allows employment opportunities to emerge from the same development and, therefore, the economic development of the area. Small self-sufficient pockets in the city promote the social and economic health of the community and its effective contribution to the development of the country.”

The attachment offers suggestions for how to achieve the community involvement it speaks of.

PRDOH Response: The Whole Community Resilience Program was designed as an avenue for citizens in vulnerable communities to actively participate in decision-making related to the creation of resilient, whole-community solutions.

Comment via Email: #085_25-05-18_Edwin García Feliciano (Mayor Camuy)

"I am attaching a paper about the draft Action Plan for the recovery of disaster for the utilization of CDBG DR funds in response to hurricanes Irma and Maria (2017)

Attachment to Email:

The attachment offers continued support of PRDOH in recovery efforts and provides the following comments related to the Action Plan:

- 1. "We believe the project component to stimulate commercial activity must be greater than 9.5% of the total funds. We are of the opinion, that this component should double its allocations, enough to reach close to 20%. The economic theory states that the multiplying impact of commercial initiatives is greater than that of other sectors. A proposed Budget chart is enclosed in the document submitted.*

"... This distribution to critical commercial sectors can be channeled in coordination with the municipalities, which know where critical infrastructure is located, the areas of greatest density and those in greatest need. The reason for recommending reducing the rehabilitation, reconstruction and relocation of housing funds is because we do not believe that the money can be spent responsibly in two years. There are complexity factors, such as property titles, inheritances, usufructs and permits, which would complicate the two-year itinerary to spend the money, established by the federal government."

PRDOH Response: Thank you for the suggestion. PRDOH understands that economic recovery is vital to overall recovery and, therefore, has developed the economic development programs outlined in the Action Plan. Per 83 FR 5844, CDBG-DR funds must be used to primarily address housing.

83 FR 5844 also states that funds must be expended within two years of the date that HUD obligates funds to a grantee, but that grantees have six years to expend 100 percent of a CDBG-DR allocation. PRDOH is not required to complete the Housing Rehabilitation, Reconstruction, or Relocating Program within 2 years.

"2. We understand that it would be convenient for each municipality to be a recipient of funds, according to an identified formula. A good example of a program that was not worked in this way and led to the benefit of the largest municipalities were those of Law 212 of Rehabilitation of Urban Centers. Leaving these funds discretionally and competitively, led to smaller municipalities not benefitting, because they did not have the technical and economic resources to compete for funds."

PRDOH Response: Thank you for the comment. PRDOH values collaboration with municipios and looks forward to a positive working relationship on the municipal level throughout the life of the grant.

3. To attend with energy efficiency systems to only 6,000 households seem very limited. We propose to triple that item, reducing planning \$ 72 million. The impact of only 6 thousand homes is less than 13% of the total of 48,978 homes with unmet needs. The energy aspect was the biggest headache in terms of basic services that could not be attended immediately after the passage of the hurricane. The state government should consider municipal projects that address "micro-grids" and advance their planning for them.

PRDOH Response: Thank you for the suggestion.

4. "The reason why the \$ 1.507 million dollars were assigned was to cover unmet needs in each municipality. In this sense, the analysis of the inputs of FEMA and evaluated by HUD is key because this led to the determination that the unmet need or not covered by municipality. The reference to this analysis will allow not only the most populated municipalities to benefit, but also an impact proportional to the damage and need of each municipality. The empirical methodology worked by HUD estimated housing with "serious unmet need". This is a methodology prepared by the federal government to which it must be observed, for a more reasonable distribution by municipality. "

PRDOH Response: PRDOH appreciates the comment. Data and methodology used to create the unmet needs assessment is available in the Action Plan.

"5. The draft plan is not clear about the role of the municipalities during the planning process, programming, execution or auditing of funds and programs. It is advisable to find a way for the planning, programming, execution and auditing of funds and programs to work in a similar model as one that worked in the past with CDBG DR and CDBG funds with OCAM and HUD, where municipalities contract the projects in coordination with the personnel that were previously located in OCAM and ODSEC and that are now in the Department that the Department of Housing directs.

A project that the municipalities could lead is the development of regional resilience centers, which educate and prepare the population on the most basic aspects of how to prevent a habit or lifestyle. This could only be achieved in a systematic or continuous way, if programs are established to achieve this goal. The best examples have been the campaigns for the use of the safety belt, which after several years have achieved this. Today, we are one of the jurisdictions of the United States of America, with the highest use of safety belts."

PRDOH Response: Further information regarding the Whole Community Resilience Planning program has been added to the Action Plan.

Comment via Email: #086_25-05-18_Marina Moscoso Arabia

“Attached to this email is the document with the comments for the draft action plan from the department of housing for the CDBG DR funds. A confirmation of it’s receipt would be appreciated. Thank you.”

Attachment to Email:

The attachment indicates that the many people who took advantage of opportunities for citizen participation cited interest in the rescue and reuse of properties currently in disuse and, particularly improving the existing public nuisance properties.

"All of which leads us to recommend the Department of Housing to address in its PA, the need to evaluate economic and environmental implications and take into consideration its relation to the management of existing properties inventory, whatever the level of damage suffered. One of them is related to the so-called "brownfields" or, the more than likely presence of difficult to dispose materials, in a large number of structures, since it is indicated that more than 40% of the total housing units were built before 1979. This could significantly raise the economic and environmental cost of opting for demolition instead of sanitation and rehabilitation of properties. This can be more prominent when considering various factors such as: 1) the exhaustion of our landfills, 2) the fact that the alternative of encapsulating "in situ" hazardous and polluting materials is not practiced, 3) the notable lack (contrary to United States) of local companies that recycle building materials and 4) that the country is still oblivious to more innovative and sustainable trends and alternatives with greater economic impact such as Deconstruction or Adaptation of structures.

In that same line of thought, we understand that the lack of consideration for the proper management property inventory with historical and/or architectural value should be remedied; since it is our heritage and an important resource for socio-economic development linked to culture, the arts and tourism. Finally, we believe that the PA should include a direct reference to alternative legal entities such as the "Community Land Banks" and the Community Development Organizations (CLT, CDC, etc.). These agencies can be capitalized and/or financed with CDBG-DR funds and could play an important role in the management and adequate disposition of properties that the real estate market is unable to absorb and return to a productive use (to distinguish what is reality of the housing problem) and, even more, in the elaboration and implementation of community development plans and revitalization of urban centers that are oriented towards the creation of complete and sustainable communities in Puerto Rico.”

PRDOH Response: PRDOH appreciates the thoughtful comment regarding repurposing of properties in disuse. One of the options currently outlined in the Action Plan is to allow homeowners to voluntarily relocate to vacant properties which exist on the market. The

program allows for rehabilitation of these vacant structures, to achieve congruence with housing quality standards. PRDOH will take feedback provided within this commentary into consideration as programs are further developed.

Comment via Email: #088_25-05-18_María Teresa Rodríguez Mattei

“Please find the enclosed comments from both, the Corporación del Proyecto ENLACE del Caño Martín Peña and the Fideicomiso de la Tierra del Caño Martín Peña, to the draft PR Department of Housing Action Plan for the Community Development Block Grant – Disaster Recovery. Please do not hesitate to contact us if needed.”

“Attachment to Email

The attachment provides a description of accomplishments and background information for both Corporación del Proyecto ENLACE del Caño Martín Peña (ENLACE) and Fideicomiso de la Tierra del Caño Martín Peña. Also included are the following comments, questions, and suggestions regarding the Action Plan.

“Compatibility with public policy applicable to the Caño Martín Peña

Overall concerns:

- *The Action Plan is not compatible with the public policy set forward for the District.*
- *The Action Plan does not make feasible the ecosystem restoration of the Caño Martín Peña.*
- *Compliance with relevant public policy regarding the ecosystem restoration of the Caño Martín Peña Special Planning District*
- *The Action Plan does not support the flood protection / ecosystem restoration (dredging) of the Caño Martín Peña and is not congruent with the public policy for the District’s development.*

PRDOH Response: The Whole Community Resilience Planning program offers an opportunity for communities to create long-term plans for thoughtful and resilient community-wide recovery. Communities are not precluded from including ecosystem restoration activities as part of their recovery plan.

“Planning

The Action Plan includes a description of the Hurricane’s impact to demographics, infrastructure, and the economy. However, the document fails to discuss impacts to storm

water, sanitary, and potable water infrastructure, roads, sanitary landfill systems, and natural resources.

Recommendation

(a) Impacts to storm water, sanitary, and potable water infrastructure, roads, sanitary landfill systems, and natural resources should be discussed. “

PRDOH Response: The Needs Assessment conducted by PRDOH includes information related to infrastructure needs. However, available data on infrastructure impact is still preliminary. PRDOH will take these comments into consideration as needs assessment is updated

“The Action Plan does not establish a mechanism through which CDBG funds will be made available. However, PRDOH personnel have established in public presentations that the funds will be made available through reimbursements. Given that these funds are directed at benefitting very low- to medium-income residents and the fact that some of the programs are proposed at the individual level (direct distribution), many beneficiaries will lack the income or resources to cover initial expenses and then wait to be reimbursed.

Recommendations

*(a) The Plan should clearly indicate the mechanism through which funds will be made available.
(b) The Plan should specify how this applies to each one of the programs, particularly to those initiatives aimed at very low-, low-, or medium-income beneficiaries.”*

PRDOH Response: Methods of Distribution are outlined in the Action Plan. Beneficiaries will receive assistance according to the guidelines established for each program. When guidelines are available, they will be published at www.cdbg-dr.pr.gov.

“On page 81, the Action Plan establishes that “projections for expenditures and outcomes will be submitted to HUD with the action plan and will be amended [sic] as needed throughout the life of the grant.” These projections are not included in the Plan.

Recommendations

*(a) Publishing the projections for expenditures and outcomes and providing additional time for public comment.
(b) The Action Plan should clearly establish: (a) an itinerary of deadlines; (b) the procedure for presenting applications, particularly for those proposed uses where funds are accessible to sub-recipients and partners; and (c) eligibility and evaluation criteria for applications to each one of the programs.”*

PRDOH Response: Thank you for the comments. Projections have been added to the Action Plan. Procedures related to the determination of applicant eligibility will be further

outlined in the program guidelines. Guidelines will be developed after HUD approval of the programs.

“Citizen Participation in the Public Comments Process of March 5-10 of 2018 regarding Community Development Block Grant Disaster Recovery 2018 Huracanes Irma and María:

In pages 121-123, the Action Plan includes a list of the municipalities, agencies, NGOs, and other entities, as well as individual citizens, who submitted comments during the public comments process of March 5-10. Regarding this issue, we establish the following:

(a) Corporación del Proyecto ENLACE del Caño Martín Peña is a public corporation created through Act 489-2004, as amended. Through its Executive Director, ENLACE gave an oral presentation during a public hearing and later submitted comments in writing. ENLACE is included under “Non-Governmental Agency Comment Submitted” on page 122 of the Action Plan as “Proyecto Enlace Caño Martín Peña.”

(b) The Caño Martín Peña Community Land Trust, as well as Grupo de las ocho comunidades aledañas al Caño Martín Peña, Inc. (G8), also submitted comments during the March 5-10 process but were not included under the “Non-Governmental Agency Comment Submitted” list.

Recommendations

(a) The Action Plan should be amended to reflect the Corporation’s correct name, “Corporación del Proyecto ENLACE del Caño Martín Peña”, and include said name under the correct list of participants, “Government Agency Comment Submitted.”

(b) The “Non-Governmental Agency Comment Submitted” list should be corrected to include these two entities, and the entire list of participants should be reviewed to ensure that all participants are included.

PRDOH Response: Thank you for the comment. PRDOH continues to update information on its website as it is received.

“Page 153 of the digital Spanish version of the Action Plan includes the following text: “Nota: Comentarios públicos completos público, registro y respuestas están consolidados en un documento anejo.” (Note: Complete public comments public [sic], registry and responses are consolidated in an annexed document). The referenced annex was not available for evaluation and public comment. The English version does not include this note.

Recommendation

(a) The referenced document should be included, along with the comments received by the Puerto Rico Department of Housing and the answers provided for each comment”

PRDOH Response: All comments received prior to the close of the Action Plan public comment period are included and responded to in the final version of the Action Plan.

“Public, particularly community, participation in the elaboration of the Action Plan (Page 13) mentions the existence of a Puerto Rico Housing Task Force “comprised of government leaders” that collaborate and advise on critical issues, including informal and substandard housing solutions and flood zone impact; and that said Task Force meets on a regular basis to discuss “in depth environmental conditions on the ground in Puerto Rico, drivers of resilience and policy solutions, and deliver actionable solutions for Puerto Rico’s recovery.” PRDOH and COR3 are mentioned as participants in this process of policy development.

Recommendations:

(a) The Action Plan should clarify who comprises the Task Force and what other persons or entities have participated in the development of the policies proposed in the Action Plan for implementation through the use of CDBG-DR funds. These participants have been involved in the elaboration of policy regarding issues (housing, flood-prone areas) that could potentially have an enormous impact on certain communities. As such, it is important to know who said participants are, and whether the relevant communities have been allowed to participate in these processes.

(b) Particularly, how community groups participated in the elaboration of the Action Plan should be detailed in said document.

PRDOH Response: Thank you for the comment.

Whole Community Approach

(a) Specify the measures that will be taken to ensure effective and real community participation in the decision-making process regarding the Whole Community Resiliency Planning Program, in particular with decisions related to relocations.

(b) Specify the criteria to choose the communities that will participate in this program.

(c) There is a lack of consistency between the Whole Community approach with the rest of the programs included in the Action Plan. Whole Community requires participation and planning at a community wide scale. However, while such a process takes place, other programs that promote relocation of families and communities will be happening, affecting the possibilities to take advantage of the CDBG-DR funds for a well thought strategy that prioritizes on site mitigation, when feasible, above displacement, and that allows communities to decide how to address high risk areas. Thus, there might be tension among two processes with different objectives.

PRDOH Response: Relocation offered under this Action Plan is completely voluntary. PRDOH will take these comments into consideration during the development of program guidelines, which will be developed after HUD approval of programs.

“Planning processes and its relation to future land uses

The Action Plan establishes a Whole Community approach to planning. Between pages 85 and 88, among the information provided for “Whole Community Resilience Planning” and “Agency Planning Initiatives (GIS, Planning Integration)”, general references are made regarding planning processes previously established in Puerto Rico. In the case of Resiliency Planning, the Action Plan establishes on page 85 that the program will result in “comprehensive community recovery plans, the benefit of which will allow communities to develop policy, planning, and management capacity so that they may more rationally and effectively determine their needs, set long-term goals and short-term objectives, devise programs and activities to meet goals and objectives, evaluate the progress of such programs in accomplishing these goals and objectives, and carry out management, coordination, and monitoring of activities necessary for effective planning implementation.” Further, on page 86, the Plan establishes the following: “The Puerto Rico Department of Housing will be the administering agency and will receive the community applications and final plans, as outlined in forthcoming guidelines. The Puerto Rico Planning Board will be consulted by PRDOH in the development of program guidelines to ensure consistency and a coordinated approach. Plans will lay the groundwork for effective and expedient housing, infra-structure and social investments as long-term recovery programs are funded.”

Recommendations

(a) The Action Plan should clarify how these planning processes will be carried out, given that they are meant to be participative, but they will initially be managed by municipalities (Phase 1) and later through sub-recipients (Phase 2). Accordingly, we pose the following questions:

- o How is “participation” defined?*
- o What is expected of the participative process?*

(b) The Action Plan should clarify how the strategies proposed therein will be considered or integrated vis-à-vis the Special Planning Districts designated by the Puerto Rico Planning Board, particularly the Caño Martín Peña Special Planning District.

(c) It is also important to clarify how these new plans will relate to existing plans, including the Puerto Rico Land-Use Plan and municipal land use plans. In particular, we are interested in knowing how they will relate to the Comprehensive Development and Land-use Plan for the Caño Martín Peña Special Planning District.”

PRDOH Response: Thank you for the comment. Information regarding the Whole Community Resilience Planning program has been elaborated upon in the Action Plan.

“Caño Martin Peña

The NOFA requires coordination with other local and regional planning efforts to ensure consistency. The Action Plan states that “Communities, like Caño Martin Peña, are encouraged to submit holistic plans for recovery to include items such as land use, relocation, acquisition, and resilience measures.” As we have explained, there is already a comprehensive development

plan in place that addresses these issues, and that needs urgent funding to continue implementation. There are also studies, designs, and shovel ready projects mentioned in our comments during the initial comment process, that must be constructed as soon as possible.

Recommendations:

(a) We urge the PRDOH to recognize the policies and instruments that are already in place, so that funds are focused on moving forward the work that will ultimately reduce risks for the San Juan Metropolitan Area and address public health and safety issues. The District Plan already recognizes relocation areas, and so far, over 600 families have been relocated, many within the District, into safe and decent housing.

(b) Please discuss how the Action Plan supports the implementation of the District Plan, complies with the public policy laid out in Law 489-2004, and supports the Government of Puerto Rico request for CDBG-DR funds for the Caño Martín Peña as laid out in the document “Build Back Better Puerto Rico: Request for Federal Assistance for Disaster Recovery”. A request of \$1B in both CDBG-DR and USACE funds was included. Finally, discuss how the Action Plan supports the public policy regarding the role of ENLACE, the Fideicomiso, and the G-8 in the implementation of the District Plan.”

PRDOH Response: Communities are encouraged to participate in the Whole Community Resilience Planning program and may use studies and materials such as those reference in the comment to inform resilience plans. Although the PRDOH Action Plan was informed by the Build Back Better report, the Action Plan is separate and apart from Build Back Better. PRDOH is committed to maintaining compliance with all federal and local policies and regulations and will take these comments into consideration as program guidelines are developed.

“Housing

Duplication of Benefits

The Action Plan states that Puerto Rico must ensure that no individual receives duplication of benefit for the same purpose and/or effect to recover from the hurricane (p. 79). It states that “Federal law prohibits any person, business concern, or other entity from receiving Federal Funds for any part of such loss as to which he has received financial assistance under any other program, from private insurance, charitable assistance, or any other source.

Recommendations

(a) Clarify whether FEMA Individual Assistance (FEMA IA) Funds or assistance received as part of the STEP Program (“Tu Hogar Renace”) are considered when ensuring an individual does not receive duplication of benefit in general, an in particular, in the context of the Homeowner Repair, Reconstruction, or Relocation Program and of each of the other housing programs proposed in the Action Plan.

(b) Shall FEMA IA, STEP or both benefits have to be considered, please describe how this will affect the ability of moderate, low income, and very low-income families, as well as that of other disadvantaged populations, to benefit from each of the housing programs, and the measures that will be taken to fill the gaps.”

PRDOH Response: Thank you for the recommendations. CDBG-DR funding is subject to the Robert T. Stafford Disaster Relief Act, which prohibits providing assistance for prohibits any person, business concern, or other entity from receiving Federal Funds for any part of such loss as to which he has received financial assistance under any other program, as noted in comment.

“Property Title

In Page 49, the Action Plan refers to concerns regarding clear ownership records or property records. After discussing the implications on FEMA assistance, the Action Plans states that “Due to the extent of undocumented informal construction on unregistered land, reform to the parcel registry is paramount to restructuring the housing market. Parcel registry is important for clarifying and preventing boundary disputes.

Property rights vs. property title

(a) The Action Plan should recognize that under PR law, there is a difference between property rights and property titles. Not having documents that prove ownership does not imply that there are no property rights, nor that occupants are not in good faith. These nuances are important for the determination of eligibility.

Options for the regularization of land rights

The Action Plan focuses the strategy to regularize land rights, to help families obtain fee simple titles. However, there are other alternatives that further advance the goals of avoiding the displacement of communities, promoting “whole communities” and ensuring long term affordability.

Recommendations

(a) Provide real opportunities for communities to analyze options according to their priorities and choose how they want to address land tenure. Alternatives to individual land titles should be offered, such as community land trusts (CLTs), which help to ensure long term affordability, community cohesion, prevent gentrification, reduce the rate of foreclosures, among other benefits. The Fideicomiso is available to support this process.

(b) Support the transfer of public lands to allow for the creation of CLTs as well as using funds to buy private lands where necessary to regularize land tenure (i.e., when usucaption or an acquisitive prescription (“usucapión”) is not applicable).

Process to regularize land rights

The process to recognize and document land rights is complex. In areas where the government has issued land titles, there is lack of adequate documentation as to which titles were issued, as well as conflictive documentation between the PR Property Registry, the documents that families have, as well as the information available in reports, files, and maps in government agencies and municipalities.

Recommendations

(a) Low income families need to have access to lawyers that represent them in the process to obtain a declaration of heirs and clear succession issues. Funds should be made available to law school clinics and legal aid entities such as the Sociedad para Asistencia Legal, Ayuda Legal Huracán María, among others, so that they can have sufficient resources to provide assistance to low and very low income families that need to obtain a declaration of heirs prior as a critical step to regularize land tenure. Also, funds should be made available to pay for other related costs in the courts, or to obtain documents from government agencies, for example. These strategies were used in Louisiana after Hurricane Katrina.

(b) In our experience, families also need assistance and guidance in the process to obtain the support documents from government entities. Therefore, funding should take that into account, and cover for staff to accompany the families in the process.

(c) Funding should be made available to the PR Treasury Department and the Office of Notarial Inspection (“Oficina de Inspección de Notaría”; ODIN, for its Spanish acronym) to be able to expedite the process to issue the Estate Tax Return (“Planilla del caudal relicto”), and the Negative Certification of Non-Contentious Cases (“Certificación negativa de asuntos no contenciosos”), respectively.

(d) Support CLTs work to regularize land tenure, providing funds to conduct title investigations, surveys, databases, and others necessary to issue surface rights deeds to families living in CLT land, where necessary.

PRDOH Response: Thank you for the suggestions. A Title Clearance program has been added to the Action Plan.

“Uniform Relocation Act

(a) Discuss if families that will be relocated, in accordance with the Action Plan, will be considered to be displaced persons as per the URA.

(b) Explain how the eligibility criteria of “ownership of property structure (alternate method) complies with URA criteria regarding displaced persons and eligible occupants.

(c) Explain how the eligibility criteria for the Homeowner Repair, Reconstruction, or Relocation Program complies with URA, including relocation assistance rights under URA. For example, URA states that an owner occupant has the right to replacement housing if he/she has actually and lawfully occupied the displacement dwelling for at least 90 days immediately prior to the initiation of negotiations, among other requirements. The Action Plan states as an eligibility criteria: “Must have occupied the property as a primary residence at the time of the storm.” Please explain how these criteria will be harmonized, and the implications for families that where occupying the structure at the time of the storm and had to move afterwards.”

PRDOH Response: PRDOH appreciates the thoughtful comment. All relocation offered in this Action Plan is voluntary. PRDOH is committed to complying with all applicable regulations, including URA.

“Displacement of Low Income and other Disadvantaged Communities

The Action Plan recognized the CDBG-DR requirement that activities must be designed to eliminate or minimize the occurrence of displacement. However, some of the proposed activities, as explained in the Action Plan, might lead to displacement. For example, the NOFA allows “alternatives strategies, such as demolition of substantially-damaged structures with reconstruction of an elevated structure on the same site, property buyouts, or infrastructure improvements to prevent loss of life and mitigate future property damage”. However, the Action Plan focuses on buyouts and relocation outside of high risk areas excluding elevation of structures and infrastructure improvements, which could prevent displacement.

Community cohesiveness

Recommendations

(a) Disaster management literature has demonstrated, and the Action Plan recognizes that community cohesion, social relations, and the state of institutions are critical indicators when analyzing vulnerability and the ability of a community to respond after a disaster. The SOVI methodology does not take these into consideration. These factors should be included in the vulnerability analysis.

(b) Explain how the policies and programs proposed in the action plan strengthen social cohesion rather than weakening such critical aspects for disaster response. In particular, discuss how the requirement to repair and rebuild outside of high risk areas where mitigation alternatives, such as elevated structures and infrastructure improvements are feasible, affects community cohesion and promotes displacement.”

PRDOH Response: PRDOH will elevate structures when required by federal regulations. Thank you for the comments.

“High Risk Areas

When describing compliance with program requirements regarding elevation standards, the Action Plan states the following:

“As applicable, PRDOH will apply the elevation standards for new construction, repair of substantially damaged structures, or substantial improvements to residential structures in flood hazard areas, such that the lowest floor is at least 2 feet above the 1 percent annual floodplain elevation, as outlined in 83 FR 5850 and 83 FR 5861.”



One of the priorities of the Homeowner Repair, Reconstruction, or Relocation Program is to relocate families in hazard zones, defined as areas situated in the floodplain, floodway, or areas vulnerable to landslides.

Recommendations

(a) Specify which maps will be used to determine hazard zones and provide access to those maps. For example, regarding the extent of the 1% annual floodplain elevation, 89% of the District is within the advisory base flood elevations (ABFE) as defined by FEMA in 2018. In contrast, 73% of the District is within the national flood hazard layer (2018).

(b) The Action Plan should include (a) a map and list the communities with average income below the 80% Area Median Family Income, that are located in high risk areas as defined in the Action Plan, where residents will not be able to reconstruct in place; and (b) a map identifying high risk areas where affected families will not be able to relocate to and specify the sources of information and methodology. The scale of these maps should allow people to identify communities. Such maps will help understand the implications of the proposed programs in terms of displacement of communities, promote engagement and participation in the process to develop and implement the Action Plans, whole community resilience planning activities, and in defining acceptable risk reduction measures.

(c) The Action Plan should (a) estimate the number of families that will not be allowed to reconstruct in place or relocate within their communities; (b) list the communities that will be impacted by relocation activities.

(d) The Action Plan should not limit repairs and reconstruction to areas that are not deemed “high risk”, where in high risk areas mitigation activities can be implemented to reduce risk as to minimize displacement and preserve community cohesion. Incorporate as a policy that where such risk mitigation activities are feasible, on site housing construction and reconstruction that meets the elevation standards, where applicable, will be allowed. Other policies to minimize displacement, recognizing that risk management measures can be implemented to reduce vulnerability, should be included.

(e) The District Plan acknowledges that according to a hydrologic hydraulic study, dredging the Caño will provide control of the regulatory flooding produced by discharge of surface water bodies, reducing substantially, even totally, the susceptibility of the structures that are now vulnerable. The Plan recognizes the intermediate period between the relocation of families, implementation of infrastructure strategies and dredging, and to protect community cohesion, it promotes the elevation of structures within the current floodplain. The Action Plan must be made compatible with this policy.

(f) Both the Feasibility Report and Environmental Impact Statement for the CMP-ERP approved by the Assistant Secretary of the Army for Civil Works as per the WRDA-2007 and the 8-step process carried out in accordance with the Executive Order on the 8 step process demonstrate that there will be a reduction of the flood risk in the communities along the Caño Martin Peña once the ERP is completed. Also, studies carried out by ENLACE demonstrate that replacing the storm water infrastructure and providing sewer systems will significantly reduce flood risk in the District. In view of this fact, homeowners living in the communities along the Caño and within the current 1% annual floodplain should not be required to move and leave their communities to be able to benefit from reconstruction in place, repair, or relocation within the communities.”

PRDOH Response. PRDOH appreciates the comments and will take them into consideration as program guidelines are developed.

“Relocation for families in hazard zones

(a) ENLACE should be partner; by direct distribution for relocation of families in the District.

(b) PRDOH should assign administrative funds to Partners entities.”

PRDOH Response: PRDOH values collaboration with agencies like ENLACE. Programs that will use a subrecipient or partner distribution model are outlined in the Action Plan.

“Buyouts

The Action Plan should discuss what will happen to the empty lots that will result from buyouts; who will be responsible for the maintenance, the effects of buyouts in urban areas, and scattered sites and whether they will promote blight. It should also discuss the measures taken to address those issues, and to ensure that buyouts do not end up facilitating gentrification and making lands available for development in the future.”

PRDOH Response: As defined in the Action Plan, vacant lots resulting from demolition of a storm impacted residence will be maintained as green space.

“Maximum award

The Homeowner Repair, Reconstruction, or Relocation Program limits the maximum award to \$120,000 for rebuilding, and for a homeowner to purchase a replacement home and make any required improvements; and to \$48,000 for repairs.

Recommendations

(a) Explain the methodology and criteria used to establish the \$120,000 and the \$48,000 caps in benefits. Explain if there is a gap that families need to cover and how it will be financed. Explain how this cap is compatible with URA.

(b) We are concerned about the hike in construction costs, the low property values, and how the gap will be covered, so that it is feasible for low and very low-income families.

ENLACE is currently spending up to \$160,000 in relocations, when considering all costs. This does not include demolition costs, and mitigation for the original home.

(c) How will the LEED and Fortified Homes requirements affect affordability, and increase the gap between construction costs and the cap?

ENLACE has been acquiring and relocating families into safe and decent housing for a long time. According to Law 489-2004, all relocations within the District must follow URA standards, regardless of the sources of funding. Our relocation program includes the LEERDs for the CMP-ERP, which we must carry out as part of our responsibilities”

PRDOH Response: Further information regarding award caps has been outlined in the Action Plan. The caps referenced in this comment are only intended as caps for award amounts in the Homeowner Rehabilitation, Reconstruction or Relocation program. They are not meant to describe URA.

Long term affordability

Migration, gentrification, and displacement of communities are a significant issue in Puerto Rico. In New Orleans, gentrification is occurring at a significant scale due to the fact that close to 90,000 displaced residents were unable to return and that long-term affordability measures were not implemented. Low income families have limited access to affordable housing. The Action Plan addresses affordability measures but does not address what will happen with housing units developed with CDBG-DR funds once the affordability period ends.

Recommendations

(a) The Action Plan should consider promoting measures to reduce the stock of affordable housing lost to hikes in value, and thus to reduce the need for subsidized housing in the future. The Action Plan should promote the creation of community land trusts (CLTs), housing cooperatives, and other models that have proven to be successful in addressing long term affordability for homeowners and renters, and community stabilization, particularly in areas that are prone to real estate pressures, gentrification, and displacement, or at risk of losing the affordable housing stock. This can be done by establishing a minimum percentage of new housing for homeowners and renters that must be developed with long term affordability measures.

(b) With regards to the Caño Martín Peña Special Planning District and according to the FIDEICOMISO REGULATIONS, all new housing built with CDBG-DR funding built within the lands that belong to the Fideicomiso, or which are developed by the Fideicomiso, must remain affordable. An equity limitation formula is implemented at the time of the sales, and The Action Plan should change the method of distribution of the Homeowner repair, reconstruction, or relocation program to allow CLTs such as the Fideicomiso, its development subsidiary, Desarrollos Martín Peña, Inc., and the Río Piedras CLT to develop new housing, and to repair and reconstruct housing.”

PRDOH Response: Thank you for the comment. The program will comply with affordability periods outlined in the Federal Register, unless otherwise waived.

“Housing counseling

The Action Plan focuses on much needed housing counseling services to recovering services. However, it does not delineate how these individual choices will be linked to the Whole Communities planning and strategies, so that individuals are made aware of any mitigation and on-site reconstruction opportunities and have the opportunity to stay in their communities and avoid displacement.

Recommendation

(a) Housing counseling activities should be intertwined to grassroots community organizing and participatory planning, to that the housing assistance provided to individual homeowners and renters.”

PRDOH Response: Non-profit organizations are eligible to apply to provide Housing Counseling Services. PRDOH will take these comments into consideration as program guidelines are developed.

“Low Income Housing Tax Credits

(a) Recommendation: We strongly suggest that the LIHTC developments include measures to allow renters to buy the housing units ones the credits expire, as a measure to stimulate community stability and homeownership.

(b) The Action Plan states that the PRDOH will request a waiver to shorten the 20-year affordability period to allow alignment with the 15-year affordability period required by LIHTC.

(c) LIHTC developments should also incorporate measures to ensure connections with economic development strategies that promote local jobs and community-based businesses. For example, they can include mix use, provisions to hire maintenance locally, among others.”

PRDOH Response: Thank you for the comments. PRDOH will take this feedback into consideration as program guidelines are developed.

“Renters

(a) Please discuss how the proposed programs will address the needs for renters, according to URA standards.

(b) ENLACE and the Fideicomiso want to be part of program implementation, and due to the current set up for construction and repairs, that will not be possible. Changes should be made.”

PRDOH Response: The CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program provides affordable rental options. Additionally, a Rental Assistance program has been added to the Action Plan to address the needs of low-income, elderly renters.

“Community Developers

(a) Require training and capacity building. Also, predevelopment funding.

Role of Recipients, Subrecipients, and partners

The Action Plan focuses implementation in the PRDOH as recipient and subrecipients, who are municipalities. The role of partners is limited.

Eligibility criteria

Recommendations

(a) The document should address the differences between the eligibility criteria in this section (p.94) and those required for URA compliance, and which criteria prevails. Will there be occupancy period requirements for a homeowner undergoing relocation to have access to a replacement home?

(b) One of the eligibility criteria is ownership of property structure (alternative methods). However, the Action Plan does not define “ownership of property structure”. Does it refer to ownership of a structure? The Action Plan does not identify the alternative methods either. As this is such a critical issue to ensure families in need receive assistance, alternative methods must be clearly identified, and people should have the opportunity to comment on those.”

PRDOH Response: Methods and documentation used to determine eligibility will be tailored to each program and defined in detail in program guidelines. Guidelines will be established after HUD approval of programs.

“Caps on the maximum award

Recommendations

(a) Please provide the methodology that led to capping the award at \$120,000 to rebuild, and \$48,000 to repair. Does it consider the hike in construction costs, and the effects of the reduction in property values? Does it consider the cost of buying and demolishing the damaged property relocation costs? Was the cost of LEED and Fortified Home™ compliance requirements applicable to repairs, replacement homes, and new construction considered? Will there be a gap in financing? What is the gap and how will it be covered? Will families be required to access a mortgage to cover gaps? If so, how will this affect the capacity of moderate, low, and very low-income families to have access to this program?

(b) What measures will be taken to reduce the hike in construction costs, materials, and availability of local skilled labor?

(c) ENLACE has designs for 14 housing models developed with participatory design techniques, with construction cost estimates (2018) that average \$102,457 for two-bedroom homes, \$123,289 for three-bedroom homes. Such estimates consider a 250-gallon water tank, solar panels with no battery, solar water heaters, and a 10% contingency, and excludes the cost of acquiring land. For relocation option 2, in which the PRDOH acquires the damaged property and builds a “program designed” home on a new lot, what are the costs related to each of these activities? What is a “program design” home? What are the construction standards, bedroom

sizes, amenities? Are these homes culturally acceptable? Are such designs available? If so, they should be made available for public discussion.

(d) Regarding relocation, the \$120,000 cap on the purchase and required improvements

(e) We recommend families to have the right to either rebuild in place or have access to a replacement home, using URA standards, including last resort whenever necessary.”

PRDOH Response: Thank you for the suggestions. Further information regarding award caps under the Homeowner Rehabilitation, Reconstruction or Relocation program have been added to the Action Plan.

“Building standards

Application of LEED and Fortified Home certifications are proposed as design baselines. As per our research:

(a) *LEED v.4 for Homes Design and Construction includes 8 performance measures; 1. Location and Transportation, 2. Sustainable Sites, 3. Water Efficiency, 4. Energy and Atmosphere, 5. Materials and Resources, 6. Indoor Environmental Quality, 7. Innovation and 8. Regional Priority.*

(b) *Some of the rating system criteria that are required to comply could represent a limitation, cost increment, or be unfeasible for the construction or rehabilitation of structures in the CMP communities. Example: Flood Avoidance, Water Metering, Minimum Energy Performance, Durability Management, Radon-Resistant Construction, Compartmentalization, Preliminary Rating,*

(c) *LEED certification will increment design and construction cost in 2% or 3%, including costs of inspectors that have to certify the design and construction.*

(d) *LEED standards are not design for specific climate conditions in Puerto Rico, and do not consider the construction types used in Puerto Rico as concrete blocks, reinforced concrete or wood roofs in combination with concrete blocks.*

(e) *EPA developed new guidelines for energy efficient homes taking Puerto Rico climate into account. But the interpretation of these standards is not develop yet for the LEED rating system.*

(f) *The recommendation is that the use of funds should not be limited to comply with LEED certification.*

(g) *Architects members of the USGBC Puerto Rico Chapter do not recommend this as a requirement for the CDBG-DR funds use.*

FORTIFIED HOME:

(a) *The Insurance Institute for Business and Home Safety (IBHS) created the FORTIFIED Home program to help strengthen homes from hurricanes, high winds, hail, and severe thunderstorms.*

(b) *It is divided for New Construction and Existing/Re-Roofing. The rating system are divided in Bronze - Roof compliance, Silver - Roof and Doors/Windows, and Gold - All the structure.*

(c) *Requires inspection contracts that certify the construction or rehabilitation.*

(d) Even though it is more feasible than LEED Certification System, the required compliance of this program could represent a limitation, cost increment, or be unfeasible for the construction or rehabilitation of structures in the CMP communities.

(e) This program is designed for USA homes construction types that use wood studs, plywood, oriented strand board (OSB), wafer board, and exterior gypsum board in balloon or platform frames. In PR it is more common the use of concrete blocks, reinforced concrete or wood roofs in combination with concrete blocks.

(f) The recommendation it is that the use of funds should not be limited to comply with FORTIFIED HOME certification.

Recommendations

(a) In our experience working with economical disadvantages communities as the CMP communities, the compliance required to construction certification program will represent an obstacle and a lost opportunity to increment the resilience of non-compliance homes constructed by the residents who most support and assistance needs.

(b) Existing construction standards as the "Guía para la construcción de viviendas resistentes a huracanes en Puerto Rico published by FEMA in 1989 with the approval of the CIAPR and the CAAPPR, could be used as the minimum standards to comply to the possible extent in the reconstruction of existing non-compliance structures."

PRDOH Response: PRDOH appreciates these suggestions. Information regarding green building strategies is outlined in the Action Plan.

"Single family structures

Only families in single-family structures qualify. The Action Plan does not discuss the reasoning behind limiting eligibility to single family structures. In the District, it is a common practice for families to build a second floor for their children, or to have more than one family living in the same household. The loss of the wood and tin roofs in the second floor, which also tends to be built in wood, also caused damages to the first floor, as the ceiling of the first floor was not meant to be exposed to the elements. It is common to find water filtration and mold in the first floor, affecting that housing unit as well. We strongly recommend these criteria to either be eliminated, or at least for it to be changed as to include such typologies."

PRDOH Response: Further information regarding eligible structure types will be included in program guidelines, which will be developed after HUD approves the programs. Thank you for the comment.

"Direct Distribution Model

The Action Plan does not state who will build new housing and how it will be financed. It seems there is no room for entities like the ENLACE or the Fideicomiso to build homes with these funds,

that can be made available for families undergoing relocation. Also, the Direct Distribution Model can be disempowering and does not promote community organizing and the whole communities model. This model engages only the individual and his/her needs, encourages individuals to solve their particular situation, promotes the family to choose homes that are outside the community, and does not provides the environment to promote social cohesion and reflect on the added impact of individual decisions on the community.

Recommendations

community leaders required assistance to understand the main aspects of the document, so that they could discuss them and put forward a letter within the limited 14-day comment period.

Recommendation

(a) An extension of a minimum 10-day period for public comments should be granted.”

PRDOH Response: Thank you for your comment. Both the English and Spanish versions of the Action Plan have been updated to incorporate feedback received during the public comment period.

Although PRDOH is not considering extending the public comment period for this Action Plan, it will consider these comments in determining the length of the public comment period for subsequent Action Plans or substantial amendments. PRDOH is committed to a 30-day public comment period for the substantial Action Plan amendment associated with the next CDBG-DR allocation.

Discussion of data

In some instances, the document discusses data that differs from that included in the tables. These result in uncertainty on which are correct numbers. For example:

(a) On page 35 of the Action Plan in Spanish (page 32 of the English version), it is stated: “Unemployment was at 4.7% in 2016 with 11,805,773 out of work and as of February 2018 has been reported at 10.6%.” If the data source is verified, the statistics referenced in the Action Plan between 2016 and 2018 was never lower than 10% except for April 2018. Nevertheless, the population of Puerto Rico is not over 3.5 Million making it impossible to have 11,805,773 persons out of work.

(b) On page 76 of the Action Plan in Spanish (page 69 of the English version), it is stated: “...los daños a la infraestructura totalizaron \$1,800 millones y por pérdidas en la producción agrícola, unos \$182,500 millones”. In this sentence the agricultural production estimated loss is identified as \$182,500 Million (which would be \$182.5 Billion) while the table identifies the quantity as \$182.5 Million. The English version states \$182.5 Million in agricultural production loss.

(c) On page 52 of the Action Plan in Spanish (page 47 of the English version), it is stated that the two municipalities with the highest number of shelter occupants were San Juan and Toa Baja with 16,375 and 10,560, respectively. Data included in Figure 32 show that the municipalities

with the highest number of shelter occupants were San Juan with 16,375 followed by 14,304 in Canóvanas. This discrepancy is confusing and misleading.

(d) Table 5 on pages 29-30 of the Action Plan in Spanish: (1) makes reference to 29 social characteristics while the table only includes 27 data variables; (2) the column title “Mean” is translated as “Decir” which means “As defined or as said” instead of “Mean” as “Media” referring to the arithmetic value.

(e) Table 11 (page 61), Table 12 (page 62), Table 14 (page 63-64), Table 15 (page 64), and Table 17 (page 65) of the Action Plan in Spanish uses the terms “Contar” or “Conteo” which refers to the action of counting items, for example, as a translation of the term “Count” referring to a number.”

PRDOH Response: Thank you for the comment. Both the English and Spanish versions of the Action Plan have been updated to incorporate feedback received during the public comment period.

“Definition of terms

There are some terms whose meaning is not clear, or that are defined in a section of the document and used in other sections.”

PRDOH Response: Thank you for the comment; a glossary of terms has been added to the Action Plan.

“Deferral of definition of policies, concepts, actions

In some instances, the Action Plan states that certain policies will be adopted in future documents and processes. However, such policies are key to the interpretation and implementation of the Action Plan, and the public should have access and the opportunity to discuss it in conjunction with the rest of the document, as they are critical to the interpretation of the intent and the implications of implementation of proposed actions.....

Recommendation

(a) We recommend the PRDOH to communicate the schedule in an accessible way once submitted, and to include the schedule in the next action plan’s version for public comments.”

PRDOH Response: Program policies and guidelines will be tailored to each specific program and will be developed after programs are approved by HUD.

“Discussion on Citizen Participation

The PRDOH states that it has “laid out target actions to encourage participation and allow equal access to information about the program by all citizens, especially those of low and moderate income, those living in slum and blighted areas and i Recommendation

(a) Please, discuss the specific actions undertaken and list the slum and blighted areas and areas identified for recovery that were targeted.

The Action Plan does not discuss whether displaced Puerto Ricans who migrated to the US after Hurricanes Irma and María had the opportunity to learn about the process and participate. Page 30 of the Action Plan shows data suggesting a net migration of 179,000 people.

Recommendation

Discuss the specific actions undertaken to ensure participation of displaced persons who had to migrate after the storms. Is there any available data regarding the intent of those persons to return to Puerto Rico? What specific measures have been included in the Action Plan to promote that this families are able to return?"

PRDOH Response: All interested parties were and continue to be welcome to participate. The Citizen Participation Plan is available at www.cdbg-dr.pr.gov.

"Regarding the initial public hearings to collect early input, the Action Plan states that "A summary of each oral or written comment, coupled with a response by Department of Housing, is included in the plan." We did not find the summary and discussions in the Action Plan. This is not included in the index either.

Recommendation

Please, publish the summary and responses as an Appendix to the Action Plan.

Regarding Agency, NGO, and Citizen Engagement, there is a list of those who submitted written comments in the initial public hearings, but those who submitted oral comments are not acknowledged. Both non for profits G-8, Grupo de las Ocho Comunidades Aledañas al Caño Martín Peña, Inc. and the Fideicomiso de la Tierra del Caño Martín Peña submitted oral comments.

Recommendation

(a) Include the list of those who provided oral comments in the initial public hearing process.

The Proyecto ENLACE Caño Martin Peña is acknowledged to have presented written comments. Please note that the Proyecto ENLACE del Caño Martin Peña is the name of the project, and the agency that submitted comments is the Corporación del Proyecto ENLACE del Caño Martin Peña. Also, please note that the Corporación del Proyecto ENLACE del Caño Martin Peña is a government corporation, not a non-governmental agency."

PRDOH Response: Appendices which include summary of comments have been added to the Action Plan. Original copies of written comment, along with summaries in Spanish and English have been and continue to be available for public consumption at www.cdbg-dr.pr.gov.

"Economic Recovery Programs

Construction Revolving Fund

- \$35 Million of the total \$143 Million suggested for the Economic Recovery Program will be available for a construction revolving fund, which represents a 24% of total funds for the economic strategy.

- The Action Plan (page 126 of the Spanish version) does not clearly (1) address the use of income generated by these loans, (2) states what percentage will be available for small business, and (3) defines what are the underwriting criteria for performance capabilities required to be met.”

PRDOH Response: PRDOH will take these comments into consideration when developing program guidelines.

“Small Business Loans

Program accomplishments include (a) Generate a quantifiable number of new jobs based on program allocation, and (b) Incentivize entrepreneurship and economic return. Nearly 70% of Puerto Rican employees are employed by small and medium enterprises⁶. Initiatives that support this sector are important for our long-term economic recovery. However,

- *The Action Plan does not state the loan interest that will be required for the small business or microenterprises.*

- *The Action Plan does not clearly prioritize local entrepreneurship over external, newly established business.*

- *It is recommended that (1) community enterprises and (2) business that are community social responsible should be given priority.”*

PRDOH Response: PRDOH will take these comments into consideration when developing program guidelines.

“Small Business Incubators

The initiative included in the Action Plan considers new and startup businesses in need of support to participate in the economic rebirth of the Island. The ENLACE Project Corporation has in place a small business incubator.

- *Evaluation criteria to be used for grant approval should be clearly established in the Action Plan or through a request for proposal published by the Department of Economic Development and Commerce as administrator of the program.*

- *The ENLACE Project Corporation and the Caño Martín Peña Land Trust requests to be a partner.”*

PRDOH Response: PRDOH will take these comments into consideration when developing program guidelines. Non-Profit, governmental, and for-profit entities are eligible to apply for the Small Business Incubator program.

“Workforce Training Program

Training is essential to develop long range economic recovery and prosperity. However, the workforce training program suggested focusing on: (1) Code enforcement, (2) Construction, (3) Green building and energy efficiency, (4) Green Enterprise Development, (5) Hazard Mitigation, (6) Home Health Hazard Inspection/Professionals, (7) Lead risk and abatement, and (8) Weatherization/ Sustainable Retrofitting. Many of these are construction – related industries, particularly associated to new construction.

- Construction related training is necessary as many trained personnel left the Island and know-how is currently required. However, the Action Plan presents a limited list of construction related industries. Considering the fiscal situation of Puerto Rico and the decrease in the population, the construction industry will play a significant role during the federal funds flow and probably have a significant reduction afterward. The Workforce Training Program has to consider other capacity development areas that will transcend the construction boom and will contribute to Puerto Rico’s long term economic recovery.”

PRDOH Response: Although other training opportunities are not excluded at this time, it is the intention of PRDOH to use the Workforce Training Program to aid in the rapid recovery of the island. PRDOH will consider other sectors as needs in other sectors are identified

“Tourism and Business Marketing Program

The Action Plan proposes a program were “...full-scale tourism and business marketing campaigns [are necessary] to fully rebound from the effects of the storm...”. Marketing Puerto Rico is understood to present the Island “...as a pro-business jurisdiction [that] will encourage new external investments, promote economic development and create new jobs”.

- The Action Plan should clarify the priority between promoting the Island as a tourist site versus promoting Puerto Rico as an ideal place to do business.

- Local microenterprises and business with environmental and social responsibility should be prioritized in the inclusion of the tourism and business marketing program.”

PRDOH Response: PRDOH will take these comments into consideration when developing program guidelines.

“Commercial Redevelopment

As the Action Plan states, commercial rehabilitation activities are designed to bring commercial structures up to code or improve their facades. Special economic activities provide for the acquiring, constructing, reconstructing, rehabilitating, or installing commercial or industrial buildings, structures, and other real property equipment and improvements, including railroad spurs or similar extensions. These are economic development projects undertaken by nonprofit entities and grantees (public entities) as part of a partnership distribution model.

- Local business should be prioritized over foreign business. The ENLACE Corporation and the Caño Martín Peña Land Trust request to be a partner.”

PRDOH values collaboration with agencies like ENLACE. Programs that will use a subrecipient or partner distribution model are outlined in the Action Plan.

Comment via Email: #089_25-05-18_Cecille Blondet-Passalacqua

“Please see document attached. Thank you.”

Attachment to Email:

The attachment provides an overview of Espacios Abiertos, including recovery efforts the non-profit firm took part in and provide demographic information regarding English language proficiency on the island. The document points to “misinterpretations and mistranslations in the Spanish-language version” of the Action Plan and provides examples.” Espacios Abiertos recommends:

“A corrected translation, properly interpreting the AP be provided to the citizens of Puerto Rico; and the public comment period be suspended until such an accurately translated plan is produced, and the fourteen-day comment period begin again from the date the public is provided with said accurate translation.”

The document cites that “Failure to do so will violate Title VI of the Civil Rights Act of 1964 which prohibits discrimination in federal financial assistance on the basis of race, color, or national origin, including limited English proficiency (42 USC 2000d et seq.).”

PRDOH Response: Thank you for your comment. Both the English and Spanish versions of the Action Plan have been updated to incorporate feedback received during the public comment period.

Although PRDOH is not considering extending the public comment period for this Action Plan, it will consider these comments in determining the length of the public comment period for subsequent Action Plans or substantial amendments. PRDOH is committed to a 30-day public comment period for the substantial Action Plan amendment associated with the next CDBG-DR allocation.

Comment via Email: #090_25-05-18_Lucy M. Cruz Rivera

Attached document contains comments for the draft action plan for the CDBG DR funds. Attachment to Email The attachment submitted the following comments regarding the Action Plan.

“Recognize that the G-8, Inc. participated in the public hearings at the Caparra Gardens Community Center in Bayamón and presented a paper through its president -Lucy M. Cruz

Rivera, for the Tierra del Caño Martín Peña, Mr. Felix Colon Guerra, the ENLACE Project Plan Corporation and Lyvia Rodriguez Del Valle. We are even present in the video presented. "

PRDOH Response: Thank you for your comment. PRDOH acknowledges your participation in the public hearings.

"The English Spanish translation is not current in some instances and its necessary to reference the English version for clarification and context to the concept. This means that people may have large gaps in getting the concepts. This makes the process of evaluation and orientation of the document more difficult. For this reason, the document may not be accessible to people with limited understanding of English."

Thank you for your comment. Both the English and Spanish versions of the Action Plan have been updated to incorporate feedback received during the public comment period.

"The Action Plan is not in accordance with what the Governor of Puerto Rico, Hon. Ricardo Rosselló Nevares, maintains or in permanence of the communities or Law 489 of 2004 or with the Plan for Integral Development and District Land Use Special Planning of the Martín Peña Canal. We suggest this plan fit with the guidelines that the Corporation of the ENLACE Project of the Caño Martín Peña and that any relocation or construction of new housing is in accordance to the regulations of the "Uniform Relocation Act".

PRDOH Response: Programs administered by PRDOH will comply with all applicable regulations.

"As a reminder, the Caño Martín Peña community has an Integral Development Plan and Land Uses for the Caño Planning District which has been approved by the Planning Board and prepared in conjunction with the community. This plan is reflective of what we need for our communities. This Plan has been recognized with the Paul Davidoff Award from the American Planning Association. The CDBG DR funds should be in support of this Plan. "

"We should not forget that our communities were established more than (100) hundred years ago with the help of the Government at that time. The floods in the communities of the Caño Martín Peña will disappear once the sanitary pluvial sewer system is built and the dredging of that body of water is carried out. On the other hand, we see communities such as Ocean Park, Punta Las Marias, Isla Verde, Condado and Miramar which are prone for flooding but still provided permits in marine terrestrial zones and flood zones. Why is there an apparent benefit for some but for the less advantaged communities we are being eliminated? We are not in agreement with this approach. The communities of Caño Martín Peña have shown our housing projects are highly organized, created consciously of resident rights to live in a safe and dignified place. This is why we were not only worried about the leadership of the G -8, but the Corporación del Proyecto ENLACE del Caño Martín Peña and also the Land Trust. "

"The Caño Martín Peña dredging project is one that has impacts beyond the communities and that will increase the country's resilience, which is why it has been identified as a priority project in the recovery of the Island. These CDBG DR funds should consider contributing towards the ENLACE Project to continue advancing the work that will allow us to live in better conditions. "

"The communities also work with the Tierra del Caño Martín Peña Trust which is an entity that works to prevent involuntary displacement. The Action Plan provides communities with the voluntary option to be part of relocation processes. However, it is important that if these acquisitions are to be made within the district, coordination with the Trust and the Corporation should be done so that that it is coordinated with existing plans. In addition, these acquisitions should be based on the Integral Development Plan of the Caño Martín Peña. We do not want acquisitions to leave solar vacancies that are needed for housing. "

"The acquisition processes proposed for flood areas is presented as an individual alternative. However, the document proposes a participatory process for communities. There seems to be a lack of consistency in how both issues are going to be reconciled."

"... We are interested in having the "Corporación del Proyecto ENLACE" of Caño Martín Peña be a subrecipient partner, since our existing project has already relocated more than 266 families and we still have 871 families left to be rehoused in a decent, safe and habitable home."

PRDOH Response: Thank you for the comment. The Whole Community Resilience Program was designed as an avenue for citizens in vulnerable communities to actively participate in decision-making related to the creation of resilient, whole-community solutions. Non-Profit entities are eligible to apply to participate in the Whole Community Resilience Planning program. Programs which will use a subrecipient or partner distribution model are outlined in the Action Plan. Voluntary relocation of individual households is offered under the Homeowner Rehabilitation, Reconstruction or Relocation program, which is separate from the Whole Community Resilience Planning program.

Comment via Email: #091_25-05-18_Angel Pérez Otero (Mayor Guaynabo)

*"Attached are the comments for the document:
"PUERTO RICO DISASTER RECOVERY ACTION PLAN FOR THE USE OF CDBG-DR FUNDS IN RESPONSE TO 2017 HURRICANES IRMA Y MARIA DRAFT FOR PUBLIC COMMENT – MAY 10, 2018"."*

Attachment to Email:

The attachment submitted the following five comments regarding the Action Plan:

Comment 1:

"We welcome the Planning board. We recognize their importance and as an essential activity for an assertive decision making in search of a particular and necessary good. In the Municipalities of Puerto Rico, especially in the Autonomous Municipalities, planning is a recurring activity, both by requirements of Federal Agencies, State Agencies and the same Autonomous Municipalities Law, as well as activity of good management practices.

The attachment provides descriptions of planning efforts at the municipio in the following areas:

- *Emergency Response*
- *Resilience*
- *Federal Programs*
- *Urban Development and Land Use*

The document summarizes information provided by the municipio during a public hearing in March and reiterates the following activities to address the unmet needs of Guaynabo.

- 1. New Housing Construction for the Elderly*
- 2. New Housing Construction for families residing in areas identified as High Risk in Disaster*
- 3. Acquisition and Rehabilitation of Existing Housing for people whose homes were destroyed by the hurricane or should not be rehabilitated for safety reasons*
- 4. Rehabilitation of Existing Housing Units for the rehabilitation and / or reconstruction of homes damaged by Hurricane Maria*

PRDOH Response: PRDOH has designed the Social Interest Housing program to provide housing options for vulnerable populations, such as the elderly. Elderly persons will also be given priority in the Homeowner Rehabilitation, Reconstruction, or Relocation program, which will provide an opportunity for eligible applicants to rehabilitate or reconstruct damaged homes in place or voluntarily relocate out of high-risk areas.

"We do not see in the presented Action Plan that a uniform methodology will be taken into account to assign local governments the necessary fiscal resources to meet the unmet needs. We also do not see the criteria used in the Action Plan for the distribution of the funds presented. We request that the Action Plan establish the methodology used for the distribution of resources the Plan serves and how this distribution meets unmet needs in the Municipality of Guaynabo."

PRDOH Response: In accordance with 83 FR 5844, an unmet needs assessment was conducted using the best available data. Methodology used by PRDOH to determine unmet needs is outlined in the Action Plan and data sources are cited in the appendices of the plan. Methods of distribution and eligible applicants for each program are outlined in the Action Plan.

"At the Public Hearing of March 5, 2018 presentation, we requested: "each and every one of the points presented in this Report, as part of the Citizen Participation Process carried out by the

State, are considered and I am answered in writing the decisions that are take in relation to them. "

We do not see in the draft of the Action Plan presented how they handle our request, which we maintain should be attended to. Also, the processes for appealing the decisions of PRDOH is not established and needed if in case my process of recovery will be impacted by the allocation of these CDBG-DR funds.

PRDOH Response: Projects proposed by interested parties informed PRDOH's program design. All submitted proposals are responded to in the appendices of the Action Plan and available as part of the public record posted at www.cdbg-dr.pr.gov. Mechanisms for citizen engagement are outlined in the Citizen Participation Plan.

"Various activities proposed in the Draft Action Plan presented establish particularities of income levels as elements of eligibility that do not necessarily meet the federal regulation that governs for this type of funding. Adding additional restrictive elements to the existing restrictions of these federal regulations may result in not benefiting people who really should be benefited. For this reason, we request that these parameters be reviewed. Recalling that the events of Irma and Maria affected all residents of Puerto Rico; we should not exclude those who are entitled to receive assistance, as long as we attend to the unmet needs as the program requires. "

PRDOH Response: Income limits are established by HUD. 83 FR 5844 requires that 70% of the CDBG-DR allocation be used to serve low and moderate-income persons.

"By establishing eligibility restrictions to grant aid, we seek to regulate the manner in which the funds must be distributed and the population to benefit must be projected. The analysis to establish these parameters should not be simplistic, but a comprehensive one, considering the universe of real possibilities what will he create? If we seek to address unmet housing needs, it is very important to understand in detail why they did not qualify for the other programs. Too many times, applicants requesting help do not receive aid because of all the restrictions of the programs.

In Puerto Rico, there are vast families under poverty levels that normally achieve access to various grants federal and state funds. But we also have a great number of working families, receiving minimum income, that do not qualify for state or federal aid. They are hard-working families that contribute to the economy and have achieved their homes with great effort. Hurricanes Irma and Maria did not look at the income of the families before destroying homes. In Guaynabo, we have many families in those circumstances that we need to attend to which were not aided by other programs or funds. Our concern is that the eligibility criteria in the Draft Action Plan in activities such as housing rehabilitation will make these families ineligible, without disaster-resistant housing and without attending to new construction needs.

Each jurisdiction has different market values for housing units due to the impacts of cost of the land, proximity to service centers, and other parameters. The ceilings established to grant rehabilitation aids, Reconstruction and Relocation should leave room to meet the real needs find

real solutions. The cost of a housing unit with the necessary characteristics to be a safe and sanitary housing, and resistant to disasters with sustainability characteristics in the Municipality of Guaynabo will not necessarily be achieved with the caps for funds. This will hinder reconstruction and relocation activities to maintain the concepts of communities, attending them in an integral manner.

We recommend that for activities related to housing: the net result is that our citizens, especially the most disadvantaged can count on decent, safe, sanitary and resistant housing as this reality meets the parameters that justify the granting of CDBG-DR funds.”

PRDOH Response: Thank you for the comment. Additional information regarding program award caps has been added to the Action Plan.

Comment via Email: #092_25-25-18_Carmen Villanueva

The body of the email contained no text, but an attachment was included.

Attachment to Email:

The attachment presents the following comment on the Action Plan:

“... There was no citizen participation, as required by such funds, for information that came from other community groups, especially included is information that came from proposals of mayors, without the participation of the residents”

"As a first objective, as part of the Action Plan and the responsibility of the Department of Housing of Puerto Rico, disclose to all residents about the objectives of the CDBG funds, since more than 90% do not know about them. Communities did not hear about the views that preceded the construction of the Action Plan. For this reason, we ask that resources be included to carry the information and have meetings directly to the communities.

We suggest using the models of community assemblies which was promoted more than 17 years ago through the Law of Special Communities allows and participation of the residents, thus increasing the funds allocated to be directed to the real needs identified by the communities themselves. Who can best identify what their priorities are? It's necessary the community choose the NGO that they feel would work with it and its plans, thus ensuring that the communication is born from the need of the residents. "

PRDOH Response: The citizen participation plan, which outlines community meetings, is available at www.cdbg-dr.pr.gov. Summaries and responses to public comment, as well as complete versions of any written comment submitted, are available in the appendices of the Action Plan.

"It is necessary to change what we have always done as well as the manner in which it has been done; to anticipate the dangers so as to preserve lives and property. Communities should secure an electrical system and water system, additional medical supplies and food in a community space that allows to maintain enough to endure any emergency situation as this has been part of the lessons learned with Irma and Maria. This includes the installation of alternative energy for sustainability, although mentioned hastily, is feasible, when we have the will to make real and necessary changes. We suggest that these projects be carried out mainly with the use of our engineers and architect from the University of Puerto Rico. They are actively sought after by other countries from what they learn here. Using our University resources allows you to put into practice what you have learned and gain experience for your professional future. "

PRDOH Response: Thank you for the comments. The Home Energy Resilience program, led by University of Puerto Rico, under the oversight of PRDOH will create a Resilience Innovation Guidebook.

"As you may already know, hurricane season has begun and our community: Hill Brothers Sur, has broken poles in the electric power system with some even hanging by a thread where our residents pass every day. Shouldn't this be a priority? This is not included in the proposal of the Municipality of San Juan for our community. This is one of our priorities and main needs to solve and avoid loss of lives and property.

Our community of Hill Brothers Sur specifically has the privilege of having the Quebrada Sabana Llana, the most extensive in the country. It needs preventive maintenance to address ongoing erosion of lands affecting over 20 families by endangering their main homes and public safety. Our priority with this ravine is also due to a recent event, a young man was suctioned by it a few years ago, causing his death. On another occasion, it caused the death of four young people from our community.

Our community has entrepreneurs and businesswomen who also support economic solidarity and growth through the support of jobs for residents. It is necessary to assign emergency funds to maintain our current operation. This is part of the culture of our community, the dignity for employment and is the force that allows, the non-dependence of the governmental system. "

PRDOH Response: Thank you for the comment.

The document also requests an extension of the public comment period, stating "...solicitar la extensión del periodo de participación de las comunidades en los asuntos que las afectan y como requerimiento de la distribución de los fondos CDBG."

PRDOH Response: Although PRDOH is not considering extending the public comment period for this Action Plan, it will consider these comments in determining the length of the public comment period for subsequent Action Plans or substantial amendments. PRDOH is committed to a 30-day public comment period for the substantial Action Plan amendment associated with the next CDBG-DR allocation.

Comment via Email: #093_25-05-18_Cruz Rafael Caraballo

“Attached is the description for a planned project in order to leverage the CDBG DR funds. The information is presented generally. Should the need for more detailed information be required or to be explained in detail, we are able to do so happily.”

Attachment to Email:

The attachment describes the mission of Hogar de Buen Pastor, a non-profit group and outlines a project with objectives to:

“Enable within the community a place for the development of the Community Center

- Offer necessary services for the community that allow their growth and development*
- Structure prepared to serve as a refuge and collection and distribution center in case of disaster. ”*

Additionally, the Project will provide a space to provide training and development for individuals, including the homeless. The document closes by requesting approval of the project, stating:

“The previous presents a sketch for the Project that we would be working on. Once we are told that it is a project that qualifies under the proposed Work Plan for the use of the CDBG-DR Fund for Puerto Rico, we will proceed to complete the application thereof in accordance with the provisions of the Proposal of the CDBG-DR for Puerto Rico.”

PRDOH Response: Non-governmental agencies are encouraged to apply for the Social Interest Housing Program and Housing Counseling program. Thank you for the comments.

Comment via Email: #094_25-05-18_Julio C. Roman Moreno (Caminos del Valle)

“Attached documents related to the project “Urbanización Caminos del Occidente”

Attachment to Email:

The attachment proposes use of 117 land plots to construct housing units, located in Cabo Rojo. The attachment includes documents in support of the project.

PRDOH Response: Housing projects which qualify under the Low-Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing

Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #095_25-05-18_Julio C. Roman (Urb. Parque Gabriela)

If needed, additional information can be provided. Please reach out to us as needed.

Attachment to Email:

The attachment proposes use of 32 land plots to construct housing units, located in Salinas. The attachment includes documents in support of the project.

PRDOH Response: Housing projects which qualify under the Low-Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Comment via Email: #096_25-05-18_Marcos A. Irizarry (Mayor Lajas)

“Attached are letters in reference to the Action Plan.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Lajas, Marcos A. Irizarry Pagán. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #097_25-05-18_Julia M. Nazario Fuentes (Mayor Loíza)

“Documents attached.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Loíza, Julia María Nazario Fuentes. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #098_25-05-18_Jesus G. Márquez Rodríguez (Mayor Luquillo)

“By this medium, we submit our comments for your consideration for the Municipality of Luquillo for the CDBG DR funds.”

Attachment to Email: Carta Luquillo

The attachments submitted include Spanish and English versions of a letter from the Mayor of Luquillo, Jesús Marquez Rodríguez. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.”

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #099_25-05-18_José Sánchez González (Mayor Manatí)

“Attached for your evaluation and corresponding action, the comments submitted by the Municipality of Manati about the CDBG DR Action Plan in reference to the assignment of funds B-17-DM-72-001.

Attachment to Email:

The attachment states the following:

“... Know that we have had the opportunity to participate in the Citizen Participation process, the conversations on the subject, and exhaustively review the planning document which will be the platform for the implementation of recovery and revitalization projects to be subsidized with the allocation B-17-DM-72-0001.

I congratulate you and all the work the team did with great responsibility of collecting information in this document; the needs and strategies that will work as first step in our way to the restoration and revitalization of our cities.

Although the document is a robust one, containing scientific data and complete analyses that capture the impact of both atmospheric events throughout Puerto Rico; questions remain in terms of the scope of the proposed programs and projects. In the same way, it is not clear which are the specific projects that will be considered, or the methodology applied for the selection and if there is a link or continuity of these projects with other funds.

The document does not show how the petitions presented will be handled by our Municipal Administration that are not considered, nor the relation of these with the second assignment of CDBG-DR that Puerto Rico received.

Our concern is based on the general description of the programs and projects proposed. As established by the federal notification of February 9, 2018 (Docket No. FR-6066-N ~ 01) there is an order of priorities in this first assignment that must be addressed, namely: Housing, Infrastructure and Economic Revitalization.

With this instructional basis, the paper was prepared and describes our priorities in that order; projects that this city interests would like to leverage the CDBG-DR funds. Similarly, in our planning process and programmatic projection we take into account all the sources of funds that we have available. Therefore, the content of the Plan does not provide us with a clear vision of the needs that will continue to be latent.

We are concerned that \$7.5MM and \$8MM are being assigned to programs to provide counseling or housing and workforce training activities respectively, when there are other sources of federal funds that exceed \$100MM for these same purposes.”

PRDOH Response: Petitions presented via public comment helped inform PRDOH’s program design. Programs outlined in the plan are designed to serve the entire island of Puerto Rico, including Manatí. PRDOH is committed to augmenting CDBG-DR funding, to the extent possible. PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant.

Comment via Email: #100_25-05-18_Margaró Rivera Guzmán

The body of the email contained no text, but an attachment was included.

Attachment to Email:

The attachment includes proposals and costs for several projects including:

- *Social interest housing*
- *Singles family housing*
- *Multi-family housing*
- *Construction of an industrial dairy plant*
- *Construction of an industrial grain plant (farináceos)*
- *Construction and revitalization of roads and infrastructure*
- *Construction of an asphalt plant*

The attachment closes with a request for funding.

PRDOH Response: Housing projects which qualify under the Low-Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Economic Development activities being pursued by PRDOH are outlined in the Action Plan.

Comment via Email: #101_25-05-18_Eric Buchier (Mayor Arroyo)

“Attached is the letter with our comments on the Action Plan for the CDBG DR funds.

Attachment to Email: Carta Arroyo”

The attachments submitted include Spanish and English versions of a letter from Eric Buchier Román, Alcalde de Arroyo. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #102_25-05-18_Jorge L. Márquez Pérez (Mayor Maunabo)

Attachment to Email: Carta Maunabo

The attachments submitted include Spanish and English versions of a letter from Eric Buchier Román, Alcalde de Maunabo. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #103_25-05-18_Betzaida Ramos Chárriez

“Attached are the comments prepared by the independent living network and the DD Network of Puerto Rico. In case of any doubt we are in the best disposition to meet and discuss the document.”

Attachment to Email

The attachment includes comments on the Action Plan and cites the following agencies as collaborators on the comments:

- *Movimiento para el Alcance de Vida Independiente (MAVI)*
- *The State Council on Independent Living*

- *The University Center for Excellence on Education, Research and Services on Developmental Disabilities*
- *The Puerto Rico Protection and Advocacy Agency for Puerto Rico*
- *The Puerto Rico State Council on Developmental Disabilities*
- *The Puerto Rico Assistive Technology Program*

The document includes the following comments regarding the Action Plan:

“Action Plan used the SOVI Index which looks at “27 social characteristics, to determine vulnerabilities that will be used for targeting priority unmet needs”. However, none of those variables take into consideration people with disabilities. As a result, people with disabilities are barely mentioned within the Action Plans as they are not considered a vulnerable population.”

PRDOH Response: Thank you for the comment. PRDOH has taken your comment into consideration.

“Action Plan identified 10 municipalities with the highest rate of special needs owners... It also identifies the highest rate of special needs renters We are unclear as to the factors that were used to determine this qualification, however we are more curious as to knowing what special programs are being created in these municipalities to counteract these needs. This should definitely be taken into consideration when determining the housing projects to be implemented with these funds.”

PRDOH Response: The Action Plan has been updated to cite the data source for special needs data. PRDOH appreciates your comments.

“The Action Plan states that Puerto Rico had a population of 3,337,177 residents before the storm. Furthermore, it states the 40+ age group is expected to increase in the next ten years as out-migration peaks after the storm. The implication is that there will be a population that is older in the next decade. It is a common fact that most elderly people acquire a disability as a result of their worsening medical conditions. According to the census data of the year 2000, 20% of the population are people with disabilities, whereas this action plan states that 15.5 % of the population are 65 or older and increasing. This represents more than 1/3 of the population of Puerto Rico. There were 1,571,744 housing units in PR in 2016; 1/3 of this represents 518,675 homes that should be available for elderly people and people with disabilities. We are nowhere near this amount of housing units available for these two populations. Therefore, we feel that this requires strategical planning to ensure that all future construction take into consideration the needs of these groups. Thus, the PR Department of Housing (PRDOH) should ensure that all construction and designing comply with ADA law and universal design, which make any space useful and marketable to people with diverse abilities. Following these requirements will allow this population to live in place and not have to be displaced because of incompliant homes that don't meet their needs.”



PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as programs are further developed. The Rental Assistance program has been added to the Action Plan and prioritizes elderly applicants.

“In the Action Plan there are some proposed projects we would like to comment on. The first is for providing in home aides for the elderly and people with disabilities.... Also proposed are projects geared to improve public transportation.... Also proposed are the restoration of communication systems... Finally, some of the proposed projects mention rehabilitating emergency shelters”

PRDOH Response: PRDOH has not designed or included any of these programs in the Action Plan.

“PRDOH states that "multiple standard methods of communication will be provided to ensure applicants receive timely, accurate information regarding their applications" for recovery assistance. It states that translation shall be available as well as interpretation services for applicants who lack sufficient ability to read, speak or understand the English or Spanish language. We emphasize the importance of having alternate formats available for those with visual and auditive disabilities as well. In addition, knowing that a lot of our population has difficulties reading and understanding official pamphlets or brochures, we recommend that PRDOH carry out informative sessions at the different independent living centers across the island to facilitate the transmission and comprehension of the application process as well as new programs available that could benefit them.”

PRDOH Response: PRDOH is committed to making information accessible and will take this feedback into consideration. Thank you for the comment.

With regard to programs outlined in the Action Plan, the document offers the following:

“Planning:

- a. PRDOH proposes a whole community approach to collectively understand and assess the needs of the community. It is important that we, as disability orientated organizations be included within these discussions and assessments to ensure our people with disabilities are considered throughout this process. We are the experts on this sector, our organizations are led and controlled by people with disabilities, so we are the best ally for PRDOH in ensuring inclusion.*
- b. PRDOH proposes initiatives to undertake using GIS technology to ensure housing is properly accounted for. We propose that in this evaluation PRDOH also evaluate the people with disabilities within each home to help census the population of people with disabilities. This data has not been collected since the 2000 Census, because of the lack of resources, and this would be an excellent opportunity to maximize the resources to*

help us obtain accurate estimates of the population that can help us get greater funding. It could also help the PRDOH to determine an accurate mapping of accessible housing needs.

- c. PRDOH, with the Department of Economic Development and Commerce, propose to create strategies for job promotion for LMI workers. We strongly recommend that job opportunities be created for people with disabilities in the different economic sectors to promote financial independence and decrease dependence on governmental aides.*
- d. Home Resilience Innovation Programs look for innovative solutions to address home-based renewable energy generation, storage and home units. The need for energy should also include the energy consumption of life sustaining assistive equipment that many people with disabilities require. Also, consideration should be taken to ensure all homes have water retaining and purification systems, as water is another resource indispensable to maintaining the health and well-being of all human beings, particularly so for people with disabilities with medical conditions.”*

PRDOH Response: Thank you for the comments. PRDOH will take this feedback into consideration as programs are further designed.

“Housing:

Once again, we consider people with disabilities should be considered as a vulnerable group and should be prioritized along with elderly populations.

- a. Every housing project constructed should comply with ADA and universal design, thus ensuring that housing is viable for all population groups. Also, housing alternatives should be affordable for both the elderly and people with disabilities.*
- b. Mortgage catch up programs should also extend eligibility to homeowners with disabilities, even if they are not current with their mortgage payments. As mentioned previously, this group is at a great disadvantage economically, and their excessive medical costs often require them to choose between paying life sustaining treatments or their homes. Therefore, they should not be penalized because of their circumstances, and thus allowed to benefit from this program even though their mortgages are not up to date.*
- c. The social interest Housing Assistance program proposes \$12,500,000 for the construction of housing (up to \$500,000 per project) for special needs populations that include people with disabilities. Although we applaud the effort to contract these units, we must point out that this assignation represents only 1% of the total funds received, to service approximately 33% of the elderly and people with disabilities. We also reiterate that, if efforts are made to follow universal design for all housing units, housing units should be accessible for all. Also, these projects should be constructed in areas that are*

easily connected to grocery shops, banks and medical centers to promote easy access and independent living.

- d. The Home energy resilience program should prioritize elderly applicants as well as people with disabilities.”*

PRDOH Response: Thank you for the comments. PRDOH will take this feedback into consideration as programs are further designed. A definition of ‘vulnerable populations’ has been incorporated into the Action Plan.

“Economic Recovery Programs

- a. Contractors that participate in the construction revolving loan program should be required to hire a percentage of people with disabilities as employees.*
- b. Participants that participate in the Small Business Loan programs should also be required to hire people with disabilities. In addition, their businesses should be required to comply with ADA law.*
- c. The workforce training program should also include people with disabilities in their training opportunities.*
- d. With the tourism and business marketing program we propose all construction comply with ADA law and universal design, so Puerto Rico can market itself as an accessible, touristic destination.*
- e. The Commercial Redevelopment Program should require all businesses that receive these funds ensure that both the design and construction of the facilities comply with ADA and universal design.”*

PRDOH Response: Thank you for the comments. PRDOH will take this feedback into consideration as programs are further designed.

Comment via Email: #104_25-05-18_Ramon A. Hernandez Torres (Mayor Juana Diaz)

"I attach two letters with the comments concerning the Action Plan on the CDBG-DR funds that were assigned to Puerto Rico for the recovery of our country. I hope our people will be taken into consideration comments to speed up the recovery of our country from the municipalities. The mayors know firsthand the needs of our citizens. "

Attachment to Email:



The attachments submitted include Spanish and English versions of a letter from the Mayor of Juana Díaz, Ramon A. Hernandez Torres. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #105_25-05-18_José Guillermo Rodríguez (Mayor Mayaguez)

“Attached comments for the Action Plan CDBG DR from Mayaguez”

Attachment to Email:

The attachment makes the following observations regarding the Action Plan:

- *“The plan does not allocate funding to address the needs of the municipio of Mayaguez, as submitted in the ponencia submitted by the municipio. The document also voices disagreement with the method of distribution outlined in the plan because it does not allow for direct administration of programs by municipios and requests information regarding the reason the request of the municipio was not considered.*
- *The plan does not comply with the requirement that resources be dedicated to the most impacted and distressed areas, because funding was not delegated to the municipio of Mayaguez.*
- *The document requests that the basis for which impact study and needs assessment be provided.”*

PRDOH Response: Project proposals submitted helped inform PRDOH’s program design. Programs outlined in the Action Plan are designed to serve a geographic area which includes all of Puerto Rico, including Mayaguez. Information regarding how the unmet needs assessment was conducted is included in the Action Plan. Formal written comment submitted is included as part of the public record available at www.cdbg-dr.pr.gov. Additionally, all comment is summarized and responded to in the appendices of the Action Plan.

Comment via Email: #106_25-05-18_Carmen I Maldonado González (Mayor Morovis)

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Morovis, Carmen I Maldonado González. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #107_25-05-18_Nereida Rivera Ortiz

- "1. Was the response from federal agencies like FEMA and SBA effective in your community?*
 - 2. Was the response of the Tu Hogar Renace program effective in your community? Yes*
 - 3. Do you have access to the internet or social networks? yes*
 - 4. Did you know about CDBG-DR funds? No*
 - 5. Did you know about public hearings for the use of these funds? Your community was notified? No*
 - 6. Do you consider that there was - for your community and for you - an opportunity to participate or submit comments or proposals for the use of these funds? No, a neighbor notified me.*
- Are you aware of the proposed plans for these funds in your town? No*

Regarding housing:

- 1. Do you have, or do you have unmet needs in your community related to damage or loss of the House as an effect of the passage of Hurricanes Irma or María? Yes*
- 2. What needs, in terms of rebuilding long-term stable and secure housing, have been discovered after the initial response from state or federal agencies? By example, if there many homes totally or partially destroyed, if the damage caused by floods or winds, if there is water*

or electricity service. A part of the community still after federal aid has not been able to return to their homes as before

3. Are you living in temporary housing? No

Have you managed to repair or rebuild your home? If it had been reconstructed, is it a temporary or long-term arrangement? For example, they fixed part of your roof but you don't feel that it provides long-term security and stability? I have not yet been able to repair, I still need assistance to repair the roof

4. In terms of the state of your home and your community, do you feel that you are prepared or prepared if it happened another disaster? No

5. Is your community among those mentioned in the various proposals as one at risk? From displacement? I do not know

6. Do you think there is another alternative to maintain your community and your homes without having to resort to relocate or displace people?

Infrastructure needs and economic development of your community

1. In terms of infrastructure and economic revitalization, how would you describe the Needs discovered - not attended by local or federal agencies after the disaster - of your community?

Consider elements such as lack of adequate channeling of bodies of water, electricity, level of unemployment, economic activity and others, in relation to damages caused by hurricanes.

2. What would you propose to promote the best quality of life in your community?

3. Are there mitigation measures for damages, such as dredging, dykes or others that could help your community?

Vulnerable populations

1. In your home or community, are there people who belong to vulnerable groups - such as elderly, people bedridden or with functional diversity, minors or others- that still suffer the consequences of the disaster and have not received adequate assistance from local agencies or federal? Yes, it considers elements such as medical, educational, employment and other types of assistance.

2. Do you consider that you or your community have been discriminated against by local or federal agencies?

Commissioned to respond after the disaster? No

Considers discrimination based on race, gender, sexual orientation, identity of gender, functional diversity, social class or others.

PRDOH Response: Thank you for the comments.

Comment via Email: #108_25-05-18_Omayra Rivera

"According to the definition of informal construction offered in the page 52 of the draft, are homes built without design professional and in many cases without permits. However, not all these structures are in insecure areas, Flooding or prone to landslides. Not all structures are precarious. In this case, there would be no need to move residents but rather guide and assist them with technical resources for the repair or reconstruction of housing and the improvement of their environment (infrastructure road, sanitary, electrical and spaces of common use and services). "

PRDOH Response: Thank you for the comment.

Comment via Email: #109_25-05-18_Shanid_Monzon_Cruz

Attachment to Email:

The attachment provides an overview of the Oficina de la Procuradora de las Mujeres, which provides services primarily to female heads of household of low and moderate income. The document gives demographic and statistical information regarding this population, as well as an outline of the challenges they face. The submission suggests the following programs. All programs suggested are accompanied by data and supporting information.

... The Office of the Women's Advocate recommends rehabilitating and re-densifying the Urban Centers (CU) of the country, through the allocation of funds for the acquisition and / or rehabilitation of vacant homes. The properties to be acquired must comply with the meters for safety and good planning established by municipal, state and federal regulations. Homes that are in communities where they are not settled in vulnerable areas and that have basic profits. The properties of ben be located in non-flood zones, outside declared zones with a high level of probability of landslide and respect the areas designated as the Maritime Terrestrial Zone (ZMT). Likewise, housing must comply with properly established construction codes. In cases where the acquisition of vacant housing cannot be carried out, we recommend the acquisition of land available for the construction of affordable housing. This, likewise, under the parameters of security and planning previously established and in addition, comply with the dictates of the Territorial Ordinance Plans (POT). "

PRDOH Response: The Homeowner Rehabilitation, Reconstruction or Relocation program allows for voluntary relocation and offers eligible applicants the option to select an existing home available on the market or to construct a new home outside of hazard-prone areas.

OPM recommends, funds are contemplated for a Business and Technology Development Program for Women. This program is aimed at women who want to start a business of your own. It seeks to promote self-employment in socially and economically disadvantaged women,

so that they can reintegrate into the labor force and access economic goods. Through this program, the OPM would be offering the following services:

- Training workshops in skillful areas and technology
- New trends for small businesses.
- Orientation related to initiation, promotion and business administration.
- Help and advice for the creation of business plans and marketing plans.
- Guidance for financing.
- Permologist consultancy.

We know that it is difficult to attend these programs when the woman does not have assistance and/or family help for the care of minors. To mitigate this, we propose that this program have childcare services during the time that the participants are taking the training or counseling. Aware of the problem of transportation or little accessibility to these services, this program must reach the geographic areas where there is a high percentage of vulnerable women, surviving victims, so that we can impact the largest possible population. Not only will we be helping the self-fulfillment of disadvantaged women through training, empowerment and planning services. With this proposed program, also, we help the generation of jobs through the human resources that would be needed to be able to carry out the services.”

PRDOH Response: Thank you for the comment. Units of local government, non-profit organizations, and governmental and quasi-governmental agencies are invited to propose training programs under the Workforce Training Program outlined in the Action Plan. Interested parties are encouraged to monitor www.cdbg-dr.pr.gov for opportunities as they become available.

Our recommendation to cover this basic need is for a portion of the CDBG DR funds to be allocated for families that do not yet have electric service or who have suffered damage to their personal property due to system instability. These funds would be using to provide those families with basic household items that they can use without the need for electric service. We propose that families be provided with the following materials:

- Gas stoves.
- Tanks.
- Water filters.
- safety lights.
- Renewable energy basic kit. {Kit of solar panels / windmills kit}
- Refrigerators that work without electricity
- Solar heater
- Emergency kit

PRDOH Response: The Home Energy Resilience Program outlined in the Action Plan aims to promote energy efficiency and reliability.

Comment via Email: #110_25-05-18_Norberto Soto Figueroa (Mayor Patillas)

"According to the requirements, the municipality of Patillas send their comments."

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Patillas, Norberto Soto Figueroa. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #111_25-05-18_Alfredo Perez Zapata

"I include with this email the request to include projects and comments from the Company for the Integral Development of the Peninsula de Cantera to the "Disaster Recovery Action Plan" published this past May 10, 2018.

If you have any questions or concerns you may contact Ms. Francine Sanchez, Executive Director of the Agency or with Mrs. Marycelis Duran López, Acting Executive Director, both copied in this email, or with this email listed below."

Attachment to Email:

The attachment provides background "Plan de Desarrollo Integral Fisico" for the land included in the Peninsula of Cantera and historical information regarding project plans developed. The CDIPC requests that the following projects be considered under CDBG-DR:

- *Assistance in the continuity of its program of acquisitions, rehousing and demolition of homes in the coastal area of the Peninsula located in flood zones, with unstable areas that invade the area where the perimeter streets and designated green areas are located. by the agencies in its Integral Development Plan and the Mati in Peiia caio project.*
- *Assistance in the construction of the Southern Cone of the Peninsula to delimit the maritime- terrestrial zone, provide pluvial infrastructure to improve the drainage*

systems of the interior streets, green areas and complementary development of the Caño canalization project. Martín Peña

- *Assistance in the reconstruction of the central streets of the Peninsula which were completely unusable after the hurricane and with its sanitary and rainwater sewer utilities lines affected.*
- *Assistance in your socio-economic development projects that include:*
 - *Prepare lot plans and delivery of property titles*
 - *Development of economic projects for its residents taking into consideration the environmental improvement and the advantages of the bodies of water that surround the Peninsula.*
 - *Improvements to drinking water distribution systems at the highest points of the Peninsula*
- *Assistance in the rehabilitation of structures so that they can withstand hurricane winds.*

The document states the CDIPC is available to assist in recovery efforts.

PRDOH Response: Thank you for your comments. A Title Clearance program has been added to the Action Plan. Projects suggested helped PRDOH in development of program design.

Comment via Email: #112_25-05-18_María E Meléndez Altieri (Mayor Ponce)

Attachment to Email:

The attachment highlights a proven track record in the management of federal funds by the municipio of Ponce. The attachment also suggests the following projects:

“First Project: Urban Area

This project consists of

- *The repopulation of the urban area*
- *Buying of properties*
- *Acquisition of public nuisance*
- *Granting of property titles*

Second Project: Ponce Coastal Zone

This project consists of

- *New construction and rehabilitation project*
- *Economic development of the area*
- *Titles granting*

Third Project: Ponce Rural Zone

This project will consist of

- *Repairing of housing of very low-income families and low-income families*
- *Special housing for homeless (3 projects of 50 units each)*
- *30 community water wells with renewable energy systems*
- *Immediate Response Community Centers (CCRI) which consist of a gathering place to address the needs of health, communications, education and security for people during emergency situations and natural disasters.*
- *Said project will include 560 housing units in the Ponce rural zone, of which 150 will be of new construction and rehabilitation of 410 for very low-income families and low-income families*

Further details regarding these projects are available in the attachment.

PRDOH Response: Thank you for the suggestions. Projects suggested helped guide PRDOH’s development of programs outlined in the Action Plan. PRDOH will consider the projects proposed as further programs are developed when additional funding becomes available.

“SPECIAL PETITION OF FUNDS FOR THE AMOUNT OF \$12.8 MILLION

That the request to cancel loan 108 of the municipality of Ponce, used in the construction of the Convention Center complex be considered by the Department of Housing of the Government of Puerto Rico. We understand that this is an eligible activity under funds CDBG-DR. With this authorization the Ponce municipality releases future funds to meet needs and develop eligible activities under the CDBG regular program.”

PRDOH Response: CDBG-DR funds must be used for recovery from the 2017 disasters.

The document also makes the following suggestions:

- *“That the basis of the distribution is just and equitable for the needs of Ponce.*
- *That it addresses at this stage the identified need housing units of around 1,590 residents of Ponce, and that these units are resilient, built with valid, current codes and that in case of a new disaster have the necessary resistance not to go over such a regrettable experience like the one we have lived.*
- *That together with the development of housing units for very low income and low-income families*
- *The economic development be permitted with relevant projects of fast, secure and efficient construction.*
- *The municipalities are the first contact with the citizens and the service centers. We know, and we can administer the funds. In the case of Ponce, we have the experience, capacity, and expertise in the management of those funds in the programmatic part as*

well as in auction processes, evaluation and in the execution phase of the federal programs where we have been sub-recipients. The municipality has a robust administrative structure, prepared, trained and with proven experience in the administration of federal funds. We know the needs of our people, where to locate them, where to carry out processes and a vast capacity shown for years and decades of successful accomplishments.”

PRDOH Response: Thank you for the suggestions. PRDOH will take feedback provided into consideration as programs are further developed. Per 83 FR 5844, 70% of funds must be used to serve low and moderate-income persons and funding expended must primarily address housing needs. PRDOH designed programs to serve the entire island of Puerto Rico, including Ponce.

Economic Development programs are outlined in the Action Plan.

The document requests that Ponce be considered a partner by PRDOH and states “Regrettably, during the consulting process the Housing Department and HUD created the expectation that municipalities were important and that they will play a role under the strategy of recuperation of CDBG-DR funds. Nevertheless, when the Plan was published, it does not recognize the important role the municipalities played during the emergency, the capacity to help the State on the recuperation stage, the more than 40 years managing CDBG activities, and ignores completely the request to use the non-covered need calculated by HUD for the assigning of CDBG-DR funds. The petitions of the Municipalities are not recognized nor taken into consideration. We feel municipal autonomy is being affected. Moreover, when examining the Plan, the municipalities are only assigned a strategic planning role (Resilience Plan) but not of execution. The Plan should recognize the Municipal Autonomy, which parallels the local government with the central government. The document fails in not recognizing that citizens are served directly by the Municipalities and that are given services in many areas not provided by the State.”

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan.

The document also makes mention of the permitting process. “it is not considered the functions of the Territorial Planning and Local Permits Offices and it is established that every permit process will fall under the Permit Management Office (OGPE). This proposal might be violating the State Permit Law, the agreements of Law 81 and attempts once more against our defense of the municipal autonomy.”

PRDOH Response: PRDOH has designed programs to comply with all applicable laws and regulations.

Regarding the use of subrecipients or partner agencies outlined in the plan, Ponce writes:

“The Department did not explain the rationale for determining the use or not of sub-recipient for none of the activities that will be carried out. The Department did not explain why it was determined not to use the Municipalities to carry out the activity, specifically in the housing activity, where \$841 million were assigned. It is of general knowledge that the Municipalities which participated in the views requested to be sub-recipients of the activities, but the petition was ignored by the Department.

The Plan proposes five types of activities: Administration, Planning, Housing, Economy, and Infrastructure. Of these activities, four have funds assigned. Only one activity, Whole Community Resilience Planning, permits the municipalities to receive fund directly and according to our interpretation of the maximum amount it would be \$10,000. In other words, of the \$1.5 billion assigned only \$780,000 are assigned to the Municipalities. What is astonishing is not the amount of money assigned but the process where municipalities make plans for their territories when the Housing Department has already determined the actions to be carried out.”

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. Projects proposed via written comment are included in the public record at www.cdbg-dr.pr.gov. Project suggestions helped guide PRDOH’s program design for this Action Plan and will continue to guide program design for subsequent funding. The Whole Community Resilience Planning program has been expanded upon in the Action Plan.

Regarding housing programs, the document reads:

“For the housing activities the greatest amount of funds (\$841 millions) proposes a model of direct assistance to needy families through a voucher which allows the family to acquire a house from a private developer in the market. This alternative was proposed by the Puerto Rico Builders Association on their presentation in March 7, 2018 (see presentation attached) and is based in a Commissioned Study by the Technical Studies Firm which concludes that there is a demand for homes under \$ 150,000. As it has happened in the past, said firm has confused necessity with housing and the model proposed by the Association of Builders of Puerto Rico reduces it to one of Supply and Demand.

This market model is the same as the one used in the “Tu Hogar Renace” program and the one we understand does not eradicate the problems of communities since it only looks at the individual need and the market element and does not allow the investment of the CDBG-DR Program to be maximized.”

PRDOH Response: Thank you for the comment.

“On the other hand, serving people at random does not make it a mitigation or recovery strategy, which is one of the objectives that the CDBG-DR program aims to achieve. The model does not allow to carry out strategic solutions to attend communities in an integrated way and will encourage more poverty, segregation in those families that do not obtain a voucher. As a function the participant requests the help, is qualified, receives a voucher, identifies and moves to a dwelling and the house where he resided is demolished.”

PRDOH Response: The Whole Community Resilience Program was designed as an avenue for citizens in vulnerable communities to actively participate in decision-making related to the creation of resilient, whole-community solutions.

“The voucher program has another flaw and is that it only proposes the demolition of the affected house without evaluating the consequences of the vacant spaces in the affected communities. Within the structure of proposed housing activities, it is also not observed how these activities promote the investment of private capital in the financial formula of the projects, which is an element to consider since some of the postulates under which the funds of the CDBG-DR Program were approved is the opportunity to create collaborative efforts among all available sectors and the opportunity to align different sources of resources to maximize the quantity and possible use of them. This allows us to expand the scope of services and to have a broader resource base to guide the recovery and reconstruction efforts of the Island. We believe that by allocating fifty-six percent (56%) to the housing component of the Plan and not to pretend that these are the basis for attracting a significant investment from the private sector to the recovery efforts of the Island, limits the Institutional capacity of the Government of Puerto Rico as the main partner of this transaction and reduces us to the scope of operation to more effectively meet the significant community needs originated and associated with the events of natural disasters. As a positive detail, the proposed method considers public obstructions and existing repossessed and vacant homes.

However, it indicates that only those that comply with the current construction code will be eligible. This will make it difficult to rehabilitate existing homes and it is likely that they will be demolished, and new homes will be built. As it happened with "Tu Hogar Renace" the municipalities will be deprived of knowing which people have been assisted in their municipalities, which contractors are carrying out construction work, which contractors must pay building fees (most of the jobs will exceed \$ 10,000), which projects are carried out without permits, etc. In addition, the biggest beneficiaries will continue to be the developers who, with unreasonably high rehabilitation costs, carried out improvements that did not help solve the problems of the families and in this case did not help to solve the community's risk problems. Usually the rehabilitation and new housing construction generates job creation. When federal funds are invested in projects, compliance with Section 3 of the Federal Housing Law is required. This Section of the Law establishes that every contractor must provide employment opportunities to low income residents of the community. However, the voucher model circumvents Section 3 since the use of this mechanism does not require developers to comply

with said Law. The net effect of this is that the construction jobs to be created will not necessarily be from the municipalities where the house is built.”

PRDOH Response: Thank you for the comments. PRDOH has designed programs to comply with applicable laws and regulations.

“Working families and retired seniors are excluded from the Plan. The Federal Register allowed CDBG-DR funds to be used for families with an income of up to 120% of the median for the area. These families in many cases are those of the lower middle class... the plan should expand the income level to 120% of the median for the area.”

PRDOH Response: Elderly persons are prioritized in the Homeowner Rehabilitation, Relocation, or Relocation program. The Rental Assistance Program, which has been added to the Action Plan, and the Social Interest Housing Assistance program also aim to serve elderly populations. Programs listed with a national objective of “Urgent Need” (UN) in the Action Plan are available to serve households with annual income over 80% area median income.

“No activities were included to meet the immediate need of people who were renting. All housing activities that are proposed in the plan do not consider tenants.”

PRDOH Response: The CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program will provide affordable rental housing. A Rental Assistance program has been added to the Action Plan.

“The distribution method included in the Plan will create a high-risk status in the management of delegated funds since none of the sub recipients has experience managing CDBG funds and in some cases no experience in the administration of federal funds. Neither the Department of Economic Development, Tourism, and AFV have experience in CDBG activities.”

PRDOH Response: Partners identified in the plan will perform duties under strict PRDOH monitoring and compliance oversight. All participants are subject to monitoring from HUD and Office of the Inspector General (OIG) monitoring at any time. Due to the federal nature of these funds, detailed reports on expenditures and activities will be reported to HUD on a quarterly basis and will be posted to the website.

Additionally, the document alleges the following deficiencies in the Action Plan:

“Public comments - The comments and requests of the Municipalities and of all the people who participated in the public hearings were not addressed or answered in the Plan. The Federal Register on its page 5854 states that the Grantee must:

- *Consider all comments received orally or in writing*

- *Make a summary of the comments*
- *Answer each one of the approaches*

The Plan does not include any of the comments of the Municipalities and only the Department's website includes a copy of the same. However, the Department does not answer any approach from the municipalities or any of the people who participated in the public hearings."

PRDOH Response: PRDOH is required to address all public comments regarding the draft Action Plan received during the public comment period. All comments received are hereby addressed in the version of the Action Plan submitted to HUD.

"Document Accessibility - Regulations establish that the Grantee must ensure that citizenship in general has equal access to information about the proposed programs, including making it available in the languages corresponding to the area intended to benefit and serve, as well as taking the appropriate steps to ensure an effective communication process with people with disabilities.

Possible action to Take - Request that the document be made available in the languages and formats accessible to the entire population, including Spanish and in formats that address the limitations of populations with disabilities."

PRDOH Response: English and Spanish versions of PRDOH's Action Plan were concurrently published to www.cdbg-dr.pr.gov. Information included on the website is accessible in both Spanish and English, and accessible to those with disabilities.

"Failure to comply with all Federal Register requirements - The last paragraph on page 81 of the Plan states that the Department will establish an appeal process that will comply with the provisions of pages 5850-5851 of the Federal Register. The establishment of the process is a requirement to receive the funds and the Department is obliged to explain in the document how it will comply and which method it will use for the appeal process"

PRDOH Response: Information regarding appeals is included in the Action Plan. Appeals processes will be tailored to meet the needs of each program and further defined within program guidelines for each program.

"Certifications - The Federal Register (page 5846) requires the Department to submit the following certifications on or before April 15, 2018

- Certification of Financial Controls, Competition and Grant Management*
- Implantation Plan and determination of capacity to manage the Grant*

The Department submitted the documents to HUD, but the documents were not available for consultation or citizen evaluation as required by the Federal Register in Section V (Page 5846): Grantee must draft and publish (on their website) policies and procedures for programs and key recovery operations implemented by the grantee with CDBG-DR funds."

“There are conversations that indicate that the Department wants to create a mega structure of almost 2,000 employees to manage the CDBG-DR Program. This structure is probably explained in the Implantation Plan, which has not been made public. The management of this structure will cost hundreds of millions of dollars that will not be available to serve low-income people. It is in this line where the current structures of the Municipalities will help to maximize the available federal funds.

Possible Action to Take - Request the Department to make public the documents submitted to HUD on April 15, 2018, that is

- a. Certification of Financial Controls, Competition and Grant Management*
- b. Implantation Plan and determination of capacity to manage the Grant”*

PRDOH Response: PRDOH submitted the Certification of Financial Controls, Implementation Plan and Capacity Assessment to HUD, as required, prior to April 15, 2018. As part of the review of the Action Plan, HUD must also review and approve of the aforementioned documents.

Policies and procedures will be tailored to each program and developed after programs are approved by HUD. As required by 83 FR 5844, policies will be posted at www.cdbg-dr.pr.gov when they are available.

“Citizen Participation Plan - Page 119 of the Plan states that "the Department of Housing, as a Grantee of the CDBG-DR Program, prepared a Citizen Participation Plan to regulate the Plan's Consultation Process." The Citizen Participation Plan is the document that regulates the Process of Comments, Public Views, and Amendments to the Plans. When we check the Department's website, we realize that this document is not available.”

PRDOH Response: Citizen Participation Plan is available in English at <http://www.cdbg-dr.pr.gov/announcements/> and Spanish at <http://www.cdbg-dr.pr.gov/es/avisos/>

The following general observations regarding the Action Plan are outlined in the document submitted:

- The scale of the maps included does not allow identifying those communities most impacted at the municipal level. An example of this is the map on page 28 of the document that identifies a property matrix with damage and vulnerability. It is not possible to identify in the map which communities will have the greatest need. In addition, the document does not identify them, which does not allow us to know for sure that communities at the municipal level will have priority at the time of carrying out the housing activities proposed in the plan.*
- The Overdue Mortgage Program has the following functional deficiencies:*
 - a. As a public service activity 51% of the participants must be low and moderate-income people and have a mortgage. Finding eligible participants for this activity will be very*

difficult. For example, in all municipalities that make up the San Juan region, a couple that works and where both earn minimum wages do not qualify as low-income families.

- The CDBG-DR GAP TO LOW INCOME HOUSING TAX CREDITS (LIHTC) activity that offers donations to developers under the Tax Credit Program (LIHTC) and that allocates \$ 120 million, will not fully benefit people affected by the hurricane and is excessively costly for the CDBG Program. The LIHTC projects will not address the immediate need for housing since it will take 18 to 24 months to build from the moment the funds are allocated. On the other hand, the units of one (1) room in the LIHTC program typically cost more than \$ 150,000 dollars, this amount is onerous and excessive and with the same funds, more than 2,500 housing units could be rehabilitated.
- The Revolving Program for Construction does not meet the requirement of need not covered. If the Department understands that it has the capacity to handle this program adequately, what impediment will it have to pay in 30 days or less to the developers that participate in the Program. The \$35 million allocated to this activity could be allocated to the Municipalities to carry out economic development programs with donations to small merchants (for mitigation measures, inventory replacement, operational expenses) that were affected by the Hurricane.
- The Home Energy Resilience activity is limited to families with incomes below 80% of the median excluding working families. There is no regulatory impediment for this public service activity that offers funds for solar heaters and other energy efficiency improvements to be offered to middle class people affected by the hurricane. The Department should be asked to eliminate the low-income restriction since under the Public Services Category, the CDBG-DR Program allows 49% of its beneficiaries not to be of low income.
- The WORKFORCE TRAINING PROGRAM activity (\$ 8 million) is another donation that will benefit developers as it allocates resources to train the labor they need to rehabilitate and rebuild affected homes. There are other federal programs (Ex WIOA) that have funds available and that can be used for this type of activity.
- The TOURISM & BUSINESS MARKETING PROGRAM activity allocates \$ 15 million for a media campaign to promote Puerto Rico abroad. This activity, although necessary, could already have its own resources that were assigned to the DMO. In addition, the Department indicates that they will request a waiver for it since it is not necessarily eligible under CDBG-DR.
- The activity of COMMERCIAL DEVELOPMENT creates a program of \$ 25 million to improve the facades of commercial properties but does not address the need for businesses that need other resources and mechanisms to recover from the economic crisis caused by the hurricane.
- In the activity HOME OWNER REPAIR RECONSTRUCTION, OR RELOCATION PROGRAM, it is established that the activity of housing rehabilitation will have a maximum limit of assistance up to \$ 48,000.00. This limit of assistance makes available for rehabilitation only those housing units whose market value is \$ 96,000.00 dollars or less, since the proposed design is limited to the rehabilitation of units whose estimated value of rehabilitation exceeds 50% of the value of the unit. This leaves out of the possible

universe of clients working families whose units can have a cost in the market between \$100,000 and \$120,000, which is considered in the market a value of housing of social interest and which suffered equal or greater damage during the events of the natural disasters that affected us.

- Several of the proposed activities use the national objective of "urgent need", even though these activities do not meet all the regulatory requirements that they have to meet to be considered eligible under this category of national objective.*
- It is not possible to identify how the activities included in the proposed Plan comply with the main objective included in the Federal Register, which originates the budget allocation, which is to assist in the long-term recovery of the areas affected by the disasters of the Year 2017.*
- In total, the Plan includes proposed activities to carry out planning exercises for a total of \$ 73,250,000, a quantity of funds that, although could have a positive intention to obtain an effective result in something, are a significant amount of resources that are being destined to sponsor activities that do not address the immediate needs of the population segments or of the communities located in the Municipalities of Puerto Rico.*
- The SOCIAL INTEREST HOUSING ASSISTANCE activity proposes housing construction for populations with special needs through Non-Governmental Organizations (NGO). However, the Plan does not include a clear description of the eligibility requirements that an entity must meet to be considered an NGO, and less than level of knowledge, experience or expertise must have in its organizational profile to carry out this type of activity. The activity has a total of \$ 12,500,000 for this activity. This activity can be an example of where resources are identified in the Plan so that Municipalities can be inserted as sub-recipients to carry out activities that meet the basic and essential housing needs of the affected populations.*
- If the amount of \$7,500,00 is added as the HOUSING COUNSELING PROGRAM activity proposes, the Plan tries to allocate a total of \$ 20,000,000 to NGO, a significant amount of resources that we understand could have a more appropriate use in the scenario of damages and needs originated for the events of natural disasters, allowing the municipalities to assume an active role in the provision of services.*
- The MORTGAGE CATCH-UP PROGRAM activity, which proposes financial assistance for the payment of delinquent mortgages, presents a design that makes a working family ineligible where both components of the marriage generate income. Given the application of the income limits proposed in the activity, a significant number of working families, which essentially need to generate income to pay the mortgage, remain outside the eligibility group even when they suffered equal or greater damage than the population segment to which it is proposed to serve.*

PRDOH Response: Objectives of each program are outlined in the Action Plan. Thank you for the comments.

Comment via Email: #113_25-05-18_Natalia Guzman

“Overall, the Action Plan diagnostic analysis is carefully crafted. The document would benefit from a greater degree of specificity on the recommended actions. Below please find some comments/questions to the CDBG-DR Action Plan:

1. The amount of funds allocated for use to leverage Low Income Housing Tax Credits is comparatively low. 4% LIHTC funds are essentially noncompetitive and right now voluminous, so a more efficient use of this pool of funds is advisable. The \$120 million suggested in the DRAP should be increased.”

PRDOH Response: Thank you for the comment.

“2. Regarding Social Interest Housing Assistance, the suggested funding cap is \$500,000 an amount that will be constraining. Perhaps it would be advisable to establish a per unit cap and the maximum per project discretionary.”

PRDOH Response: Thank you for the comment.

“3. There is no dedicated funding component for financing the retrofitting of the existing subsidized rent multifamily stock. It is crucial that this housing of last resort remains viable during and after disaster events – that is, comprehensive power generation and potable water services. We saw the position assumed by HUD threatening the cancellation of rent subsidies claiming noncompliance with Housing Quality Standards.”

PRDOH Response: The CDBG-DR Gap to Low Income Housing Tax Credit program aims to provide affordable rental housing. A Rental Assistance program has been added to the Action Plan.

“4. There is no indication of a possible use of CDBG-DR funds to create an emergency safety net that will enable law 173 subsidized rent projects to subsist during a transition period until a reasonable financial restructuring of the projects is completed.”

PRDOH Response: Thank you for the comment. A Rental Assistance program has been added to the Action Plan.

“5. Regarding Home Energy Resilience, recommend including the use of purchasing solar power to allow homes to be off-the-grid. A \$6,000 cap per unit would not allow homes to obtain that and be energy resilience. Also, limiting the AMI to under 80% would be restricting. Consider increasing to 120% or 150% of AMI.”

PRDOH Response: Thank you for the suggestions.



“6. A significant amount of the funds should be allocated to putting electrical and communications underground. Please provide details on the Government’s plan to do so.”

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

“7. Please confirm if CDBG-DR could be assigned to a lender providing financing to a CDBG-DR project grantee.”

PRDOH Response: CDBG-DR funds must be used for recovery from the 2017 disasters.

“8. Could the funds be used to develop workforce housing, student housing or market-rate elderly housing in blighted areas?”

PRDOH Response: PRDOH will take these questions into consideration as programs are further developed and in the event additional funding becomes available.

Comment via Email: #114_25-05-18_Amárilis Pagán Jiménez

“Please see annex with comments for Proyecto Matria for the Action plan of PR”

The attachment provides information regarding Proyecto Matria, a non-profit entity and provides the following comments regarding the Action Plan, which incorporate comments from Ayuda Leal Huracán María (ALHM):

“The extended length of time for the comment period requested which was denied by your department constitutes a limitation on the right of opinion of the communities and of the people who will be affected by the decisions made when assigning them. That means, that our participation does not represent an endorsement to the process nor an approval to the way in which it was carried out. ”

PRDOH Response: Although PRDOH is not considering extending the public comment period for this Action Plan, it will consider these comments in determining the length of the public comment period for subsequent Action Plans or substantial amendments. PRDOH is committed to a 30-day public comment period for the substantial Action Plan amendment associated with the next CDBG-DR allocation.

Regarding Citizen participation, the document states the following:

"The government was not proactive or effective in the process of convening the public hearings required by law. The dates of the outreach sessions were limited, the participation turn outs were dominated by Municipalities and there was not a wide call, in Spanish and with enough time so that the people who will be impacted by the use of the funds could participate in them. This can be the basis for civil rights violations of people who live in communities at risk of being displaced or of people who might miss the opportunity to rebuild their homes and communities.

After Hurricane Maria, Proyecto Matria (non profit) supported people from more than 20 municipalities around the island and continues to be in contact with many of them. In our interaction with communities and people affected by Hurricane Maria we know that there is still a large part of the population facing problems with electricity, water, housing and even transportation. These circumstances limit their access to information and their ability to participate in public hearings outside their villages. In order to guarantee real participation, it was imperative to hold public hearings in all the municipalities and announce them in Spanish and in visible spaces for the communities.

The calls of the Department of Housing to present a summary of the plan already made to community organizations does not meet the community participation requirement because it did not offer the opportunity to express opinions, incorporate data or include changes to the plan that was presented on May 10. In fact, such orientation was convened on Friday, May 4 for a meeting on Tuesday, May 8. "

"Action Required: Make available an official translation of the Allocation Notice (AN) into Spanish and information on other matters related to CDBG-DR funds to ensure effective communication about the program to communities, as well as extensive notification of availability and eligibility. of these funds. "

"Action required: Hold public hearings distributed in an equitable manner between geographical areas and notified in an appropriate manner, at feasible times for the working population of the country.

→ Action required: Extend the period to submit comments to the B-PA so that the communities have enough time to consider the draft, effectively assess the needs in terms of infrastructure and housing and submit comments on the Plan.

→ Action required: Draft a readable and accessible action plan for the general population."

PRDOH Response: PRDOH values your feedback and has taken your comments and suggestions into careful consideration. The public hearing process was open to the public and resulted in a wealth of information exchanged. Hundreds of submittals from the public were received. Although each proposal may not have been referred to by name in the Action Plan, all submittals have been reviewed carefully by PRDOH and were considered in the development of the plan.

PRDOH recognizes your feedback on the public process. PRODH has requested that HUD provide the Federal Register notice in Spanish. Feedback regarding the length of the

comment period for this Action Plan has influenced the decision made by PRDOH to institute a 30-day comment period for the Action Plan amendment which will address the next allocation of CDBG-DR funding. PRDOH welcomes collaboration regarding outreach strategies.

Regarding Accessibility of Information, the following is written:

"The Draft Action Plan contains differences between its texts in Spanish and English. This represents a serious fault when it comes to guaranteeing most of the country access to the information it contains, since in Puerto Rico most of the population only speaks and reads in Spanish. On the other hand, the fact that the information has been disseminated mainly in digital media, prevents sectors that still lack electricity and / or adequate signal from the Internet, access to the draft. This constitutes another serious fault in the process and another possible violation of civil rights, as well as noncompliance with the requirements of law."

PRDOH Response: Comments will help inform PRDOH's ongoing outreach strategies. Both the Spanish and English versions of the Action Plan have been reviewed.

Regarding data included in the Action Plan, "The papers presented by the municipalities contain very little data that reflects the reality of their inhabitants and they request funds without clearly expressing the criteria required by the regulations applicable to the CDBG-DR funds. "Ayuda Legal Huracan Maria" data obtained through FEMA cannot be considered as reliable data ... poor management of inspections by FEMA's subcontracted personnel, lack of access to the Internet or offices to do your claims quickly and the constant denial of benefits proportional to the damages received in properties and communities.

This information could be much more detailed if given the opportunity to collect it with a broad process of public hearings. Matria initiated this process through Community Public Views convened by us in the places and towns where people cannot reach other areas or send data through the Internet.

We are, therefore, again pointing out another possible violation of civil rights to the communities whose information and discovered needs were excluded from the data considered to create the Draft Action Plan and stating that the data used is contestable and should not be constituted as the only information base for the preparation of it.

→ Required Action: Identification of unmet needs through census data compiled by community leaders (ALHM) "

The document also contains information regarding needs gathered by Proyecto Matria, as examples.



PRDOH Response: Thank you for your comment regarding FEMA data. The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources, including census data, is included in the appendices.

“Regarding Vulnerable Populations:

In our field work post Hurricane Maria to this day, our work team (which includes lawyers and lawyers working appeals before FEMA) have documented the following data:

- 1) There are people who NEVER submitted their claims to FEMA for lack of access to digital media or services in their areas.*
- 2) There is a high number of people in rural areas who do NOT know how to read or write and who were never treated or asked for FEMA benefits.*
- 3) For female heads of family, the workload after Hurricane Maria to guarantee food and shelter for their families, prevented them from adequately submitting claims.*
- 4) Elderly people living on their own have been left at the expense of the charity of their communities and this leaves them out of the groups that could effectively manage post-hurricane aid.*
- 5) The increase in poverty levels on the Island is drastic and lack transportation, access to information and means to participate in public hearings outside of their zones.*
- 6) LGBTTIQ communities are never mentioned in the draft plan and it does not appear that a reasonable effort has been made to access data that would allow them to identify their unmet needs post Hurricane Maria. The general socioeconomic status since before Hurricane Maria, has been described in specialized reports such as those submitted in 2015, 2016 and 2017 to the Inter-American Commission on Human Rights, includes lack of access to health services, housing and economic development.*

All of the above is an example of how the drafting process for the Action Plan fails to guarantee citizen participation and how that is reflected by not including information and concrete actions to address the unmet needs of vulnerable populations and affected by the passage of hurricanes Irma and María.

Once again, we point out the potential violation of civil and human rights of vulnerable populations by not considering data about their needs or proposing concretely and specifically how their unmet needs will be met.”

PRDOH Response: Thank you for the comments. The Action Plan has been updated to include a definition of ‘vulnerable populations’. As outlined in the 83 FR 5844, 70% of CDBG-DR program funding must be used to benefit low and moderate-income persons.

“Actions required by ALHM which agree with the actions required by Matria:

→ *Action Required: Identification of unmet needs through census data compiled by community leaders (ALHM)*

PRDOH Response: Census data was used in the development of the Action Plan and unmet needs assessment. Data sources are referenced in the appendices of the plan.

“→ *Action required: Update poverty, inequality and other indicators of social mobility using information collected after the hurricanes.*”

PRDOH Response: Thank you for the comment. PRDOH will take this into consideration.

→ *“Action required: Ensure that the rehabilitation, reconstruction, replacement and construction of new housing and shelters is aimed primarily at low-income populations, rather than distributing assistance equitably or preferentially to the population with moderate incomes.”*

PRDOH Response: As outlined in the Action Plan, the Homeowner Rehabilitation, Reconstruction, or Relocation program is geared toward serving low-and moderate-income persons.

“→ *Action required: Include other strategies, beyond social interest housing, to meet the needs of impoverished communities and other groups with particular needs, such as people with disabilities, elderly or others. Strategies on economic revitalization and infrastructure must meet the needs and development of these groups.*”

PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as programs are further developed.

→ *“Action required: Define in detail what are vulnerable populations for the purposes of this plan; beyond the enumeration of populations or the affirmation about "people of low or moderate income".*”

PRDOH Response: A definition of “vulnerable populations” has been added to the Action Plan.

“→ *Action required: Open participation and the comment period for the Resilience Planning Program and publishing afterwards the eligibility criteria of the whole community* ”

PRDOH Response: Eligibility criteria for programs is included in the Action Plan.

→ *“Action required: Require sub-recipients and contracted companies for economic, housing and infrastructure developments that hire people living in Puerto Rico, with an emphasis on vulnerable communities and groups.”*

PRDOH Response: Thank you for the suggestion.

Regarding Economic Development, the document submitted points to a history of failed attempts at economic development strategies in Puerto Rico and notes that the Action Plan does not include a critical analysis of these failed strategies. The document includes the following commentary regarding the Economic Development programs outlined in the Action Plan:

“Small Business Loans

- It is not clearly defined which populations will be targeted or the business or socioeconomic profile that will be prioritized. The description of the population to be impacted is not different from public policies prior to Hurricane Maria and is not supported by updated data on closed businesses due to the effects of hurricane Maria or the loss of income/employment by geographical area.*
- It is not established what mechanisms will be used to reach all points in Puerto Rico or what entities will be allied in the process.*
- It is not specified which process, if any, will be followed to identify grassroots organizations that collaborate in the processing of loans or what requirements they must meet.”*

PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as program guidelines are developed.

“Small Business Incubators:

It is not clearly defined which incubators will be receiving the available funds, nor the business and socioeconomic profile that would be a priority for the funds. The description of the population to be impacted is not different from public policies prior to Hurricane Maria and is not supported by updated data on closed businesses due to the effects of hurricane Maria or the loss of income/employment by geographical area.

- The definition of incubators is ambiguous and lacks additional information to establish a public policy or guide on how they will be used to promote the creation of companies.*
- It is not established how the funds will be distributed to the interested incubators.*
- It is also not established if an operation time will be required prior to the incubators that receive the funds.*
- The incubation of agricultural enterprises, manufacturing, food and other items associated with the creation of jobs in rural areas of the country is not expected. It seems that when talking*

about incubation they refer to service companies or the creation of "co-working spaces", something that does not usually generate jobs in volume."

PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as program guidelines are developed.

"Labor Training Program

- It's not clearly defined which labor training entities will be receiving the available funds. The description of the population to be impacted is not different from public policies prior to Hurricane Maria and is not supported by updated data to show areas where employees had loss of income / jobs by geographical areas.*
- How will funds will be distributed to the interested entities? This should be established*
- Will a period of prior operation be required of the entities that receive the funds? This should be established*
- The categories mentioned as categories for job training do not take into account the populations of women, people with functional diversity, LGBT communities or older adults, although statistically they tend to be excluded from the labor market."*

PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as program guidelines are developed.

Tourism Marketing

- There is no apparent connection between the possible identified and unmet needs of communities and the marketing of tourism.*
- There is no apparent logical connection between housing and tourism marketing.*

PRDOH Response: The connection between economic development initiatives and housing is outlined in the Action Plan.

"Commercial Development

This part of the Draft Action Plan is totally vague and does not coherently establish a relationship between the unmet needs of the communities and the investment in repairing commercial facades or shopping center structures.

- The types of businesses that would benefit from the funds or the selection criteria that will be used are not described.*
- Neither are the geographical areas that would be a priority expressed nor how it would be guaranteed to adequately impact all of Puerto Rico and not only urban areas."*

PRDOH Response: Thank you for your comment.

“Other lines of economic revitalization mentioned in the Draft Plan of Action:

1. Investment in activity related to infrastructure is problematic in the context of funds that must address the housing issue as a priority. The document does not establish how activities will be established, prioritized and how the needs of communities that do not wish to be displaced will be addressed or which measures to mitigate landslides, floods, loss of electricity or water services are important in the context of natural disasters.”

PRDOH Response: The Whole Community Resilience Program was designed as an avenue for citizens in vulnerable communities to actively participate in decision-making related to the creation of resilient, whole-community solutions.

“2. FEMA- The vagueness of this section worries us in the light of the following observations:

a. It is mentioned that funds will be used to match the FEMA funds and, however, the total amount of funds that will be allocated for that purpose is not specified.

b. It is mentioned that FEMA matching funds will have to comply with the requirements of CDBG-DR but this is worrying since in some parts of the draft it is proposed to finance activities whose validity or relevance in the light of the CDBG-DR regulations and the possible unmet needs of the communities is questionable. (See our comments on Tourism and Commercial Development).”

PRDOH Response: Thank you for the comment. Information regarding infrastructure recovery through a FEMA match has been updated in the Action Plan.

The document also requests that the following public policies be included in the Action Plan.

“1. Public policy to establish as a priority the evaluation, planning and development of mitigation measures that prevent the displacement of communities.

2. Public policy for the development of economic activities at the local level and for the development of a business sector in Puerto Rico that can commit to the economic development of communities throughout the country and in the long term.

3. Public policy to require any public or private entity that obtains CDBG-DR funds to have an affirmative action plan that allows the adequate hiring and attention of people from vulnerable communities and populations such as women, LGBT persons, people with functional diversity, elderly people or residents of rural areas with little access to services outside of them.

4. Public policy in favor of transparency and promotion of citizen participation in the distribution and regulations for the use of funds.”

PRDOH Response: Thank you for the comment. PRDOH is committed to leading a transparent recovery effort which complies with applicable federal and local regulations and laws.

Regarding Fraud Prevention and fiscal responsibility, the document offers the following:

"The plan is vague when it comes to establishing how, to whom and for what specific activities the funds will be used. That vagueness is the perfect recipe for fraud to be committed or for funds to be squandered on activities that do not meet the needs not covered by the people affected by the hurricanes.

→ Action required: Include in the Action Plan the minimum requirements for the distribution of funds through delegated agencies that include: (1) Public calls with wide dissemination; (2) A list of the competition requirements; (3) Investment objectives of the clearly defined funds; (4) Requests for itemized budgets; (5) Period of execution of the projects; (6) Measurable goals; (7) Metrics and evaluation criteria that will be used to select the groups, corporations, organizations or entities that will receive the funds or will be contracted for projects.

→ Action required: Maintain a public, accessible and up-to-date list of all contracts or subsidies granted with these funds, including the name of the contracted entity or recipient, the amount granted and copy of the contract.

→ Action required: Include in the Action Plan the obligation to maintain public and accessible reports on the progress of the projects financed with the funds. "

PRDOH Response: Partners identified in the plan will perform duties under strict PRDOH monitoring and compliance oversight. All participants are subject to monitoring from HUD and Office of the Inspector General (OIG) monitoring at any time. Due to the federal nature of these funds, detailed reports on expenditures and activities will be reported to HUD on a quarterly basis and will be posted to the website.

The document also recommends the inclusion of the below listed rights in the Action Plan:

1. Right to decide

The right of the people affected by Hurricanes Irma and Maria to decide where they want to live must be respected. This includes the responsibility of the government and its contractors to try to obtain the greatest community participation and the prior and informed consent to proposals for relocation, relocation and evictions.

2. Right to remain

The right of these people to remain or return to their communities must be guaranteed, as long as they are safe and habitable. We define safe and habitable as those homes and communities to which they have been given a real, participatory and reasonable opportunity to mitigate the damages suffered by the disaster. Mitigation should always be considered as the first alternative to relocation.

b. In those cases in which relocation is necessary, the government and its contractors (subrecipients) must give priority to maintaining the integrity of the community, respecting geographical proximity and special needs that may exist.

3. Right to equal treatment and freedom from discrimination

- a. *The government of Puerto Rico must guarantee fair, equal and non-discriminatory treatment to the affected people by providing adequate assistance throughout the recovery process. This includes the long-term recovery of their communities.*
- b. *Through a dignified and just recovery, each community and person must be treated without distinction because of race, sex, sexual orientation, gender identity, age, functional diversity, social condition, national origin or other classification. Equal treatment must be guaranteed in the attainment of projects aimed at flood protection and, equally, fair treatment in the implementation of housing, infrastructure or economic revitalization projects.*
- c. *The government of Puerto Rico must assume a proactive role in the protection and defense of the rights of historically vulnerable groups and identities such as the elderly, women, impoverished communities, people with functional diversity, people from LGBTTIQ communities, the homeless, immigrants and others.*

4. Right to real and effective participation

- a. *This right is related to the opportunity for individuals, groups and communities to participate directly, real and effectively. This includes the real possibility of obtaining information, commenting, going to public hearings, being really heard or heard in these, and being part of the processes related to CDBG-DR funds and other post-disaster recovery processes.*
- b. *The highest standard of accessibility must be considered so that populations with functional diversity can participate, in accordance with the provisions of local and federal regulations.*
- c. *In terms of real and effective participation, the reality of the thousands of people who, eight (8) months after the hurricane, still lack the necessary electrical, transportation and communication services to know and participate in the plan must also be considered. "*

PRDOH Response: Thank you for the suggestions. PRDOH will comply with applicable laws and regulations.

Comment via Email: #115_25-05-18_Lucy Crespo

"The Puerto Rico Science Technology and Research Trust (PRSTRT) appreciated the opportunity to present comments on Puerto Rico's Action Plan for the Community Development Block Grant funds for Disaster Recovery announced on February 9, 2018 through the Federal Register 83 FR 5844. In the attached document you will find:

- a) Brief description of the Trust and its programs*
- b) Comments to the Economy Recovery Programs*
- c) General Comments to the Action Plan"*

Attachment to Email:



The attachment provides an overview of the Puerto Rico Science Technology and Research Trust and gives information regarding projects run by the Trust. Also included in the attachment are the following comments on the Action Plan:

“1. Economic Recovery Program – Page 106

Regional Community Innovation Centers

The document highlighted the importance of transforming Puerto Rico economic landscaping by providing opportunities and resources for small businesses. We suggest the development and deployment of the concept of Regional Community Innovation Centers focused on entrepreneurship, STEM education, creative industries, and digital technologies as a key component of our Economic Development Strategies. We suggest starting the project with at least eight regional innovation centers. These centers will provide business incubation and or acceleration, makerspaces, co-working and collaborative spaces, digital experiences such a Virtual or augmented reality, and opportunities for creativity, capacity building, and resource sharing for local small businesses, entrepreneurs, students and community members. We suggest that the design, implementation, and administration of these centers be under the Trust leadership (Parallel18 and Colmena 66) with the full participation of the entrepreneurial ecosystem participants such as Centro de Emprendedores, Inprende, Engine 4, Grupo Guayacan, Piloto151, PRTEC, and Inteco among others

Our recommendation is that an additional program is created and included in the Economic Development section that would directly support the ongoing efforts to connect and strengthen Puerto Rico's entrepreneurial ecosystem. For all the other proposed programs to thrive and be sustainable, a healthy and efficient ecosystem is necessary to enhance opportunities for connection, innovation and creativity between entrepreneurs, business owners, and service providers. We see Puerto Rico's entrepreneurial ecosystem building process as the backbone effort that connects and feeds all the other proposed programs. If all the resources and opportunities available are not interconnected, visible and accessible to entrepreneurs and business owners who want to start or grow their businesses, sustainability and success will be hard or impossible to accomplish. Acknowledgement, on behalf of the Economic Recovery Program, that the existence of social entrepreneurship ventures, and other non-profit initiatives yield economic activity and constitute important elements in the construction of a resilient ecosystem would add value and make the program more robust.

The Economic Recovery Program would be well served to create measurable expectations regarding completion of objectives, as well as attainment of outcomes, and create a public dashboard to observe progress and motivate entrepreneurial thought and behavior.”

PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as programs are further developed.

“2. SMALL LOAN PROGRAM (Page 109)

We need to set aside funding for startups that did not qualified for the SBA loans because of their debt structure. Several startups, many from Paralell18 that have raised capital as convertibles note or by issuing equity in the form of preferred equity, and as results their company financial metric seems to have a high debt to assets ratio and other financial parameters. We suggest setting aside \$1M in these loans and Paralell18 is selected as the entity to evaluate and distribute these specific cases.”

PRDOH Response: Businesses that were not approved by SBA are not excluded from the Small Business Loan program. PRDOH will take this feedback into consideration as programs are further developed.

“3. SMALL Business Incubators (Page 110)

Our recommendation is that this effort must be part of a bigger initiative that is strategically designed to develop, support and strengthen regional entrepreneurial ecosystems, to better support entrepreneurs and business owners. An example of a bigger initiative would be the Regional Community Innovation Centers, as proposed in the paragraph above. Specific curriculum must be developed and deployed by NGO with proven expertise and track record on this type of business development activity.”

PRDOH Response: PRDOH will take this feedback into consideration as programs are further developed.

“4. Workforce Training Program (Page 111 – 112)

In addition to the funding allocated for the development of skilled construction workforce, we need to invest in workforce skills development to generate economic activity. According to the U.S. Bureau of Labor Statistics (BLS) employment in occupations related to STEM—science, technology, engineering, and mathematics—is projected to grow to more than 9 million between 2012 and 2022. We need to start investing in computing and coding training, IoT and Blockchain programming as well as creating center of excellence for Artificial intelligence (Machine and Deep Learning). We can reskill many of the professionals that loss their jobs as results of Hurricane Maria in these areas before they decide to leave Puerto Rico. The impact of this investments will have a long-term impact in Puerto Rico’s economy and recovery.”

PRDOH Response: Although other training opportunities are not excluded at this time, it is the intention of PRDOH to use the Workforce Training Program to aid in the rapid recovery of the island. PRDOH will consider other sectors as needs in other sectors are identified.

“5. Tourism & Business Marketing Program (Page 113)

Our recommendation is that this effort directly supports the Puerto Rico Entrepreneurship Week, powered by Colmena66 and the Puerto Rico Science, Technology & Research Trust. This event

will take place annually and will showcase the entrepreneurial and innovation movement in the Island, aiming to attract investors, funders and entrepreneurs from all over the world.”

PRDOH Response: PRDOH will take this feedback into consideration as programs are further developed.

“General Comments about the document:

The document should include a glossary of terms, as there are too many acronyms and technical terms that must carry a definition so as to avoid confusion and enable proper handling of the planning/implementation process.”

PRDOH Response: A glossary of terms has been added.

“The document must be made public in Spanish for the citizenry of Puerto Rico to read and understand. This is in tune with messages made in Congress on 5/23 by Nydia Velázquez (New York), Luis Gutiérrez (Illinois), Raúl Grijalva (Arizona) y Adriano Espaillat (Nueva York).”

PRDOH Response: English and Spanish versions of PRDOH’s Action Plan were concurrently published to www.cdbg-dr.pr.gov. Information included on the website is accessible in both Spanish and English.

“p. 24 – Mention is made of opportunities for private and philanthropic sector contributions, but no further mention is made of this in the document, nor is there a statement that describes a mechanism to engage the process of applying for CDBG-DR funds.”

PRDOH Response: Programs which will be administered using a partner or subrecipient method of distribution are outlined in the Action Plan. Private and non-profit entities are eligible applicants for some programs outlined in the plan, such as the Housing Counseling program or Small Business Loan program.

- *Document sources are listed, as stated, but not all of them are accessible.*
- *p. 85 – Considering the extent of damage sustained by our communities, the outcomes derived from Whole Community Resilience Planning activities should be extensive to all communities in Puerto Rico, beyond those declared program priorities. Whole Community Resilience Planning guidelines and associated information products should be made publicly available so that communities, community groups, and community organizations may engage in disaster preparedness and resilience planning. In addition, there is a host of civil society organizations ready to engage communities and increase resilience planning activities, especially now that the 2018 Hurricane season is beginning.*

PRDOH Response: Information regarding the Whole Community Resilience Planning program has been expanded upon in the Action Plan.

“p. 96 – While the Homeowner Repair, Reconstruction, Or Relocation Program does not provide details regarding rebuilding code. We suggest that any rebuilding, reconstruction, or relocation considers adding window screens to the housing units, as it is one of the best deterrents for mosquito control and the arboviral diseases associated to them. The PR Vector Control Unit of the PR Science, Technology & Research Trust may assist with this endeavor.”

PRDOH Response: PRDOH will use 2011 Puerto Rico Building code. The Action Plan has been updated accordingly.

- *p.99 – Social Interest Housing Assistance program may be well served to consider creating and distributing family health awareness/education pieces that allow for mosquito control and the arboviral diseases associated to them. The PR Vector Control Unit of the PR Science, Technology & Research Trust may assist with this endeavor.*
- *p. 101 – Housing Counseling Program may be well served to consider creating and distributing family health awareness/education pieces that allow for mosquito control and the arboviral diseases associated to them. The PR Vector Control Unit of the PR Science, Technology & Research Trust may assist with this endeavor in order to have more resilient homes and communities in the event of future disasters.*

PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as programs are further developed.

- *While we may be cognizant of the priorities established in this Action Plan, as well as the fact that the subject of safe drinking water may be addressed elsewhere, it is critical that attention is paid to the consumption of safe drinking water in the housing units to be occupied, especially those pertaining to non-PRASA communities, as no previous mention of that subject has been made in the document. The PR Science, Technology & Research Trust may assist with this endeavor through programs such as the Clean Water Project.*
- *CDBG-DR implementation would be best served if it clarified the expected role of non-profits organizations in the planning and implementation process. In addition, their interest and level of participation should be made public to enable possibilities of collaboration among them (or with the State, or with municipal governments), which may result in implementation efficiencies.*

PRDOH Response: Thank you for the comments.

- *Improve public awareness of details covering the CDBG-DR planning and implementation processes, such rules, regulations, expected processes, as well as definitions and their applicability in the context of Puerto Rico. Information must be provided in Spanish and go beyond traditional media or digital communications to enable awareness.*

- *There is a need for increased transparency and access to information. While digital media may be the best vehicle to communicate this information, attention must be provided to create information products that are available in print, as well as other media channels such as TV, radio, and in person (in the form information kiosks or through a telephone hotline to that effect).*
- *Public awareness information should be provided by means of a telephone hotline, in print format, and at public information kiosks, to increase reach and avoid future claims and grievances.*

PRDOH Response: The Citizen Participation Plan, which contains information regarding the methods used by PRDOH for public participation is available on PRDOH’s website. As required by 84 FR 5844, information will be made publicly available throughout the life of the grant, including, but not limited to: information regarding procurements, executed contracts, program policies and guidelines, and expenditure reports.

Comment via Email: #117_25-05-18_José Cordero

I am submitting the attached comments on the CDBG-DR Action Plan on behalf of José Cordero at the Puerto Rico Science and Technology Trust. Thank you.

Attachment to Email:

The attachment includes information about the Puerto Rico Science, Technology, and Research Trust, and includes the following comments regarding the Action Plan, grouped by category:

“Comments pertaining to the assessment of needs

The CDBG-DR Action Plan should incorporate other elements into its assessment of need.

Specifically, the plan should elaborate on the following areas:

- 1. Impact of the hurricanes on the health of Puerto Rico residents and the island’s health infrastructure.*
- 2. Challenges individuals face in navigating the applications for disaster recovery assistance*
- 3. The need for better coordination among organizations involved in response and recovery efforts”*

The attachment includes information regarding each of the needs categories identified.

PRDOH Response: PRDOH appreciates the information provided.

“Planning Activities

The Action Plan should define minimum standards for the community plans. For example, plans should address:

- *Housing needs*
- *Infrastructure needs (roads, utilities, etc.)*
- *Shelter/evacuation procedures*
- *Emergency medical needs*
- *Preventable health conditions (e.g., vector borne diseases)*
- *Economic vitality*
- *Plans for how local government agencies, local NGOs, national, and international aid organizations will communicate and collaborate to address needs”*

PRDOH Response: The Whole Community Resilience Program has been expounded upon in the Action Plan.

“Housing Activities

The Action Plan should ensure that CDBG-DR funding can be used for other housing activities that are relevant to the health and safety of residents, including:

- *Planning and design of communities to include open spaces, parks, and safe paths for walking, jogging, or bicycling to promote physical activity, which will help address rates of obesity and other chronic conditions.*
- *Promoting access to healthy foods, which can also help address chronic health conditions.*
- *Activities to mitigate blight, mold, and mildew, which all exacerbate asthma.*

Strategies reduce propagation of mosquito vectors, including planning buildings to reduce the areas where standing water can pool during heavy rains.

- *Informal construction will continue to occur, so activities should include providing education and safety guidelines for those building their own houses.*
- *Activities supporting applicants to apply for and take advantage of resources available for rebuilding, as navigating the applications for assistance can be challenging.*
- *On page 91 a guidebook is proposed. Activities should include testing and implementing the guidelines and educating builders and residents.*
- *Housing programs need to be coupled with an economic development program in order to address these issues both in the short and long-term.*

PRDOH Response: Thank you for the comment. PRDOH will take this into consideration as programs are further developed.

“Infrastructure Activities

The Action Plan should ensure that CDBG-DR funding can be used for other infrastructure activities that are relevant to the health and safety of residents, including:

- *Activities to improve access to clean water post-disaster.*
- *Activities to support the repair, replacement, and relocation of damaged public health facilities, including laboratory infrastructure.*
- *Invest in Health IT infrastructure (telecom) “*

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored

“Economic Revitalization Activities

The Action Plan should ensure that CDBG-DR funding can be used for other economic revitalization activities that are relevant to the health and safety of residents, including:

- *Building educational facilities to teach skills in health and health IT.*
- *Financing efforts to attract and retain health professionals.*
- *Funding the establishment of community-led geographic or sector-specific economic revitalization plans”*

PRDOH Response: PRDOH will consider this feedback during further development of economic development programs, or during the development of programs designed when more funding becomes available.

“Preparedness and Mitigation Activities

The Action Plan should ensure that CDBG-DR funding can be used for other preparedness and mitigation activities that are relevant to the health and safety of residents, including:

- *Training for health professionals on preparedness and mitigation.*
- *Investing in emergency communication systems and redundancy in health facilities/providers, to ensure continuity of care should one health facility not be able to continue operations due to damage.*
- *Funding for local healthcare coalitions to coordinate and maintain preparedness activities for the health and civic center as recommended by the HHS Assistant Secretary of Preparedness and Response (ASPR). According to ASPR, a healthcare coalition is “A formal collaboration among healthcare organizations and public and private partners that is organized to prepare for, respond to, and recover from an emergency, mass casualty or catastrophic event.” Healthcare coalitions assist in all phases of emergency management, including mitigation, preparedness, response, and recovery. “*

PRDOH Response: Thank you for the suggestions.

“All program areas

Duplication of benefit: While it’s important that folks aren’t “double-dipping,” including potential opportunities for families to combine funding sources in order to fully recover from losses.

- *All proposals should include ongoing evaluation that takes place during (not after) program implementation to ensure that activities are effective and being continuously improved.*
- *Planning, housing, economic recovery, and infrastructure coordination efforts cannot take place in isolation. Priority should be given to applications to address multiple areas*

through a coordinated effort. In addition, the Health Sub-Committee of the Department of State Permanent Private Sector Workgroup recommends the following:

- *Creating a directory and map of all public and private health resources to allow responders to best distribute resources according to need.*
- *Put into place payment policy and malpractice waivers to be activated upon health emergency declaration in order to get individuals the post-disaster healthcare services they need quickly.*
- *Streamline communications efforts.*
- *Establish a coordinated strategy for reaching patients who have urgent medical needs.*
- *Identify the health service needs across the island in order to deploy donations according to need.*
- *Create a workflow in order to effectively deploy medical assistance, volunteers, and donations.*

PRDOH Response: PRDOH will consider this feedback during further development of economic development programs, or during the development of programs designed when more funding becomes available.

*“Comments pertaining to the distribution and management of funds
To fully utilize the funds provided within the allotted time, it is vital that non-profit organizations be able to access this funding. Funds may be able to be distributed more quickly if the partnership distribution model was utilized more. Finally, given the need for increased coordination, incentivize or prioritize proposals that use collaborative models, in which multiple partners and subrecipients from different sectors (e.g., housing, health, economic development, infrastructure) focus on a particular geographic area together.”*

PRDOH Response: Thank you for your comments.

Comment Via Email: #118_25-05-18_Heriberto Vélez (Mayor Quebradillas)

“Attached comments for the Municipality of Quebradillas for the Action Plan for CDBG DR. If additional information is needed, please feel free to reach out to our offices.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Quebradilla, Herbierto Vélez. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment Via Email: #119_25-05-18_Carlos D. Lopez Bonilla (Mayor Rincon)
“Attached is a letter on the issue in question.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Rincón, Carlos D. López Bonilla. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment Via Email: #120_25-05-18_Angel B. González Damudt (Mayor Río Grande)

“Good afternoon receives a cordial greeting from the municipal administration of Río Grande, the City of El Yunque. We share with you the comments we have in relation to the draft of the CDBG-DR plan.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Río Grande, Angel B. González Damudt. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor

management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment Via Email: #121_25-05-18_José R Román Abreu (Mayor San Lorenzo)

“Attached is a letter of comments from the Mayor of San Lorenzo, Hon. José R. Román Abreu, regarding recommended and requested changes to the CDBG-DR Action Plan.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of San Lorenzo, José Román Abreu. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #122_25-05-18_Enrique Questell (Mayor Santa Isabel)

“Attached is the Presentation of the Municipality of Santa Isabel for the CDBG-DR Action Plan.”

Attachment to Email:



The attachment includes storm impact information for the municipality and proposes the following projects for inclusion in the Action Plan.

Housing Projects:

- Relocate residents of the Islote, La Pica and Barrio Velázquez sectors.
- Housing Rehabilitation – In order for low income families, affected by Hurricane María, who need to carry out improvements to their houses, may receive assistance to do so.”
- Acquisition of Existing Housing Units – In order for low income families who live in hazardous zones or that have lost their houses to have access to a replacement house. The construction of 200 new housing units is being proposed as a second phase for the Prados del Sonador development to provide a safe house in tune with the new construction codes that are soon to be implemented, including compliance with “Green Building” standards.
- Demolition of public nuisance properties, reconstruction and rehabilitation in the urban center.

PRDOH Response: The Homeowner Rehabilitation, Reconstruction or Relocation Program provides opportunities for eligible applicants to rehabilitate or reconstruct storm damaged homes in place or to voluntarily relocate out of high-risk areas. The program is designed to serve a geographic area which includes all of Puerto Rico, including Santa Isabel. Projects proposed will help guide program design for PRDOH, when more funding becomes available

Infrastructure Projects:

- Replace the sanitary and storm sewer system in the urban area and the Jacaranda and Praderas urbanizations.
- Construction of a barrier on the coast to prevent storm surge

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Economic Development Projects:

- Remodeling of the Santa Isabel boardwalk
- Restoration of Villa Pesquera

PRDOH Response: Projects proposed will help guide program design for PRDOH, when more funding becomes available. Economic Development programs currently being pursued by PRDOH are outlined in the Action Plan.

Comment via Email: #123_25-05-18_PJ Wilson

“See attached.”

Attachment to Email:

The attachment provides an overview of the Solar & Energy Storage Association of Puerto Rico (SESA-PR) and observes that no funding has been allocated specifically for solar energy or battery storage. Additionally, the attachment recommends the following specific items in regard to the Action Plan.

“1 - PLANNING PROGRAMS

WHOLE COMMUNITY RESILIENCE PLANNING

We believe that an evaluation of critical energy needs will be important for any future development of resilient power systems at the community level. We recommend adding language which specifically authorizes these planning funds to include electricity analyses both of total community/municipal consumption, as well as creating energy profiles of all major critical facilities (fire stations, water processing plants, hospitals, schools, community centers, grocery stores).

Specifically, we recommend:

- *Identifying all critical facilities in the community which are dependent on the electrical grid.*
- *Quantifying “critical facilities” electricity consumption in terms of average electricity consumption and maximum electricity consumption.*
- *Identifying energy efficiency measures that could be implemented to reduce overall energy usage at these sites.*
- *Developing a plan for supplying resilient local power solutions, including solar + battery storage, to all critical facilities in the event of another widespread long-lasting electric blackout.*
- *Including funding for this analyses in both Phase 1 initial assessments and Phase 2 community planning.*

PRDOH Response: Thank you for the feedback. PRDOH will consider these comments as programs are further developed.

“HOME RESILIENCE INNOVATION PROGRAM

The program currently states that “Participants will not receive funding for their demonstration projects”. However, we believe that this places undue financial burden on the limited budget of University of Puerto Rico. Thus, we request specifically that a portion of funds is devoted to specifically supporting the materials for these demonstration projects

Secondly, one of the evaluation criteria for the program listed is “Wattage”. This term is unclear in definition and as a measurable outcome. We recommend removing it as an outcome, and replacing it with alternative positive outcomes such as:

- *Maximization of electricity output per square meter of photovoltaic panels*
 - *Maximization of cost efficiency of solar + battery storage design, including utilization of battery storage, charge controllers, inverters, and other “balance of system” components*
- Alternatively, rather than implementing new testing criteria, we suggest that this program could instead fund Puerto Rico’s participation in the well-established “Solar Decathlon” and implementing their already tested and refined grading criteria. See <https://www.solardecathlon.gov/>”*

PRDOH Response: Thank you for the feedback and information. PRDOH will consider these comments as programs are further developed.

“2 - HOUSING PROGRAMS

We believe that in order to achieve the “anti-displacement” goals set forth in this the housing program objectives, it is critical to place a primary focus on local and on-site electrical generation and storage...

This document acknowledges multiple times in this draft plan that the primary reason that a significant portion of Puerto Rican residents were displaced in the months following Maria was due to lack of power, both on a residential level and because of the critical facilities which were rendered nonfunctional because of their dependence on the damaged electrical grid.

As written, this plan does not specifically address this primary reason for population displacement, as it includes no funding for on-site electricity generation...

Thus, in order to realize this overarching goal of “anti-displacement”, we believe that the top priority of these CDBG-DR funds must be to provide energy resiliency in the form of power generation and storage located at the site of as many structures as possible.

We argue that onsite solar + storage is currently by far the cheapest way to provide the long-term, high-quality onsite electricity needed to avoid widespread displacement due to a long-term failure of Puerto Rico’s primary power grid...”

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

“HOUSING COUNSELING PROGRAM

We believe that this program should include specific requirements for anyone receiving counseling to be receive an educational document about the costs, benefits and availability of on-site solar + storage electricity systems.”

PRDOH Response: Thank you for the feedback and information. PRDOH will consider these comments as programs are further developed.

“HOME ENERGY RESILIENCE

This program states that “the power grid suffered massive hurricane damage and remains fragile.” In light of this, we believe that the primary goal of the program should be providing onsite power generation (solar + storage) to power critical loads on as many structures as possible.

We note that the program accomplishments state that the goal is to “Promote energy efficiency and reliability”, yet the details of the program do not sufficiently address energy efficiency or reliability, and specifically miss many of the most important functions of energy reliability. This section states the problems being addressed by this funding, including:

- *Critical services have been disrupted*
- *Business have been forced to close*
- *And residents have been unable to stay in their homes because of lack of these 5 things:*
 - *Light*
 - *Cooking facilities*
 - *Cooling*
 - *Water heating*
 - *Refrigeration...*

And yet the conclusion of this program’s descriptions only supports the technologies of:

- *Gas-Powered Water Heaters*
- *Solar-Powered Water Heaters*
- *Gas-Powered Stoves*

We note that NONE of these technologies address the crucial needs of lighting, cooling, refrigeration, communications technologies, and medical equipment – all of which are the more fundamental reasons for disruptions to businesses, critical facilities, and homes.

However, ALL of these needs could be addressed by installing onsite solar + battery storage systems, thus making them a far superior technological objective this program...

Therefore, we make the following requests:

- *Remove solar and gas-powered water heating as an included technology*
- *Replace gas powered stoves with electric powered stoves as a component of a larger home solar + battery system...*



SESA-PR recommends increase funding for the HOME ENERGY RESILIENCE PROGRAM from \$36 million to \$225 million and changing the eligible technologies to include either exclusively or the vast majority of funds dedicated to solar electric panels and battery storage.”

PRDOH Response: Thank you for the comment. PRDOH will consider these comments as programs are further developed.

“3 - ECONOMIC RECOVERY PROGRAMS

CONSTRUCTION REVOLVING LOAN, SMALL BUSINESS LOANS, SMALL BUSINESS

INCUBATORS, WORKFORCE TRAINING PROGRAM, COMMERCIAL REDEVELOPMENT

We request that solar + storage contractors should explicitly be noted as being eligible to apply for these programs...”

PRDOH Response: Solar and storage contractors who meet the criteria outlined in the Action Plan regarding eligible applicants for each of these programs may apply.

Comment via Email: #124_25-05-18_Alejandra Nuñez

“On behalf of our members and supporters, Sierra Club de Puerto Rico submits these comments on the Commonwealth of Puerto Rico’s Proposed Disaster Recovery Action Plan for the Use of Community Development Block Grant Disaster Recovery (“CDBG-DR”) Funds appropriated under the Supplemental Appropriations for Disaster Relief Requirements Act, P. L. 115-56.

If you have any questions regarding this submission, please contact Alejandra Núñez. Contact information is provided below.”

Attachment to Email:

The attachment provides the following commentary regarding the Action Plan, on behalf of the members and supporters of Sierra Club de Puerto Rico:

“1. The Proposed Action Plan Does Not Clearly Describe the Connection between the Unmet Needs and the Allocation of CDBG-DR Funds...”

The key problem with the Proposed Plan, however, is that it does not clearly describe the connection between identified unmet needs and the allocation of CDBG-DR resources.”

PRDOH Response: Hurricane impact associated with each program is outlined in the program description. Thank you for the feedback.

“2. The Proposed Action Plan Must Truly Prioritize the Unmet Housing Needs of the Communities Most Adversely Affected by the Storms...

“The Proposed Plan envisions allocating \$1,062,743,200 for housing, \$226,076,850 for planning, and \$143,000,000 for economic recovery. In light of the fact that the Government has identified at least \$34.5 billion in unmet housing needs and the lack of robust assistance from FEMA to residents who experienced home losses after the storms, the Proposed Action Plan raises the question of why the Government is proposing to allocate part of the available funding for economic and infrastructure projects which, although a lower amount, is quite significant. The notice requires each grantee to primarily consider and address unmet housing recovery needs...

The Proposed Action Plan fails to provide the required justifications for using funds for non-housing purposes in the description of accomplishments expected from each of these projects... Thus, the Proposed Plan must be revised to address this HUD requirement.”

PRDOH Response: The Action Plan was drafted in accordance with guidance from 83 FR 5844, which requires that funding be used to primarily address housing needs.

*“3. The Proposed Action Plan Must Ensure Compliance with Fair Housing and Civil Rights Laws
The HUD notice requires the Government of Puerto Rico to ensure compliance with fair housing and civil rights laws...*

The Proposed Plan, however, is not clear how this program will ensure non-discrimination on the basis of race, color, and national origin, as required under Title VI of the Civil Rights Act and the HUD notice itself. 83 Fed. Reg. at 5867...

The Proposed Plan does not explain how it will ensure non-discrimination in access to housing. The Social Interest Housing Program, which would devote \$12,500,000 to build 500 homes (with individual caps of \$500,000) for emergency housing for “special needs populations” ... does not appear to address resiliency and in any event is not sufficient and does not address fair housing and civil rights legal requirements.”

“Neither does the Proposed Plan address impacts on fair housing choices for the most vulnerable communities that were affected by the storm. For example, in its the Agency Planning initiative, which proposes to devote \$25 million to the Puerto Rico Planning Board in order to create a parcel registry and map unregistered lands using GIS software, the Proposed Plan expressly provides that it will not help informal property owners to get title to unregistered properties.”

PRDOH Response: PRDOH is committed to leading a recovery that is compliant with applicable federal and local laws and regulations. Thank you for your comments; a Title Clearance program has been added to the Action Plan.

*“4. The Proposed Action Plan is Silent on the Applicable Environmental Requirements
The Proposed Action Plan proposes to certify that Puerto Rico will comply with all relevant environmental requirements under 24 CFR Part 58. See page 126. The Proposal, however, is silent on what those environmental requirements are...”*

The Final Plan must address applicable environmental requirements and the review process and must expressly clarify that no waivers of environmental requirements will be permitted under the different programs.”

PRDOH Response: PRDOH is committed to leading a recovery that is compliant with all applicable federal and local laws and regulations.

“5. As Currently Proposed, the Home Energy Resilience Program Does Not Fully Address Resiliency Goals. The Home Energy Resilience Program proposes to allocate \$36 million to increase energy efficiency and power reliability in homes owned or rented by low-income people and the elderly throughout the island...”

The program ..., would not address resiliency. In addition, the amount of the proposed grants may be too low. The Government of Puerto Rico should strongly consider increasing this allocation to improve the resiliency of existing homes instead of using monies from this specific grant for economic ends that go beyond the purposes envisioned for these funds.

Expanding renewable energy and energy efficiency solutions in homes is an appropriate use of CDBG-DR funding in connection with addressing unmet housing needs... proposing to allocate funding for appliances that burn fossil fuels such as gas-powered heaters and stoves does not further resiliency goals; rather, it contributes to greenhouse gas emissions that cause climate change and exacerbate storms. To achieve these ends, this program should instead focus solely on renewable energy and energy efficiency solutions...”

The attachment recommends further that rehabilitate homes should be equipped with rooftop solar, and that advanced electric water heaters should be considered. It also recommends that instead of direct distribution of this program, funding should be provided to community non-profits.”

PRDOH Response: Thank you for the comments.

“6. The Government Must Consult Unions to Appropriately Design and Implement the Workforce Training Program

“...the Proposal does not include outreach to unions, who should be consulted on the appropriate training required for workers to gain access to good Jobs...and quality careers. Unions and community groups focused on job creation in affordable housing and the clean

energy industry should be a critical plan of this planning effort for the island to be rebuilt with resiliency and economic development in mind.”

PRDOH Response: Thank you for the comment. Feedback provided will be considered by PRDOH during further development of the program.

“7. The Proposed Action Plan is Silent on Mechanisms to Enforce Construction Standards Required Under the HUD Notice.

The Proposed Action Plan fails to provide homeowners with mechanisms to enforce the standards required for the implementation of the funding mechanisms set forth therein.

“...The HUD notice requires each grantee to provide a description of the standards applicable to construction contractors performing work, as well as a mechanism for homeowners to challenge construction work that does not meet these standards.”

PRDOH Response: PRDOH will abide by the 2011 Puerto Rico Building code. The Action Plan has been updated accordingly.

“8. The Agencies in Charge of Administering the CDBG-DR Funds Must Guarantee Compliance with All Applicable Laws and Regulations...”

“...The Proposed Plan should do more to reassure Puerto Ricans that the relevant government agencies will be able to administer the program and ensure compliance with laws and regulations that do not fall under their mandates or expertise, but which are, nevertheless, required by HUD under applicable federal laws, particularly in the current situation where the Governor is trying to reduce the size of the government. For example, it is unclear that PRDOH, or even COR3, the latter which is part of an agency whose priority is private sector development, will be able to ensure full compliance with civil rights and environmental regulations. The Proposed Plan must clarify that these agencies will work with other relevant agencies -and which ones- to ensure all relevant laws are complied with and describe available mechanisms to enforce those laws.”

PRDOH Response: PRDOH is committed to leading a recovery that is compliant with applicable federal and local laws and regulations.

“9. The Government Must Expand Available Means to Ensure Meaningful Citizen Participation The HUD notice requires all grantees to provide for citizen participation as part of their Action Plan...”



While the HUD notice does require public hearings, we appreciate the opportunity that the Government of Puerto Rico gave for residents of the island to provide oral comment in advance of the publication of this proposal. The Proposed Action Plan also provides that, in addition to publicizing these materials in the internet, the Government of Puerto Rico provides for “alternative methods of public notice.” See page 124. This is too ambiguous; the Plan must specify what do these alternative methods mean exactly...”

PRDOH Response: Comments will help inform PRDOH’s ongoing outreach strategies. The Citizen Participation Plan is available in Spanish and English at www.cdbg-dr.pr.gov.

Comment via Email: #125_25-05-18_Maggie Crosby

“Please find attached Tesla’s response to the Government of Puerto Rico’s Disaster Recovery Action Plan Draft for Public Comment. Please feel free to reach out to me directly with any questions you may have.”

Attachment to Email:

The attachment describes contributions made by Tesla in the immediate recovery and power restoration efforts following Hurricane Maria. The document submitted indicates that Tesla would like to collaborate with University of Puerto Rico “in their development of the Puerto Rico Resilience Innovation Guidebook as part of the Home Resilience Innovation Program that seeks to develop innovative solutions to address home-based renewable energy generation, energy storage, and home functions. Tesla is also recommending an enhancement to the Home Energy Resiliency program that intends to provide assurances to low-income and elderly residents that they can avoid displacement or threats to health and safety caused by interruptions to power service while the Island begins the larger process of transforming the power grid and distribution systems.”

“As proposed, the Home Energy Resiliency program will provide vouchers for alternative appliances that do not require electric service, such as solar water heaters and gas stoves, to perform basic functions in the home. Although clearly valuable in cases of electric service interruption, these appliances will likely replace existing electric appliances and the gas stoves in particular will require fuel to operate on an ongoing basis. Alternatively, providing these homeowners with vouchers for solar panels and energy storage systems, such as those that were specified for the STEP program, would help provide renewable energy to nearly the entire home during service outages, including lighting and food refrigeration, among other basic functions, and provide homeowners with ongoing relief from their electricity bills once the service is restored.

When the system is interconnected, it will improve the quality of the electricity to the home and it may also become an infrastructure asset for the utility by providing the ability to dispatch a

portion of the stored energy into the grid to provide local balancing services, thus improving the resiliency of the entire grid.”

PRDOH Response: PRDOH appreciates the offer of support for University of Puerto Rico. PRDOH will take these comments into consideration as programs are further developed or as new programs are developed when additional funding becomes available.

Comment Via Email: #126_25-05-18_Walter Torres Maldonado (Mayor Peñuelas)

“Attached is a letter of comments by the mayor of Peñuelas Walter Torres Maldonado, on the recommended and requested changes to the CDBG-DR Action Plan.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Peñuelas, Walter Torres Maldonado. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #127_25-05-18_Brenda Torres

“Attached please find San Juan Bay Estuary Program's comments on the Puerto Rico Disaster Recovery Plan for the Use of CDBG-DR Funds in Response to 2017 Hurricane Irma and Maria.”

Attachment to Email:

The attachment provides background information about the San Juan Bay Estuary Program, a 501(c)3 corporation and gives detail about the #EstuarioRevive campaign which is geared toward long term recovery. An outline of the ecosystem of the SJBE and its contribution as a resource and support for infrastructure and the economy is also provided. Regarding the construction of infrastructure, the document offers the following:

“Construction of new infrastructure may harm older communities if the necessary measures are not implemented. Thus, the construction of new infrastructure must be taken carefully into consideration along with the older infrastructure and housing arrangements. Otherwise, the new infrastructure may increase the risk to vulnerable communities and increase the potential for public health threats or loss of life rather than mitigate it.

Louisiana provides an excellent example of why we cannot wholly rely on hard gray infrastructure but should incorporate alternative methods and new creative approaches to flood management. New energy solutions must be incorporated for future use of sewer systems as well as better investments for energizing municipalities such as Vieques and Culebra.

The emphasis in new construction should take into account the important role that community centers had for relief and recovery. The area where the most cost-effective investment may be in out of risk community centers that can be powered, supplied and maintained throughout the year. The SJBEF has been supporting such centers calling them resilient hubs, in support of a process that has been happening organically and for some communities near at-risk areas, may be best safety alternative. Lastly funds distribution should incorporate not only direct aid, but future buffers and transition areas for future climatic extremes.”

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Under a heading titled “Impact to Demographics”, the attachment reads:

“The metropolitan area (San Juan, Carolina, Bayamón, Guaynabo, and Caguas) tends to have among the highest inequality indexes in Puerto Rico. Therefore, it is important that the Puerto Rico Department of Housing (hereafter, PRDOH) understand that there are thousands of people in the metro area that live under the poverty line and have been highly affected by hurricane Irma and María. These pockets of poverty are often invisible since they may be surrounded by more well-off areas and are therefore less able to access state resources. Most communities that documented losses still have unmet needs because they do not comply, or are unable to comply, with federal and local government requirements for aid. The Action Plan should take the limitations brought forth by communities to address capacity to successfully apply for aid.

PRDOH Response: Per 83 FR 5844, at least 70% of funds expended under the CDBG-DR grant must provide benefit to low and moderate-income households. The Housing Counseling program outlined in the Action Plan may be a resource to assist populations with limitations. PRDOH will take these comments into consideration as programs are further developed.

“It is highly important that when allocating funds for housing projects the PRDOH have in mind that there are hundreds, if not thousands of people without a proper structure that can withstand another hurricane and do not have any title or ownership of the property they are living in. At the SJBEP we want to make sure that these residents will receive the help they need.”

PRDOH Response: A Title Clearance Program has been added to the Action Plan. PRDOH will take these comments into consideration as programs are further developed.

The document submitted voices concerns about the program “Tu Hogar Renace”, citing possible improper contracting between PRDOH and Adjusters International, and alleging that some beneficiaries of the program remain highly vulnerable. Further, it is stated “Tu Hogar Renace” and other programs should be seen not only as a remedy to the disasters Irma and María caused but also as a mitigation for another disaster.”

PRDOH Response: Tu Hogar Renace is not included as part of this Action Plan. Thank you for the comment.

Regarding anti-displacement, SJBEP writes: “we want to make sure that PRDOH will not perform buyouts or acquisitions to residents living in a floodplain and then give that property at a low or moderate cost to contractors to build a new residence or commercial space. Displacement of residents in some cases are in much need, however, not everyone needs to move from one place to another. PRDOH needs to make sure that when this displacement happens, it includes the people and/or the community that is displaced in the process. This will prevent unnecessary buyouts or acquisitions.

One of the eligibility criteria for displacement of residents is that residents need to own the property they are living in. As stated before, thousands of people do not hold any title of their property. PRDOH needs to come up with a way to help those in a dire situation that do not have a title of their house.”

PRDOH Response: All relocation outlined in the Action Plan is voluntary. The Whole Community Resilience Program was designed as an avenue for citizens in vulnerable communities to actively participate in decision-making related to the creation of resilient, whole-community solutions.

“DEMOLISHED AND VACANT LOTS

According to the Puerto Rico Disaster Recovery Action Plan, “demolished and vacant lots will be maintained as green space”. This green space should be classified as a non-habitable zone, to prevent contractors from building for residence, commerce, tourism or industry. Also, the vacant lots tend to be a space for illegal dump sites. There must be some type of agreement with

another agency such as the Department of Environment and Natural Resources (DRNA, for its acronym in Spanish) to make sure that new green space can have another use that is not for building structures.”

PRDOH Response: Thank you for the comment. PRDOH will consider this feedback as programs are further designed.

“PRIMARY HOME FOR 15 YEARS

Homeowners that are relocated to another property “...must agree to occupy the new home as a primary residence for not less than 15 years...” While we understand the reasoning behind this statement, this clause does not respond to the socio-economic reality of Puerto Rico, or the San Juan Bay Estuary Watershed communities. This is worrisome because many people that will go under this program have a moderate or low income. This means that homeowners cannot decide to leave the area or leave Puerto Rico to seek new economic opportunities for 15 years. We suggest that the PRDOH comes up with a few more options for homeowners to choose from. One idea is to reduce the years to 5 years of living in that new property as a primary residence, or that if the resident decides to leave before the selected time, the property will be owned by PRDOH.”

PRDOH Response: Thank you for the comment; compliance period for rehabilitated homes has been adjusted to three years

“ECONOMIC RECOVERY PROGRAMS

When people think about tourism in Puerto Rico, they normally think about Old San Juan, Condado and/or Isla Verde. While many tourists stay in these areas, there are many other places in Puerto Rico that receive tourists but are not that visible. PRDOH can help moderate to low-income people or communities that lost their tourism income source due to hurricanes Irma and Maria.”

PRDOH Response: Thank you for the comment.

“MARKETING CAMPAIGNS

There are many local companies that need tourists to buy their services. While San Juan provides many amenities and activities for tourist, the Capital is not the only place that should be promoted in these marketing campaigns. There are many activities in Puerto Rico and not every tourist is interested in the conventional hotel and beach activities. More and more tourists want other experiences and we should appeal to them. The PRDOH should rely on the on-the-ground experience from programs like the SJBEP to manage funds and verify the places that are at this moment running their own tourist services and export their visibility outside Puerto Rico. Doing this, we can make sure we can have a diversity of tourist opportunities that will promote different spaces around the Island.”

PRDOH Response: Thank you for the comment.

Lastly, we would like to stress that due to the limited time for Public Comments, lack of Public Hearings, and presentation invites going out only to Municipal entities, the SJBEF was not able to document all information necessary to comprehensively comment on a plan of this magnitude. We encourage the PRDOH to extend the comments period, and to open comments and potential projects to entities outside of the Municipal government structure.

PRDOH Response: Although PRDOH is not considering extending the public comment period for this Action Plan, it will consider these comments in determining the length of the public comment period for subsequent Action Plans or substantial amendments. PRDOH is committed to a 30-day public comment period for the substantial Action Plan amendment associated with the next CDBG-DR allocation. A copy of the Citizen Participation Plan is available at www.cdbg-dr.pr.gov.

Comment via Email: #128_25-05-18_Bernardo Márquez García (Mayor Toa Baja)

“Attached is the presentation of the mayor of Toa Baja, Hon. Bernardo Marquez Garcia.”

Attachment to Email:

The attachment provides information regarding unmet needs in Toa Baja and references a HUD allocation memo which shows Toa Baja with approximately \$175 million in “serious unmet need”. Regarding the HUD methodology used in the referenced memo, the document states “This is a methodology prepared by the Federal Government that we hope is the one used, for distribution by municipality. Incidentally, from the collected information we interpret, that in the worst of cases, the jurisdiction would receive not less than 80% of the amount established in the table.”

PRDOH Response: The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources is included in the appendices

The document reminds PRDOH of the projects proposed by Toa Baja at a public hearing in March of this year:

PRDOH Response: Projects proposed helped guide PRDOH’s program design.

The document also includes the following specific observation regarding the draft Action Plan:

The non-utilization of the “Unmet Need” methodology table prepared by the Federal Government, that details at a municipal level and which we cite in this written statement. “Examples to explain how serious it is not to use the “Unmet Need” table”

Our concern can be summarized in two examples: First, we are worried that if the table prepared by HUD is not used, the municipalities in the southwestern region of the island, which were the least impacted by the hurricanes, as demonstrated by diverse methodologies and maps, may benefit more. The other way to exemplify our concern comes after a CDBG-DR talk where it was explained to us that the Unmet Need table was not important and that it had only been used to compete for funds against Florida, California and the Virgin Islands. We are respectfully worried that we do not receive what is just for the people of our municipality.

The solutions that we propose to address these concerns are the following: Utilize the Unmet Need table and apply the proportion selected by the State (Puerto Rico) to each amount of estimated housing needs in the table. (Table included in the full version of the attachment)

PRDOH Response: The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources is included in the appendices

- 1. Not being clear in the draft of the Plan about the role of municipalities during the planning, programming, execution and audit of funds and programs.*

An issue that we understand to be important to mention is that our municipality has over 35 years managing CDBG funds and other federal programs, and thus we understand that we are capable to manage these funds. The recent events of Irma and María have demonstrated the agility and efficiency with which municipalities have addressed the crisis.”

“Search for the way in which the processes of planning, programming, execution, and audit of funds and programs is carried out in a model similar to the instances in the past regarding CDBG-DR and CDBG with OCAM and HUD, where municipalities ran the projects.”

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. Information regarding municipal planning included in the “Whole Community Resilience program has been expanded upon in the Action Plan.

Comment via Email: #129_25-05-18_Alysson Blackwelder

“Please see the attached comment letter from the U.S. Green Building Council (USGBC) concerning the Puerto Rico CDBG-DR Action Plan. We appreciate your consideration. Please contact us with any questions.”

The attachment provides information regarding the LEED building system and offers information regarding the RELi System, which is a new system offered by the U.S. Green Building Council (USGBC).

Regarding the Action Plan, the document offers the following comment:

“To ensure 2018 CDBG-DR funding is used effectively to help mitigate future major weather events in Puerto Rico, project teams and developers must be given a variety of paths to rebuild in ways that enhance the resilience of the built environment. USGBC commends the Puerto Rico Department of Housing in recognizing LEED as a comprehensive, proven option for meeting and exceeding redevelopment standards, and encourages the Department to include LEED certification for priority projects, such as in reconstruction and new construction multifamily housing. By including LEED among the potential choices in meeting these goals, the Department of Housing acknowledges that LEED can be used as an effective tool in meeting comprehensive resilience goals for Puerto Rico.” Furthermore, the document outlines many benefits of using LEED and states that the USGBC “stands ready to assist the Puerto Rico Department of Housing in implementing its CDBG-DR program.”

PRDOH Response: Thank you for the comments. Information regarding procurement, including Requests for Proposals (RFP), will be posted to www.cdbg-dr.pr.gov. PRDOH encourages interested parties to monitor the website for opportunities.

Comment via Email: #130_25-05-18_Oscar Santiago Martínez (Mayor Vega Alta)

“The Municipality of Vega Alta is writing in reference to the \$1.5 billion allocation funds in the CDBG-DR form as a grant given by the Department of Housing and Urban Development (HUD) to the Commonwealth of Puerto Rico. As part of the requirements of the draft of the Action Plan published in May 10, 2018 we are submitting via email our comments to this draft in order to receive an answer to our concerns and doubts to the Action Plan to be approved.

Also, the Municipality is submitting a letter of recommendations of the assignment of CDBG-DR funds to be directly managed by our Federal Program Office, do to our capability and knowledge to administer directly CDBG-DR funds.

Attachment to Email:

The attachments submitted include English version of a letter from the Mayor of Vega Alta, Oscar Santiago Martínez. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

In addition, Vega Alta included the following list of questions regarding the Action Plan:

Q. 01- Does Action Plan (Puerto Rico Disaster Recovery Action Plan) made public on May 10 applies only to the \$1.5 billion appropriation or to the \$18 billion announced by Puerto Rico Resident Commissioner too?

PRDOH Response: The Action Plan released on May 10, 2018 applies to the \$1.5 billion allocation.

2) Q. 02- In case that the current Action Plan scope is limited to the \$1.5 B when will the second plan be available?

PRDOH Response: The Action Plan for the \$18 billion allocation will drafted in accordance with the Federal Register which accompanies the allocation. To date, that Federal Register has not been released.

3) Q. 03-On page 11 Puerto Rico Department of Housing responsibilities before the US Department of Housing and Urban Development include the program's implementation and grant management, among others, in this case what is the role, if any, left to both CDBG entitlement and not entitlement local governments?

PRDOH Response: CDBG-DR grants are different from CDBG entitlement and non-entitlement grants. PRDOH is the grantee for CDBG-DR.

4) Q. 04 -In case one of those local governments that own land and/or real properties located on

urban and/or rural areas is there any other role reserved for them, and what would be the level of their participation?

PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant.

5) Q. 05 and 06-When addressing the public hearing outcomes, the participants (local governments) brought to the table a series of housing related proposals such as buyout/demolition of public nuisance and homes on flood zone, mixed use commercial/residential projects, new multifamily and detached housing projects, and relocation of families living on high risks areas among other projects, what will the Puerto Rico Housing Department do with all the valuable information and demonstrated experience and knowledge provided by the local governments?

PRDOH Response: Information provided during public hearings informed development of the Action Plan, including program design.

During Hurricanes Hortense's and George's recovery the US Department of Housing made available small DR allocations through the Puerto Rico Office of the Municipal Affairs Commissioner (OCAM) on a competitive basis which was awarded to the cities of Guayama, Loiza and Arroyo all these non-entitlement municipalities. They conducted outstanding relocation projects that provided safe housing units to over 280 families. Will the current action plan or the coming plan consider past experiences giving both entitlement and small cities the chance to implement their own DR housing projects?

PRDOH Response: Method of Distribution models for each housing program can be found in the Action Plan.

6) Q. 07- Economic development projects suggested such as construct or restore docks, piers, and ramps for fishing communities, grants and revolving loans for businesses, business incentives to continue in place operations, create/hotels rehab/tourists centers, create and rehab entertainment and cultural centers. Do joint ventures between local governments and private business or business developed and operated by municipal corporations created under the Act for Municipal Autonomy of Puerto Rico, Act 81 of August 30, 1991 may be entitled to request grants and/or loans to develop refinance or finance tourist's related businesses operating before disaster occurrence?

PRDOH Response: Private businesses are eligible to apply for loans under the Small Business Loans program.

7) Q. 08 -Infrastructure projects such as public transportation and cemetery improvements, public parks and open space restoration, retaining walls to prevent floods and landslides, bridge improvement and/or construction, and restoration of roads, highways and sidewalks. From the

above described projects which one will be under municipal jurisdiction if any and what will the decision-making process be?

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

8) Q. 09- Most impacted and distressed areas- what were the criteria used to identify and calculate unmet needs for disaster relief and how those criteria were applied to exclude the 3 jurisdictions left out in Puerto Rico?

PRDOH Response: The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources is included in the appendices.

9) Q. 10-Unmet need assessment- meaning of the role of the municipality when defined as entities that "will be consulted throughout and are key leaders in the recovery strategy." Does this mean that their role will be limited to advisors without any decision-making power?

PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant.

Comment via Email: #131_25-05-18_Marcos Cruz Molina (Mayor Vega Baja)

The body of the email contained no text.

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Vega Baja, Marcos Cruz Molina. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate

responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

The attachment provides information regarding unmet needs in Toa Baja and references a HUD allocation memo which shows Toa Baja with approximately \$49 million in “serious unmet need”. Regarding the HUD methodology used in the referenced memo, the document states: “This is a methodology prepared for the Federal Government and which we aspire for it to be the one used for the distribution of funds by municipality.”

“Upon seeing the information that has been coming out on the Action Plan Draft for public comment, of May 10 of 2018, we are concerned by the non-utilization of the Unmet Need methodology table prepared by the federal government, which gives details by municipalities. If the table prepared by HUD is not used, the municipalities in the southwestern region of the island, which were the least impacted by the hurricane, may benefit more.

We carried out a mathematical exercise using the Unmet Need table and applied it to the same proportion selected for the State (Puerto Rico) to each estimated amount of housing need in the table. (Table is included in the complete attachment.)”

PRDOH Response: The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources is included in the appendices

Regarding the role of municipalities in the Action Plan, the document states:

“Also, we are concerned that in the Draft of the Plan the role of the municipalities during the process of planning, programming, execution and audit of the funds and programs is not clear. It is important to highlight that for over 40 years our municipality has been managing CDBG funds and other federal programs, and thus we understand we are capable of managing these funds. The recent events of Irma and María have demonstrated the agility and efficiency with which municipalities have addressed the crisis.”

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. Information regarding municipal planning included in the “Whole Community Resilience program has been expanded upon in the Action Plan.



Comment via Email: #132_25-05-18_Luis J Hernández Ortiz (Mayor Villalba)

“Attached is a letter addressed to Hon. Fernando A. Gil Enseñat, on the CDBG-DR issue”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Villalba, Luis Javier Hernandez Ortiz. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #133_25-05-18_Rafael Surillo Ruiz

“Attached is the official response from the Municipality of Yabucoa to the CDBG-DR Action Plan proposed by the state through the Housing Department.”

Attachment to Email: Yabucoa Letter

The attachments submitted include Spanish and English versions of a letter from the Mayor of Yabucoa, Luis Rafael Surillo Ruiz. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #134_25-05-18_María del C. Gordillo Pérez

“Included are the comments to the CDBG-DR Action plan, May 10, 2018 version”

Attachment to Email:

The attachment offers the following commentary regarding the Action Plan:

Page 84:

The Introduction paragraph speaks mainly about preparedness planning for response. We suggest adding language as to acknowledge the role and value of coordinated recovery planning.

PRDOH Response: Thank you for the suggestion.

Page 85: Whole Community Resilience Planning

- *First, we recommend renaming the planning program to "Whole Community Recovery and Resilience*

Planning"- This will help make clear that these planning efforts are about planning for a resilient recovery (CDBG-DR objectives), not just resilience alone.

- *The Action Plan states "The Puerto Rico Planning Board will be consulted by PRDOH in the development of program guidelines to ensure consistency and a coordinated approach." The Planning Board looks forward to this partnership and the opportunity to contribute meaningfully to this process.*

PRDOH Response: Thank you for the suggestions. PRDOH looks forward to a positive working relationship with the Planning Board.

- *The program model where each municipal government will receive \$10,000 to conduct a comprehensive risk analysis and needs assessment is highly unlikely to contribute to "coordinated planning". \$10,000 is insufficient to conduct such analysis at any meaningful depth and the most cost-effective (or methodologically effective) method of conducting a needs assessment. It would be much more effective to engage the Puerto Rico Planning Board to conduct such analysis with and for the Municipalities as the Planning Board can leverage their existing data and technology while also looking at hazard risk from a regional and systems perspective. An aggregated Planning Budget between \$780,000 and \$1.5 million for a complete adequate community assessment, prioritizing intervention initiatives will maximize the use of available resources and guide coordinated further planning efforts following and Island-wide Integrated Development Model/Strategy. Investing in a thorough and consistent definition of the problem at the front-end of the process will reduce costs and provide the basis for planning efforts with a foundation to work from (not need to dedicate limited time and money to replicating independently for each community).*

PRDOH Response: Thank you for the comment. The section on Whole Community Resilience Planning has been revised in the Action Plan.

- *The Action Plan defines High-risk communities as those in areas of high flood risk. With such large one-time investment opportunities, it is critical that risk be defined from a multi-hazard perspective, not just in terms of flooding.*

PRDOH Response: Thank you for your comment.

- *Project accomplishments state that "The Whole Community Resilience Planning Program will result in comprehensive community recovery plans ... " There should be language talking about the official function of these plans- are they to be used to guide the investment of CDBG-DR funds potentially allocated by PRDOH directly to municipalities? If so, will municipalities be required to adopt these plans?*

- *It is unclear which local entity is responsible for owning and implementing the recovery plan. Only Municipal government has such authority and responsibility, but page 86 states "Communities may submit plans through an NGO, with assistance from professional planning firms and developers. "Are the plans to be developed by NGOs as the lead? If so, this is likely to be problematic for many Mayors, as they will be implementing a plan for their community that someone else has developed for them. It is highly recommended that Municipal government be the lead in developing, adopting, owning, and implementing local recovery plans. Municipal government is then charged with developing the plan through an inclusive "whole community" process- that includes and partners with NGOs in a meaningful way*

PRDOH Response: Thank you for the comment. This feedback will be taken into consideration as programs are further developed.

It is highly recommended that the PRDOH examine the New York Rising Community Reconstruction Planning Program as a best practice. Coordinated contracting of multiple planning and design firms/entities by the Planning Board can have substantial cost savings and would also more easily and effectively allow for coordinated approach to be taken by all planning teams, regardless of the locality to which they were assigned. Local governments can still have a choice in terms of whom they would like to work with, they just have to select from the pre-approved list.

- *\$500,000 is very likely to be an inadequate amount to produce a recovery plan of the necessary scope and depth for any of the larger communities or those with extensive damages. By limiting the max planning award to this amount, the resulting planning product will be compromised in the very places where it is needed the most. We recommend that this not be limited as to provide flexibility in funding planning efforts of appropriate scale where they are ultimately determined to be needed. If the intention is for each of the 78 municipalities to have a recovery plan, then it is recommended to examine which municipalities need a comprehensive*

plan through the needs analysis process and allow adequate funds to be granted to them through independent awards. It is also likely that not all municipalities will need a recovery plan as some may just have damages that are largely repair oriented. For these latter scenarios, one planning consultant team could then be contracted to work with the grouping of all the Municipalities in need of a more limited or targeted Plan.

- *One important piece of context to this program will be further allocations from the CDBG-DR \$18.5 B appropriation to Municipalities to help implement the resulting recovery plans. This was done in Louisiana and New York and was successful in getting communities to take the process seriously as well as to provide confidence to private sector, nonprofit, and philanthropic investors that there will be funds that can be leveraged.*

PRDOH Response: Thank you for the suggestions.

- *The method of distribution section is unclear. It just states the types of entities that will be part of the community planning process but doesn't identify which one or ones will be eligible to lead it as the grant recipient.*

PRDOH Response: The methods of distribution are described in the Action Plan. Eligible partners or subrecipients are outlined in the Action Plan.

- *The Action Plan states, "Regional planning and coordination are highly encouraged and municipalities are encouraged to examine the needs of special communities." We recommend that "encouraged" be changed to "required."*

PRDOH Response: Thank you for the suggestion.

Page 87: Agency Planning Initiative- UNIFORM PARCEL REGISTRY AND GIS DATA BASE Under Eligible activity for Planning and Capacity Building (Section 105(a) (12) of the HCDA), the CDBG-DR Action Plan well exposes the need for an adequate database related to housing addresses in Puerto Rico. This need is fundamental on the challenge experienced after hurricane Marfa with assisting people at the time of the immediate response, but also at the recovery phase where providing help with available funding presented its own obstacles related to the lack of information on property location and formal registry.

In regard to addressing non-registered construction across the island, the Action Plan states "Undertaking an initiative to streamline information across government agencies and map parcel data using GIS technology will ensure that housing is properly accounted for and built to improved standards." We consider necessary that the Action Plan Address in an adequate manner expectation in the sense that effect we recommend editing narrative as to include the words "help to" between "will" and "ensure" based on a foundation upon which the objective becomes more achievable since it will still require numerous other related actions, policies, and initiatives.

Law 75 June of 1975, defines the general purposes of the PRPB: "Guide the integral development of Puerto Rico in a coordinated, adequate, and economic manner which, according to the present and future social needs and human, environmental, physical and economic resources, will best promote the health, safety, order, coexistence, prosperity, defense, culture, economic stability and general welfare of the present and future inhabitants, as well as efficiency, economy and social welfare in the process of development, in the distribution of population, in the use of the land and other natural resources, and in the public improvements that will tend to create conditions favorable for the society to develop integrally."

The Planning Board is the governmental organization with the responsibility of compilation, analysis, evaluation, and prioritizing actions, while providing for the highest consideration to the interaction of physical, economic and social variables within a framework of harmony with the environment, all of which are critical for the development of the Island. It certainly provides the services and tools that qualify it as the best partner to work with PRDOH towards the achievement of ordering the property documentation and compliance requirements in Puerto Rico.

The Action Plan assigns opportunities to the UNIFORM PARCEL REGISTRY AND GIS DATA BASE as a data construct that will provide for permit compliance, insurance requirements and provide order to the property registry in Puerto Rico, all identified as deficient. The Puerto Rico Planning Board agrees on the identification of symptoms related to the greater problem of informal construction in Puerto Rico (proper location, proper registry, permit and insurance compliance) yet considers important to clarify the Scope of Work of the \$25,000,000 funding allocation included in the Action Plan for this Data Base.

The following bullets describe a bigger task towards solving Puerto Rico's informal construction problems. Our narrative is in the suggestion that the Action Plan include content to provide the PR Planning Board (sub-recipient of such funds) enough flexibility to address the data problem from all angles, which include the relationships and flows needed first for the construction of the data base and finally for the adequate uses and services of such data:

- Along with the Puerto Rico Planning Board, among agencies and entities that interact with property related information are: The Property Registry Office, the PR Permitting Office (OGPE), the Office for Municipal Property Collections and Revenues (CRIM), the Treasury Department, Private Banks, Insurance representatives, Lawyers, among others.*
- In PR registering property is not required to individuals, being a voluntary process not all data is collected by The Property Registry Office in Puerto Rico, which is the official governmental organism in charge of documenting property transactions. In addition, it is also a fact that bureaucracy and process complexity results in a great backlog of data processing at the Property Registry Office. Mortgage transactions usually are registered due to the Banking sector's interest in warranty of their investments. The Property Registry Office process will need to be impacted as to have them as providers of valid data in the proposed UNIFORM PARCEL REGISTRY AND GIS DATA BASE*

- *Legislation will be needed to address and require data inputs including that from government and private parties related to property transactions.*
- *It is important to acknowledge that the data collection effort has at present a broad base of information built through the past 20 years. In fact, the PRPB owns and administers the majority of relevant databases and as well has knowledge experience and vision towards a successful project.*
- *The UNIFORM PARCEL REGISTRY AND GIS DATA BASE envisioned as a development tool can propel this project as to impact clients among other areas of socio-economic development in Puerto Rico. Future partners can be Emergency Responders, 911, and sectors as Security, Police, Health, Tourism, Agriculture, and Industry. Involvement in Puerto Rico's future will benefit from the PRPB leadership guided through its mission.*

PRDOH Response: PRDOH will take this feedback into consideration as programs are further developed.

*Page 79 and pages 94-96: Homeowner Repair, Reconstruction or Relocation Program
The Government of Puerto Rico through Plan contents seems to be electing to use the Puerto Rico Area Median Income and not the National median income as allowed in the FR Notice (page 79).*

It is important to consider that some eligibility requirements as stated in the Plan may limit or even be obstacle to program benefits while excluding families in need. Specifically, the Homeowner Repair, Reconstruction or Relocation Program" (HRRRP) summarized on pages 94-96, has two eligibility requirements that seem to be of conflict in the objective of assisting low income families with legitimate need for a sound, safe and sanitary home:

- *Hazard Zones: There seems to be a conflict between the stated Program Priority for relocation from Hazard Zones and Eligibility Criteria of Confirmed damage to property. Would this mean that an owner located at a high-risk zone would not be eligible for relocation benefits unless his home would have evidence of damage? If this was the parameter, the objective of moving away from hazard zones will not be fully achieved. This same conflict is also addressed on page 95: "... with substantially damaged homes located in high risk areas ..." Recommendation: Include families that are located at high risk areas yet not necessarily have had damaged to their property.*

- *"Income Limits". Applicable to Puerto Rico, they sub estimate the income of many families since these limits do not recognize income generated through informal economy. To be eligible to a "housing voucher" (of up to \$48,000 for the rehabilitation of a home or for up to \$120,000 for reconstruction, see page 96), an eligible participant will need to have an income no greater than the 80% of the AMI ("Area Median Income"). At other US jurisdictions, the "low income" definition is used to establish a Housing Affordability Index, which in turn defines the income a family shall have to satisfy its housing need. In Puerto Rico a family whose income is a just a bit*

greater than that limit established by the 80% AMI would not be able to satisfy its housing need without government subsidy...

Recommendation is that eligibility income limit be at a 100%-120% AMI."

PRDOH Response: 83 FR 5844 mandates that 70% of CDBG-DR funds be used to serve Low and Moderate-Income persons. Low and moderate-income limits are defined by HUD. CDBG-DR funding must be used to address recovery from the 2017 disasters.

"Page 4:

- While referenced on this page, P.L. 115-72 did not appear to include a CDBG-DR appropriation.*
- Dates incorrect. Action Plan states, "This first Action Plan outlines the uses for the approximately \$1.5 billion in CDBG-DR made available by Congress on February 1, 2018. On April 10, 2018, Congress made available an additional \$18.5 billion in recovery funds, including funds targeted to the electric grid and mitigation activities." Actual dates are the following: Congress appropriated approx. \$7.4 B in CDBG-DR to HUD for 2017 disasters via P.L. 115-56, which was enacted on September 8, 2017. Congress appropriated an additional \$28 B in CDBG-DR to HUD for 2017 disasters via P.L. 115-123, which was enacted on February 9, 2018. Of the \$7.4 B appropriated under P.L. 115-56, HUD made available approx. \$1.5 B to Puerto Rico on February 9, 2018 via publication in the Federal Register (83 FR 5844). Of the \$28 B appropriated under P.L. 115-123, HUD announced on April 10, 2018 that it would be making approx. \$18.5 B available for Puerto Rico. However, these funds have not yet been made available; they will be made available via a forthcoming Federal Register Notice, which HUD has yet to publish."*

PRDOH response: Thank you for the comment. Funding allocation amounts reference in the Action Plan are specific to Puerto Rico. PL 115-72 is associated with the allocation.

Page 7: Action Plan states, "hurricanes Irma and Maria caused damage to an estimated 1,067,6184 homes" with FEMA IA as source citation. This does not seem to reconcile with the IA FEMA Verified Loss numbers of page 54. Need to clarify more specifically, what the 1,067,618 number is representing. Also, there is an extra digit.

PRDOH Response: Thank you for the comment. Numbers have been updated accordingly in the Action Plan

"Page 9: "Hurricane Irma made landfall on September 6, 2017 as a Category 5 storm with winds up to 100 miles per hour. The storm cut power to an estimated two-thirds of the main island, leaving communities ravaged. Just two (2) weeks later, Hurricane Maria made landfall on September 20, 2017 as a Category 4 storm measuring 35 miles in width, making direct impact with the 35-mile wide island. Hurricane Maria impacted the entirety of Puerto Rico with recorded winds up to 155 miles an hour, river surges up to 47 feet, massive mudslides, and localized catastrophic flooding reaching up to 38 inches."

Comment: Reference should be instead to "Catastrophic rainfall" (if we were talking about flooding, this would be up to 8 feet high)"

"Page 9: "The lethal combination of flooding and weakened infrastructure caused a complete failure of the Guajataca Dam which was designed to hold back floodwater from a reservoir located between the municipios of San Sebastián, Quebradillas, and Isabela." And Page 61: "One of the island's largest dams, the Guajataca Dam located in Puerto Rico's northwest corner, sustained such damage from Hurricane Maria from extreme winds and 15 inches of flooding rains that it failed 19 days after impact."

Comment: The Guajataca Dam did not fail. The spillway suffered damage by erosion. It is recommended that this content in the Action Plan be revised."

Page 11:

- *Action plan states, "Information on funds usage and outcomes are reported to the COR3 for integration into island-wide recovery operations." Recommend changing to "Information on funds usage and outcomes will be reported to the COR3 for integration into island-wide recovery operations and will be made publicly available."*

- *Action Plan states, "Noteworthy collaborators on this CDBG-DR Action Plan include: The Governor's Office, COR3, and the Puerto Rico Public Housing Administration (PRPHA)." As the Commonwealth entity responsible for the coordination of planning, hazard mitigation, and capital investments across the Island, it is recommended that the Planning Board play a more integral role in the development and amendment of future Action Plans. As stated on page 12, "Through integrated planning, government reform, public engagement, and a 21st century approach based on technological innovation, Puerto Rico will leverage its intellectual and physical resources to maximize federal investment in the island." The Planning Board plays a central role in three of these four guiding principles: integrated planning, public engagement, and technological innovation. Accordingly, it should play a central role in helping to inform and guide the development of CDBG-DR Action Plans for recovery.*

- *As part of "Leading a Transparent and Coordinated Recovery" -suggest amending section title to "Leading a Transparent, Inclusive, and Coordinated Recovery." In support of leading a transparent and inclusive recovery, it is recommended that all publicly available documents related to the planning, administration, and management of HUD CDBG-DR funds be available in both Spanish and English."*

Page 12: Under the section titled "Whole Community Approach and Integrated Planning," text describes the integrated recovery planning and prioritization occurring on a Commonwealth-wide scale. It would be helpful for readers if this section would also include a reference to the accompanying local recovery planning efforts that are to be funded within this Action Plan (via the \$37.5 million planning activity). A brief description of how the larger Island-wide recovery plan (providing overall strategic priorities) will guide the forthcoming local recovery planning efforts (which will identify site-specific projects and local initiatives).

Page 13: Action Plan states, "The work accomplished in these committees will be incorporated into the Economic plan being developed under COR3 purview and is incorporated into this CDBG-DR Action Plan." Insert "and Disaster Recovery" after the word "Economic" Page 19: Table should indicate that this includes all 78 municipalities, so the reader does not have to count to see if one or more were excluded.

Page 25:

- Action plan states, "units of general local government (UGLGs/municipios) have a clear sense of unmet needs." While this is always assumed, it would be helpful if the data that illustrated and defines this clear sense of unmet needs by municipality were available to the public. If data sources contain individual addresses that can't be shared due to Privacy Act restrictions, such data can be aggregated at the lowest geographic level possible.

- Table 4- numbers need to be re-examined and confirmed. Numbers under economy do not add up; also, the unmet need for Infrastructure is off by 1. It is also unclear where the numbers on Table 4 come from and what they represent. Perhaps reference the page numbers in the report where they can be found, such as page 59 for housing.

PRDOH Response: Thank you for the suggestions. Information is available in both Spanish and English at www.cdbg-dr.pr.gov.

Page 56:

- Action Plan states, "An estimate of potential unmet needs populations was generated by first multiplying the total owner applicants without either a real property or personal property loss (G) by 22.49% (accounting for FEMA's missing real property losses compared to SBA's), adding 22.49% of the remaining homes across the island (accounting for missing damages for those who did not apply for FEMA Housing Assistance) ... Clarify: the assumption to include all remaining homes across the island. Does this assume all remaining homes are owner-occupied? Is damage being estimated to be of the same average value for those that applied and have verified loss as for those that didn't apply and have no verified loss?"

- In general, the housing unmet needs assessment lacks any breakdown as to owners and renters with estimated damage, low-income/non-low-income, insured/uninsured, inside floodway/inside 1% annual-chance floodplain/outside 500-year floodplain, etc. Also, no representation as to impacts by geography. Need to map impacts by group/characteristic, not just list total estimated values island wide. Need to identify where, geographically, needs are estimated to be greatest.

PRDOH Response: The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources is included in the appendices. Thank you for the suggestions.

“Page 81: _Action Plan states, “Substantial amendments addressing alterations to the Action Plan such as change to program benefit or eligibility criteria, the addition or deletion of an activity, or the allocation or reallocation of more than 10% of grant funds will be publicly posted for no less than fourteen {14} days to allow public input before finalizing and incorporating into the comprehensive Action Plan.” Consider inserting “from a program line item” after “10% of grant funds” to add clarity, unless the intent is to refer to the amount of overall grant funds (i.e., \$150 million for this first grant and \$1.85 billion for the second (forthcoming)).

Page 80. On Minimizing Displacement-“PRDOH plans to minimize displacement of persons or entities and assist persons or entities displaced as a result of implementing a project with CDBG-DR funds.”

Page 82: On ANTI-DISPLACEMENT- “All CDBG-DR funded activities will be designed to eliminate (or minimize) the occurrence of displacement. Puerto Rico will minimize displacement of persons or entities and assist persons or entities displaced as a result of implementing a project with CDBG-DR funds. This is not intended to limit the ability of Puerto Rico to conduct buyouts or acquisitions for destroyed and extensively damaged units or units in a floodplain”.

Comment: Historic flooding in Puerto Rico has demonstrated the areas where repetitive loss occurs and where housing unit location shall not be allowed nor promoted. Economic assistance should not be provided as to allow repairs to structures that are located in these high-risk zones, and as well continue exposing people to life and property loss. Instead, a holistic approach will in turn be more effective if the economic, labor and social environment are the driver to localization of families that are impacted not only by hazard but also by an inadequate quality of life. This will lower tensions in relation to government interventions that shall not impose new locations to families not chosen by them.

Page 82: Action Plan states that affordable housing for vulnerable populations will be in response to natural hazard related impacts. However, funding of the 9% LIHTC tax credit projects that were proposed prior to the disaster does not necessarily guarantee that the added units will respond to the location, amount, or unit mix of affordable units lost.

Page 82: On Elevation Standards - “As applicable, PRDOH will apply the elevation standards for new construction, repair of substantially damaged structures, or substantial improvements to residential structures in flood hazard areas, such that the lowest floor is at least 2 feet above the 1 percent annual floodplain elevation, as outlined in 83 FR 5850 and 83 FR 5861.”

Comment: NFIP regulations {44 CFR 60.3} require that residential properties be constructed over the BFE, corresponding to flooding of the 1% probability or 100 years. Puerto Rico adopted regulation that is more restrictive requiring a 1-foot freeboard over the BFE. A careful consideration must be given when including in the CDBG-DR Action Plan a requisite, which is even more restrictive than the approved state and federal regulation in the NFIP.”



PRDOH Response: Thank you for the comments. This feedback will be taken into consideration as programs are further developed. All relocation proposed under this Action Plan is voluntary.

Comment via Email: #135_25-05-18_María G. Rodríguez Collazo

“The undersigned, a private, nonprofit community development corporation working to build stronger families and revitalize communities across Puerto Rico, New York, Vermont, New Jersey, Pennsylvania, Ohio, Indiana and Virginia submit these comments concerning the Disaster Recovery Action Plan for the use of CDBG-DR funds in response to 2017 Hurricane Irma and Maria, which was released on May 10, 2018. These comments focus on the areas where our organization has extensive expertise administering federal, state and local programs to provide housing, economic development and workforce development services to low-income families and small businesses for the last twenty years on the Island. We appreciate the opportunity to submit these comments. Should you have any questions or need further information, please do not hesitate to contact us.”

Attachment to Email:

The below list of comments was submitted in the attachment:

“Program Requirements

- 1. Minimizing Displacement – PRDOH must ensure that community organizations are permitted to provide housing counseling services in order to prevent displacement. The draft Action Plan must state that displacement will occur as a last resort and only when displacement would promote family security, stability and reduce community disruption.”*

PRDOH Response: The Housing Counseling program outlined in the plan will provide housing counseling services. Non-governmental Organizations (NGO) are eligible subrecipients.

“2. Appeal Process – The draft Action Plan must describe in a more detailed manner the appeal process for participants and recipients of the different programs funded by CDBG-DR funds.”

PRDOH Response: The appeals process will be tailored to each program and outlined in more detail when program guidelines are developed.



3. *“Elevation Standards – PRDOH must extend the application of the proposed mitigation according to 83 FR 5850 and 83 FR 5861, to any subrecipient and partner involved in new construction, repair or improvements to residential structures in flood hazard areas.*

PRDOH Response: Language regarding flood insurance requirements and elevation standards is available in the Action Plan

4. *Fair Housing – The Action Plan must include a statement on how the PRDOH plan will remedy housing segregation in disadvantaged areas. An alternative could be the implementation of compulsory training and education on Fair Housing to developers, property managers, landlords, renters, homeowners and the community in general receiving government-subsidized housing assistance to promote an informed choice of adequate and fair housing.*

PRDOH Response: PRDOH will comply with applicable federal and local laws and regulations.

5. *Housing for vulnerable populations – The definition of vulnerable populations is not included, and the description of the intended purpose of this section is not clear. The definition must be included, and the specific proposed counseling activity should clearly be described.*

PRDOH Response: A definition of vulnerable populations has been added to the Action Plan.

“Economic Recovery Planning

1. *The program description excluded the participation of the nonprofits as a relevant stakeholder with experience in recovery planning. We recommend the inclusion of the nonprofits, not only as subrecipients, but as planning stakeholders for this recovery activity.”*

PRDOH Response: Thank you for the comment.

“Housing Programs

1. *Homeowner, repair, reconstruction, or relocation program - The program method of distribution excluded the participation of nonprofits as subrecipients. Nonprofits organizations have lists of qualified families waiting for funding to receive services in order to repair, reconstruct their homes or be relocated to a safe area. Inspection and property needs assessments are done by licensed engineers and architect. This work will be duplicated in cost and time if nonprofits are not included as subrecipients. The inclusion of PathStone Corporation and other organizations with proven experience in developing safe, decent and highly resilient homes will result in the efficient use of the CDBG-DR funds. Moreover, including nonprofits will reduce the time for the families to return home. Nonprofits have the ability to acquire at no cost properties that are foreclosed and vacant or that have been repaired, to relocate families away from floodways and areas vulnerable to landslides. We recommend the inclusion of experienced nonprofits as subrecipients for this recovery activity.*

This program includes the services of a HUD-certified housing counselor to identify existing homes to use the housing voucher program. This section must be better described to be consistent with the housing counselor’s responsibilities and limitations. The term “identify” must be clear in order to avoid the impression that housing counselors are experts in real estate transactions.”

PRDOH Response: Thank you for the comment. Non-Governmental Organizations are eligible subrecipients of the Homeowner Counseling program, which will support the Homeowner Rehabilitation, Reconstruction or Relocation program.

2. CDBG-DR Gap to Low Income Housing Tax Credits (LIHTC) – The draft plan states that thousands of homes suffered damage from Hurricanes Irma and Maria, including rental properties. We agree that resilient affordable rental housing is needed; however, the draft Action Plan does not indicate how the housing created or preserved will actually be affordable to displaced residents directly affected by the hurricane. The draft Action Plan must clearly indicate how the program will meet the needs of disaster survivors. It is not indicated how projects will be evaluated to increase number of housing units in the areas where housing stock is not enough to meet housing need to disaster survivor rather than just fund projects base on readiness.

PRDOH Response: This feedback will be taken into consideration as programs are further developed. Rent rates associated with Low Income Housing Tax Credit projects have been added to the Action Plan.

3. Mortgage Catch up Program – The participation of HUD-certified counseling agencies in the programs to only provide homebuyer education, credit and other workshops is not sufficient to accomplish the programs goals. The Housing Counselors, as the description describes, are uniquely positioned to assist homeowners with long-term recovery. The program must require that AFV receive the recommendation of the HUD-certified recommendation prior the approval of disbursement any funds to homeowners. Housing Counselor must review each case to determine the need of additional services such as loss mitigation, refinancing or other long-term alternatives to resolve homebuyer impediments to afford mortgage payments after disaster. Housing Counselors responsibilities include assistance to clients who are facing challenges in communication and as they attempt to complete the complicated process of dealing with the lenders to modify mortgage payments after default. Our organization has collaborative agreements to resolve legal matters related to the foreclosure process when homeowners are dealing with a case that have been filed in court. The exclusion of a HUD-certified Counseling Agency recommendation prior the award of the funds could result in a future delinquency and a new foreclosure process if a full-service approach is not available to applicants.

PRDOH Response: This feedback will be taken into consideration as programs are further developed.

4. *Home Energy Resilience – We recommend the inclusion of solar generators as an eligible equipment to be installed. A solar generator will provide relief to families and allow them to preserve fresh food during a power outage. The program is also missing an important sector of the vulnerable population, persons with disabilities. As a second priority, families with a member who has a permanent disability or catastrophic disease must be included. The solar generator will be of great value to those families whose member needs to use medical-electrical equipment to sustain life.*

PRDOH Response: Thank you for the recommendation.

Economic Recovery Programs

1. *Small Business Loans – Additional language must be included to highlight the importance of collaboration with Community Development Financial Institutions (CDFI) as subrecipients. The experience and financial capacity of CDFI organizations as intermediaries for both public (USDA, SBA, Treasury) and private (Citi, Bank of America, Deutsche Bank) increase the efficiency for delivery of services. We recommend that CDFI organizations be better positioned as subrecipients when requests for proposal are announced by the partner agency, DDEC.*

2. *Tourism & Business marketing Program - The importance of including existing tourism initiatives that need to be re-started must be included. The Coffee Trail represents a second major market for tourism in Puerto Rico. The empirical data, such as it is, indicates a growth in the mountain region for tourism traffic. This is the opportune time to ratchet up efforts on this front.*

PRDOH Response: Thank you for the recommendation.

Workforce Training Program

1. *Eligibility guidelines for the program should be established. Individuals who have been severely affected by Hurricane Irma and María and who have lost their homes should have priority.*

PRDOH Response: Processes and documentation used to determine program eligibility will be included as part of program guidelines. Guidelines will be developed after HUD approval of the programs and available at www.cdbg-dr.pr.gov.

2. *The success of the workforce training program is going to significantly depend upon partnerships with the employers in charge of the construction projects. These employers should be required to collaborate with the non-profit organizations in charge of the training program to ensure that the design of the training curriculum is informed by the workforce skills required by the employers.*

3. *Nonprofit organizations should be required to collaborate with qualified training providers in the development of training and to monitor delivery to ensure that the curriculum generates the workforce skills required by the employers.*

4. A directory of workforce training program graduates should be established to ensure that employers have access and provide job opportunities to the individuals who successfully complete the prescribed skills trainings. Lack of access to and priority hiring of training graduates may result in skilled individuals without job opportunities and employers hiring untrained, unskilled individuals.

5. Individuals being assisted with housing should have priority in the workforce development program. Unemployment is one of the significant issues many families face in the aftermath of Hurricane María and Irma. Providing workforce training opportunities to individuals receiving housing assistance and who have the capacity to work increases the resources these individuals can access to maintain their housing in the future.

6. Individuals participating in workforce training programs should earn an industry-recognized credential at successful completion of the program. These credentials will increase program graduates' re-employment opportunities when project-based positions end or other circumstances result in employee lay-offs. Stackable credentials also provide the foundation for career pathway progression through skill advancement.

7. On-the-Job Training should be considered a component of workforce training and include both short- and long-term options. On-the-Job Training provides skilled and credentialed individuals with the opportunity to adapt their skills to a specific employer's work environment where such skill adaptation is required.

8. Workforce training programs should include a post-placement follow-up component to ensure that program graduates retain employment. The recommended follow-up period is one year.

9. Women and mature workers aged 55+ should each be designated as a specific percentage of program participants to insure their inclusion and access to workforce training program opportunities.

10. A communication process should be established to ensure that non-profit entities, employers and training providers have real-time access to information and are engaged to inform strategic planning.

PRDOH Response: PRDOH will consider these comments as programs are further developed. Thank you.

Additional comments to the draft Action Plan

1. Include more detailed community participation for the future implementation of the program, including outreach to low- and moderate-income communities.

PRDOH Response: PRDOH will consider this comment in development of future outreach and citizen participation efforts.

2. Recognize and permit that nonprofit organizations could apply under more than one category as subrecipient.

PRDOH Response: Non-profit organizations are eligible subrecipients for the Housing Counseling program, Social Interest Housing Assistance program, and Whole Community Resilience Planning program, as outlined in the Action Plan.

3. Provide translations of the draft Action Plan and all disaster-related communications in Spanish and to be in compliance with The Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act of 1990, as amended, and the Fair Housing Act of 1968, as amended, that require equal effective communication access for disaster survivors with disabilities.

4. Revise the draft Action Plan to include affirmative steps to address accessibility requirements for disaster survivors with disabilities and catastrophic disease, especially in rural areas.

PRDOH Response: English and Spanish versions of PRDOH’s Action Plan were concurrently published to www.cdbg-dr.pr.gov. Information included on the website is accessible in both Spanish and English, and accessible to those with disabilities.

5. Include appropriate prioritization for all programs to serve low income families first.

PRDOH Response: Thank you for the suggestion.

Comment via Email: #136_25-05-18_Pedro J García Figueroa (Mayor Hormigueros)

“We attached documents related to the CDBG-DR Action plan for your corresponding action. Please confirm receipt.”

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Hormigueros, Pedro J Garcia Figueroa. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #137_25-05-18_Brayan L Rosa Rodríguez

“In page 150 of the pdf file of the action plan (page 146 of the document) it reads: “Institute for the Development of Childhood and Youth (In Spanish, Instituto de Desarrollo de la Infancia y Juventud) (<http://juventudpr.org/>)”

It should read:

“Institute of the Development of Youth. (In Spanish, Instituto del Desarrollo de la Juventud) (<http://juventudpr.org/>)”

PRDOH Response: Thank you for the comment. The Action Plan has been updated accordingly.

Comment via Email: #138_25-05-18_Lornna J Soto Villanueva (Mayor Canóvanas)

“Attached are the comments of the Municipality of Canóvanas on the Draft of the CDBG-DR funds Plan of Action. It also includes the presentation of our Municipality in the public hearings.”

Attachment to Email:

The attachment highlights the capacity of the municipio to carry out federally funded programs and cites historical performance. It also notes the immediate response efforts carried out by the municipio. Regarding the Action Plan, the attachment states the following:

“... knowing the willingness and intention of the Municipality in administering the CDBG-DR funds as a sub recipient of the Housing Department, it has not been considered for it. It is important to highlight that the Communication Letter FR 83 5844 authorizing the CDBG-DR funds, establishes that the recovery process for Puerto Rico must be in collaboration between the state government and the municipalities and what is shown in the Draft Action Plan for the CDBG-DR funds do not. I agree with said statement or with the Housing Department's proposal that the municipalities would be directly participating in the allocation of these funds. As the Draft Action Plan is developed, it does not show how much funds or projects based on the needs presented at the public hearings will be considered for the Municipality of Canóvanas, nor does

it shows how they will be addressing in an integrated manner the needs of disadvantaged communities that were severely affected by Hurricane Maria.”

The document goes on to provide information regarding current storm-related needs of the residents of Canóvanas and requests information on the needs assessment completed by PRDOH, stating:

“As part of this public hearing process, I request you to send us the result of the Impact Evaluation and Neglected Needs Study that the Department prepared to base the determination that the proposed activities respond to and serve the communities that present the highest level of damages, as required by the Federal Regulation in Section VI.A.2. In addition, include the rationalization and methodology used to arrive at the determination of the proposed activities.”

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources is included in the appendices. Thank you for the suggestions.

Additionally, Canóvanas submitted a list of projects it wishes to be funded by CDBG-DR including:

Housing rehabilitation activity

- *Emergency relief payments for rent, utilities and other eligible costs*
- *Acquisition of public nuisance properties to offer as secure housing for low-income families*
- *Installation of a solar panel system*
- *Installation of a combined system of heat and energy*
- *Provision of down payments and closing costs for acquisition of housing*

Further information regarding each proposed project is included in the full version of the attachment.

PRDOH Response: The Homeowner Rehabilitation, Reconstruction or Relocation program was designed to provide rehabilitation of housing. The program will serve a geographic

area which includes all of Puerto Rico, including Canóvanas. Projects proposed will help guide program design for PRDOH, when more funding becomes available

Comment via Email: #139_21-05-18_Sharon Díaz

“Please refer to the document attached.”

Attachment to Email:

Comments regarding the Action Plan include the following:

“It is our opinion that the rental subsidy assistance market needs more attention in the plan allocating funds for project's-based subsidy, giving special priority to the elderly population that are self-sufficient, as well as persons in need of assisted living facilities and multifamily projects.

One of the biggest benefits of the affordable rental market is that it provides maintenance such as the handyman services for repairs of refrigerators, stoves and water heaters that make up the basic elements of providing an affordable housing that at the same time improves the quality of life. It is not only to satisfy the need for housing, but also of improving their quality of life taking care of their needs furthermore in the event of an emergency as what occurred with hurricanes Irma and Maria.”

PRDOH Response: Thank you for the comments. Feedback provided will help guide program design for PRDOH, when more funding becomes available

“Elderly Self Sufficient Rental Subsidy:

The plan clearly states that there are great needs for this population and addresses funds thru the LIHTC program for its development. In order to make such projects viable, to maximize the financial viability of funds to be able to complete them and find investors for the purchase of the tax credits, it is imperative to obtain a rental assistance subsidy. There is a reality in that the low income housing tax credit maximum rents are between \$300 for one unit, as an average, and this is not enough to cover for the maintenance and quality operating activities of such projects to comply with the LIHTC requirements and other federal laws and rules.

There is a great amount of elderly families that live in elderly projects that operate with rental subsidy provided by Law 173. This population is in great risk of losing their homes because of the lack of funds in the government to renew all of these subsidy contracts, without this the compliance with the LIHTC program will be affected and banks will be executing the mortgages for nonpayment of them.

We proposed that funds for the rental assistance be allocated to these kinds of projects. We estimate that approximately \$356,400,000 (40 projects x \$450 monthly rent x 110 units each

project x 12 months x 15 years) will be needed for this purpose.”

PRDOH Response: A Rental Assistance program has been added to the Action Plan. Thank you for the suggestion.

“Assistance Living

There are communities of families that suffer and are still suffering the impact of hurricanes due to the lack of services and elderly population in need of assisted living projects. We proposed that funds allocated for this service are included in the plan that will work along with the other programs available for its developments. At the present we do not know of any project of this type.

We proposed that approximately \$79,200,000 (\$2,200 monthly x 12 months x 200 units x 15 years) be separated for assistance living projects.

Rental Subsidy for Multifamily

After hurricanes Irma and Maria, families needing rental assistance increased. The lack of housing and loss of jobs creates the need for rental properties. In order to maximize the CDBG-DR, along with other programs such as LIHTC and make the projects viable, we proposed an allocation of funds for this purpose in the amount of approximately \$63,253,000 (500 units x \$700 rent x 12 months x 15 years). This is a rough estimate, more multifamily units may be needed later.”

PRDOH Response: Thank you for the comments. Feedback provided will help guide program design for PRDOH, when more funding becomes available

Comment via Email: #140_23-05-18_Francisco López López (Mayor Barranquitas)

“We have great doubts on how the funds from the CDBG-DR funds will be distributed among the municipalities. From what we could observe in the CDBG-DR Plan of Action, you at a central level control the funds. We understand that each Municipality knows their needs and we are requesting that said funds be passed to the Municipalities to be managed as they are finally destined for. We would be greatly grateful that it can be included in the Action Plan. We Municipalities are more efficient in managing funds and can cover many families. We contribute to the recovery of Puerto Rico faster and more efficiently. Thank you for your attention.”

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan.

PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #141_23-05-18_Lauren McNamara

*“Public Comments on CDBG-DR Action Plan
INFORMAL CONSTRUCTION (Page 48)*

Socioeconomic challenges have led a high number of residents to construct housing without Professional design and in many cases without proper permitting or construction materials up to housing regulation or code. Although this type of construction strongly represents the resilience of the Puerto Rican people, it has created a significant number of housing units unfit to withstand the high wind, rain and flooding conditions brought by hurricanes. Although there is no reliable public record of these units, it is estimated that more than half of the islands’ housing stock has been erected through “informal construction” or construction completed without the assistance of an engineer or architect, or the requisite permits. Understanding that the realities of island living, and high levels of unemployment have only resulted in an increase in this type of construction, Puerto Rico is committed to incentivizing recovery assistance that will minimize the occurrence of “informal construction” and prevent rebuilding in high-risk flood zones or on public land.”

PRDOH Response: Thank you for the observations.

“PROPERTY TITLE CONCERNS (Page 49)

*Many impacted homeowners have struggled to receive federal recovery assistance in part due to unclear ownership records or property records. Record numbers of applicants have been denied by FEMA assistance due to the fact they have been unable to verify the own the homes for which they are claiming damage. Although FEMA has taken steps to ease documentation requirements for the population by accepting sworn affidavits from applicants who lack a deed, approval numbers have still been significantly low. This high denial rate has left hundreds of thousands without critical assistance and a large unmet housing need.
Capacity*

PRDOH Response: Thank you for the comment. A Title Clearance program has been added to the Action Plan.

HOUSING PROGRAMS

HOMEOWNER REPAIR, RECONSTRUCTION OR RELOCATION PROGRAM (Page 94)

- *Eligibility - To be eligible for reconstruction in place, property must not be located in a floodway, floodplain, or areas vulnerable to landslide. Applicants located in high-risk areas will be eligible for relocation. <- Program might find this too limited, they are allowed to reconstruct in the floodplain with elevation in the 100-year floodplain.*
- *No mention of elevation, or flood insurance requirements.*
- *There is a discussion of relocation, but there is no mention of buyouts.*

PRDOH Response: Thank you for the comment. Options for relocation are discussed in the Homeowner Rehabilitation, Reconstruction, or Relocation program.

MORTGAGE CATCH-UP PROGRAM (Page 97)

- *Under Eligibility, Floodway prohibition should be mentioned.*
- *No mention of Flood Insurance requirements.*

SOCIAL INTEREST HOUSING ASSISTANCE (HOMELESS, DOMESTIC VIOLENCE) (Page 99)

- *Under Eligibility, Floodway prohibition should be mentioned.*
- *No mention of elevation standards*
- *No mention of Flood Insurance requirements*

CDBG-DR GAP TO LIHTC (Page 103)

- *Under Eligibility, Floodway prohibition should be mentioned.*
- *No mention of elevation standards*
- *No mention of Flood Insurance requirements*

HOME ENERGY RESILIENCE (Page 105)

- *No mention of Flood Insurance requirements*

ECONOMIC RECOVERY PROGRAMS

SMALL BUSINESS LOANS (Page 109)

- *Flood Insurance is required for forgivable loans on insurable property.*

COMMERCIAL REDEVELOPMENT (Page 115)

- *Under Eligibility, Floodway prohibition should be mentioned.*
- *No mention of elevation standards*
- *No mention of Flood Insurance requirements*

INFRASTRUCTURE COORDINATION

FEMA COORDINATION (Page 117)

- *Considering the unknown types of projects, they should mention the Requirements for flood control structures (dams and levees) in the Allocation Notice.*

PRDOH Response: Thank you for the comment. Language regarding flood insurance requirements and elevation standards is available in the Action Plan.

Comment via Email: #142_24-05-18_Luis Toro Figueroa

“At the end of the Action plan there is the following “Note: Complete public comments, registry and answers are consolidated in an attached document.” Would it be possible to provide me an electronic copy of said attached document? Thank you very much in your anticipated help with this request!!!”

PRDOH Response: All comments received are hereby addressed in the version of the Action Plan submitted to HUD. All submissions are included in their entirety as part of the appendices to the plan.

Comment via Email: #143_23-05-18_Luz Celenia Castellano

*“On behalf of a coalition of developers, administrators, and owners of elderly projects which operate under Law 173, I submit our comments on the CDBG-DR Action Plan for considerations by the Hon Secretary of Housing, Fernando Gil-Enseñat and Eng. Dennis González.”
Attachment to Email:*

“It is comforting and hopeful to know that the Government of the United States through the Federal Housing Department (HUD) has taken the initiative to invest in the permanent recovery of the Island of Puerto Rico after the passage of Hurricanes Irma and María.

At the same time, when reading the Action Plan for use of these funds, that was entrusted to the Department of Housing to be drafted, we are proud of a well developed document that is sensitive to the needs of the community of Puerto Rico.

The document puts into perspective that we can recover and have the tools to make improvements in significant areas of our society. It is because of this that we understand we have a unique opportunity that will allow us to enter a new stage of development and create a new and better Puerto Rico. We believe it is important to indicate an activity that is not included in the document, and that is the very important elderly population.

The plan meets the needs of families of all ages in the areas of restoration, rehabilitation and housing replacement. It neither mentions nor establishes any program to meet the urgent and urgent need for rental subsidy for people 60 years of age or older. As the plan states, 56.8% of tenants in Puerto Rico pay less than \$ 500.00 per month because they do not have enough income to pay a larger amount.

Tenants aged 60 or older who live in rental housing, funded by the Low Income Housing Tax Credit (LIHTC) program, pay an average of less than \$ 75.00 per month. The Government of Puerto Rico approved Law 173 in 1996, which, together with the Low Income Housing Tax Credit program, has promoted the construction of 4,272 housing units distributed in 49 projects around the Island since 1997.

With the approval of Law 173, a rental market for elderly people was created to provide housing for people of low and moderate income, while using 9% of Low Income Housing Tax Credit that promoted an estimated investment in approximately eight hundred and fifty million dollars (\$ 850,000,000).

Moreover, the existence of these 49 projects allowed us to serve 4,272 elderly tenants during the passage of Hurricane Maria in an excellent manner and to satisfy their needs by channeling resources in a concentrated manner. Despite the difficulties and deficiencies, it was possible to reach the need for a vulnerable segment.

Due to the economic crisis that Puerto Rico has experienced since 2008, the funds for the operating subsidy offered by Law 173 have suffered a decrease and there are three (3) projects (with 385 units) that have no subsidy and there is a risk of having to evict the residents since they do not have the capacity to pay the rent without subsidy.

At this time, it is not only the loss of rental subsidy due to high levels of poverty, but, also the production of rental housing for people over 60 years old is not viable because they cannot afford the rent rates. There is a great risk that residents who currently receive a subsidy through Law 173 will be left without a place to live.

The creation of a rental subsidy program for the elderly, according to Law 173, is an activity that meets the national objectives of the CDBG program. By including a subsidy program under Law 173, for elderly people, we can avoid displacement and homelessness for a vulnerable segment of the population. On the other hand, it will help economic development by alleviating the instability created for investors who buy tax credits and who are afraid of investing in loans in Puerto Rico.

Our specific suggestion is to allocate CDBG-DR funds and create a program and operating subsidy mechanism that allows the continuation of rental projects for senior citizens financed by Law 173 for a period of ten (10) years with an annual allocation of ten million (\$ 10,000,000) for a total of one hundred million (\$ 100,000,000).

PRDOH Response: A Rental Assistance program has been added to the Action Plan. Thank you for your comment.

Comment via Email: #144_24-05-18_Kathy Diaz Ortega

"I would like to know what I have to regarding this new program for I need help in making my upstairs rooms because my house lost all the parts above that were wood and for that box they take very costly I am living in a house of public housing that was abandoned and that I fixed

with the help of some neighbors because my house is not livable due to the Passing of Hurricane María I hope you can help me because this house has lead.” (Sic)

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #145_25-05-18_Mayda Hernandez

“As sent by website and delivered personally. Attached comments on the CDBG Action Plan from PRASA.:

Attachment to Email:

The attachment highlights the importance of water treatment facilities, sewer and water lines and storm water management systems as one of the most critical components of the core elements of Puerto Rico infrastructure systems. It also includes the following commentary regarding the Action Plan:

I. Duplication of Funding

HUD has clarified the duplication of benefits requirements which apply to all CDBG-DR grants. See Federal Register 71060 (Nov. 2011). The simplified analysis is to assess the total need prior to assistance, and then to subtract the amount of duplicate assistance that is reasonably anticipated.

At the date of the writing of this letter, PRASA has in place various insurance claims which are not yet resolved, and which present the future possibility of duplication of CDBG-DR funding. Additionally, PRASA is in the process of applying for FEMA Public Assistance Grants which also presents the possibility of future duplication of funding.

However, those potentially duplicative funds are not reasonably anticipated at this time. “Funds are not reasonably anticipated when the source and/or amount is indefinite, or the applicant is unaware that he/she may be eligible to receive additional funds at a later date.” Id. Further, even if some insurance proceeds or FEMA funding turn out to be duplicative of the CBDG-DR grant, PRASA may re-purpose the funding for another eligible project or need.”

The document goes on to describe the current state of insurance claims filed by PRASA.

PRDOH Response: Thank you for the comment.

“b. FEMA Public Assistance Grants

PRASA is applying for funding through FEMA Public Assistance (PA) grants for various disaster recovery and mitigation projects. As of this writing, FEMA has not obligated funds for any of PRASA’s proposed projects. Future, possible FEMA PA grants do not constitute “reasonably anticipated assistance” and are disregarded when assessing the amount of CDBG-DR funding needed. FR 71060.

FEMA did provide PRASA with a \$70 million “advance” for emergency repairs related to the 2017 storms. This advance was to fund the “general, non-specific purpose” of emergency repairs. For that reason, the FEMA PA advance is disregarded when assessing the amount of CDBG-DR funding required.”

Different Eligible Use/Additional Need.

PRASA’s CDBG-DR proposal does not request funding for all potentially eligible projects. If duplication of funding occurs in the future, PRASA may re-direct the duplicated funds to another eligible project for which it has not sought funding. “If the applicant can demonstrate that the funds received were used for a different, eligible purpose, then the funds are not duplicative. “CFR 71060. Further, the grantee may apply the funds to meet “additional need.” Id. If PRASA identifies duplicative funds in the future, it will determine whether it can re-purpose those funds to another eligible project or need.

d. Safeguards to Prevent Duplication

Since in disaster recovery situations it can be difficult, if not impossible, to accurately identify all possible duplicative funding, HUD requires grantees to “establish a duplication of benefits policy that explains and describes all methods and procedures to prevent the duplication of benefits.” 42 U.S.C. 5155(a). Further, HUD requires each grantee to sign an agreement that it will repay duplicative assistance. FR 71060. In accordance with federal requirements, PRASA will establish policies to properly identify and address duplication of funding.

PRDOH Response: Thank you for the comments.

II. Unmet Needs/Mitigating Future Damage

The CDBG-DR grant for Puerto Rico is intended to provide relief in two areas. First, the Block Grant addresses the unmet needs from major disasters in 2017 which, in Puerto Rico, were Hurricane Irma and Hurricane Maria. PRASA’s infrastructure was also impacted by two rain events which caused substantial damage through flooding. Further, PRASA’s obligations regarding its USDA Rural Development loans are severely hindering PRASA’s ability to recover, as well as its general financial stability.

Second, the Block Grant supports mitigation activities aimed at protecting communities from predictable damage from future events. PRASA also requires substantial funding to harden its infrastructure against the type of wind and flood damage which its infrastructure suffered in the storms of 2017. In addition, mitigation efforts to prevent future droughts should be addressed.

Even though the 2015 and 2016 droughts were not a presidentially declared disaster, these prolonged droughts severely affected the quality of life of the residents on the island. The drought affected many industries and caused detriment to the already unstable economy....”

Two tables regarding unmet needs are included in the full version of the document.

“...PRASA requests funding to retire its USDA Rural Development bonds in the amount of approximately \$400 million, plus accrued interests and EPA State Revolving Fund loans in the amount of approximately \$580 million, plus accrued interests. These bonds and notes are currently under forbearance agreements due on June 30, 2018. When the forbearance period ends, however, the funds required to meet that obligations will divert support from ongoing projects to maintain, repair and improve PRASA’s infrastructure.

The above amount described funding needs are significantly higher than the amount of funding needed to address the Un-met Needs of Water Control Facilities, included in Table 21-Total PA Cost by Category, Page 64, of the reviewed draft plan document.

Due to the considerably difference in the funding needs for Un-Met Water Control Facilities, we respectfully request the following:

- *Provide PRASA with the methodology, rationales and results of the Impact and Unmet Assessment undertaken by the DOH to determine the level of funding needs for un-met Water Control Facilities included in the draft plan;*
- *Understanding that the amount included in the plan is significantly lower, that the DOH adjust the content of the draft plan to take into consideration the real funding needs that PRASA has identified to undertake actions to address the Water Infrastructure Systems needs in Puerto Rico;*
- *Include in the draft plan, funding to undertake actions within the scope of activities above described in a manner that PRASA can begin moving forward effective restoration and rehabilitation activities to address the needs of the Water Infrastructure Systems needs in Puerto Rico;*

PRDOH Response: The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources is included in the appendices. Thank you for the suggestions.

CDBG-DR funding may only be used to aid in the recovery from the Presidentially declared 2017 disasters.

Comment via Email: #146_25-05-18_Emilio Colon Zavala

*“Buenas tardes, Adjunto comentarios de la Asociación de Constructores de PR al borrador para comentario público al plan de acción publicado el pasado 10 de mayo de 2018.
Saludos”*

Attachment to Email:

The attachment submitted discusses ACPR’s views on how there is an “opportunity to reverse past mistakes and implement solutions so that an impact of the magnitude sustained from this disaster does not happen again,” and the “need to build back better in the face of a changing climate.”

Recommendations and comments on the Action Plan from ACPR’s attachment, and backup documentation, are as follows:

- Planning Programs: There are two much needed studies that PRDOH should undertake for better community planning.

- *Fair Market Rents and Income Limits – “The current FMR applicable for Puerto Rico does not represent the reality of our affordable housing industry.”*
- *Applicability of Wind Load Calculation Methodology in ASCE 7-2016 – “In order to avoid any controversy over adoption of code requirements that lower the wind pressures, it is imperative that we confirm the continued validity of the wind speed contours included in ASCE 7-16 and provide an island-wide chart for the speed-up effects.”*

PRDOH Response: Thank you for the comments. PRDOH will take this feedback into consideration as programs are further developed.

- Housing Programs: Suggests “the action plan limits eligibility of program to families earning less than 80% of the Average Median Family Income (AMI) for the area,” and states “this income limit is too low to maximize benefits to a broader base.” Therefore, ACPR requests the program be extended to households earning no more than 120% of the AMI as opposed to 80%.

PRDOH Response: Programs listed in the Action Plan as serving the National Objective of Urgent Need (UN) are available to serve the population that earns more than 80% of the area median income. (AMI)

- *Homeowner Repair, Reconstruction or Relocation program – ACPR suggests “that ongoing housing construction projects, shovel ready of September 20, 2017, that fit the Department of Housing criteria, be classified as existing units for the purposes of this program.” ACPR also proposes and describes “a pilot voucher program to make the necessary repairs in the houses that were damaged by the hurricane, but that don’t qualify for aid from FEMA or the Federal Home Loan Program, and that don’t have private insurance.”*

- *New Construction Building Standards – ACPR discusses that data shows that only 0.5% of all housing units have been built using the 2009 International Code Council’s model building codes and includes a proposal for “code compliance program based in education, certifications and quality assurance actions as submitted to the local government.” ACPR also requests the PR Building Code 2011 be accepted as adequate to start programs under CDBG-DR in order for mitigation projects under CDBG-DR to progress as quickly as possible.*
- *Green Building Certification Requirements – ACPR discusses that “achieving a LEED certification on a thousand square feet home would cost in excess of \$23,000 with some requirements not necessarily well suited for tropical climates.” They continue that “due to the cost impacts associated with this requirement, and the increases in construction costs since September of 2017, ACPR suggests that section 11.3 (“Green Permit Program”) of the Puerto Rico Land Use and Construction Work Permits Regulation be accepted.”*
- *Mortgage Catch Up Assistance Program – ACPR fully supports the foreclosure assistance program set forth in the action plan and suggests “In order to maximize benefits to homeowners, a waiver should be obtained for the income limits. Keeping the program for families with income less than 80% AMI will hinder the ability to solve the problem.”*

PRDOH Response: Thank you for the recommendations. PRDOH will abide by 2011 Puerto Rico Building code; the Action Plan has been updated accordingly. As outlined in the Action Plan, the Mortgage Catch-Up program is not limited to low and moderate-income persons; households earning more than 80% AMI may apply.

- Economic Recovery Programs: ACPR fully supports all economic development initiatives and states “it is important that eligibility for these programs using a limit of 120% of AMI to maximize benefits for moderate income families above the national poverty line.”

PRDOH Response: As outlined in the Action Plan, Economic Recovery programs will meet the National Objective of Urgent Need, which means families who earn over 80% AMI may benefit from these programs.

- Infrastructure Coordination: ACPR states “Coordination of projects should not only focus on traditional project planning and delivery methods but rather help empower developers, communities and municipalities to gain access infrastructure financing that will result in resiliency. Some initiatives are:

- *Community micro-grids through a mitigation bond / grant / loan / guarantees (depending on communities’ financial possibilities). Require 0% local sponsor matching for 5 years*
- *Compliance improvement program for non-PRASA water supply systems*
- *Community water storage & distribution system by collecting rain water*
- *through mitigation bond / grant / loan / guarantees (depending on communities’ financial possibilities) for rural areas. Require 0% local sponsor matching for 5 years*

- *Compliance program for individuals and communities' wastewater systems through mitigation bond / grant / loan / guarantees (depending on communities' financial possibilities) for rural areas. Require 0% local sponsor matching for 5 years*
- *Access of drainage districts to flood mitigation measures (structural or nonstructural) & storm sewer improvements through mitigation bond / grant / loan / guarantees (depending on communities' financial possibilities) for rural areas. Require 0% local sponsor matching for 10 years*
- *Establish inherent defect insurance programs"*

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Comment via Email: #147_25-05-18_Brad Dean

*"Good afternoon,
Please find attached comments on the Puerto Rico's action plan for the CDBG-DR Funds.
Best regards,"*

Attachment to Email:

The attachment provided outlines the mission of PR DMO and discusses three pressing issues facing the tourism sector, 1) Public perception, 2) Tourism impact on employment and economic development, and 3) Hotel Industry Recovery.

PR DMO continues "The Action Plan includes an important allocation of \$15M for the 'continued stabilization or increase in tourism-related revenues and increase in businesses moving to Puerto Rico.' According to the Action Plan, funds will be used to 'attract new businesses of external capital' and to 'promote and market the Island as a destination.' It is important to consider that these activities require totally different marketing strategies, since seeking capital investments differs from destination marketing and promotion. The PR DMO respectfully recommends further consideration of the amount of funding allocated to the promotion of the island as tourist destination and specifically requests these efforts be granted \$25M. For perspective, the State of New Jersey, after Hurricane Sandy; a natural disaster somewhat comparable to hurricanes Irma and Maria, requested \$25M, for marketing and promotion of the destination to potential visitors. Louisiana, in the wake of Katrina, requested \$28.5M for promotion of the destination. The PR DMO strongly believes tourism is the best strategy to boost the local-economy and contribute to the short and long-term economic recovery of Puerto Rico. No other industry can yield such high levels of economic impact with so little initial capital

investment, thus unlocking hope and opportunity for the future of the people who call this island their 'home'."

PRDOH Response: Thank you for the suggestions

Comment via Email: #148_25-05-18_Ruby Rodríguez

*"Thank you for the opportunity.
Best,"*

Attachment to Email:

The attachment states "While the unveiled document makes funds available for the reconstruction of the Housing and other sectors (including the tourism and the commercial sectors), no funds were made available for the reconstruction of the health care sector."

The attachment continues to discuss the continuous service hospitals provided before, during and after the hurricane and "that the majority of the hospitals did not depend on military shelters or the USNS Comfort because of the difficult and complicated process required to access the services."

The attachment shares a main concern "that there are no healthcare activities included in this Action Plan for Puerto Rico," and "To the best of our recollection, the Puerto Rico Hospital Association was never consulted on this matter." It is requested that a program be added to the Action Plan to support the resilient rebuilding of Puerto Rico's damaged healthcare infrastructure and general recommendations of needs most common to healthcare facilities during the hurricane included among others "redundant telecommunication systems, alternate supplies of potable water, increased power generating redundancy, and shelters for homebound patients at the hospital level."

PRDOH Response: PRDOH will consider the projects proposed as further programs are developed when additional funding becomes available.

Comment via Email: #149_25-05-18_Cristina M Miranda Palacios

*"Greetings,
Attached we are sending you the comments to the Action Plan for the CDBG-DR funds, developed by the Río Piedras Development Trust. Thanks."*

Attachment to Email:

The attachment discusses the Trust for the Development of Rio Piedras (TDRP)'s belief "that the process for applying for these funds, especially the public hearings, was particularly lacking community participation; in part because the time allocated for public participation was not sufficient to allow for groups like ours to be engaged and fully informed." They continue, "It is our belief that the plan gives no clear structure for those still living in insecure buildings, under leaking roofs, and the multiple thousands denied housing or any aid by federal authorities."

"We urge that the Action Plan is revised to include community groups, like ours, in the planning process to be undertaken, to take this process from the municipal to the community level, and to ensure ample community input in the design and rethinking of our communities, further ensuring that these needed funds go where they are needed and where they will have a greater impact."

TDRP outlines an in-depth description of their communities, the role TDRP has in their development, as well as background information on TDRP's creation, vision and mission. TDRP also makes the following requests:

- *"The TDRP is formally requesting that all projects related to our community be developed in close consultation with our constituents, and with those groups called to defend their interests."*
- *"We are also requesting that the Action Plan is revised to include community groups, like ours, in the planning process to be undertaken."*
- *"Further, the TDRP requests technical assistance support from highly qualified individuals or groups, with ample cultural competence and knowledge of our communities, for the development and implementation of the strategic community plan."*

PRDOH Response: The Citizen Participation Plan is available at www.cdbg-dr.pr.gov. Community groups were a vital part of the development of this Action Plan. PRDOH will take this feedback into consideration during development of future community involvement and outreach efforts.

Comment via Email: #150_25-05-18_Beth Soltani

Attachment to Email:

The attachment submitted outlines the EPA's response to the damages from the hurricane and their role to ensure the protection of human health and the environment. EPA also highlights, describes and estimates costs for the following unmet needs for PR Housing's consideration.

1. *Landfills and Open Dump*

2. *Non-PRASA Community Water Systems*
 - *Finalize the work at the Barrancas Centro and The Bayamoncito Non-PRASA systems*
 - *Assessment for all Non-PRASA systems*
3. *Cano Martin Pena Ecosystem Restoration Project*
4. *Restore Ambient Air Monitoring*

PRDOH Response: Thank you for the comments. Suggestions will be taken into consideration as programs are developed when additional funding becomes available.

Comment via Email: #151_25-05-18_Francisco Aquino

“Greetings:

Please refer to the attached letter for Basura Cero Puerto Rico, Inc. comments on the Community Development Block Grant - Disaster Recovery.

Sincerely,”

Attachment to Email:

The attachment outlines the 501(c)3 nonprofit corporation, Basura Cero Puerto Rico, Inc. (BCPR), and states that the action plan “omits at least one of crucial importance and widespread impact: the management of solid waste.”

The attachment states “If there is no plan for state coordination and action to tackle the improper or excessive disposal of garbage, especially in poor and isolated communities, we will experience pervasive health problems and irreversible environmental impacts, particularly through the contamination of water sources and the reduction of viable agricultural land.” The attachment continues “It is also essential to commit enough funds to raise awareness, train, and involve community members in sensible plans of action that address the reduction of waste and/or invest it in the recycling industry, reuse of materials and repair of broken possessions (instead of repurchasing).”

BCPR makes the request of “an urgent and immediate amendment to Action Plan so it includes the development of comprehensive waste management programs that can operate before, during and after a natural disaster.”

PRDOH Response: Thank you for the comment. PRDOH will take this feedback into consideration as programs are further developed.

Comment via Email: #152_25-05-18_Mili Landrón

“Please see attached ConPRmetidos comments on the Puerto Rico’s Action Plan for CDBG-DR Funds.”

Attachment to Email:

The attachment provides the following comments regarding the Action Plan:

“(Economic Recovery Programs – page 106)

The Action Plan presented for comments includes a wide range of activities to support and develop small businesses and microenterprises. Activities includes loans, technical assistance and incubators with a total of \$60M allocated for these economic recovery activities. The proposed support to the local business community is crucial to the island’s recovery efforts. Nevertheless, the approach presented by the Government does not include the development of regional programs. Regional economic development programs acknowledge the diversity and the potential of local economies around the island.”

The document describes best practices identified through similar programs in New Orleans.

“2. Small Business Incubators – page 110

This regional approach needs to be included especially under the “Small Business Incubators” (page 110), ConPRmetidos recommends the Government to support programs of acceleration and incubation outside of the metropolitan area, focusing on businesses to support more efficient short-term recovery for Puerto Rico. This was another lesson from New Orleans: local businesses and social entrepreneurs are key economic drivers that must be championed.”

“3. Economic Recovery Programs (Small Business Loans – page 109)

In the case of the Small Business Loan program on page 109, the description does not include funding for Technical Support as part of the package that the business would receive if they were able to secure funding through this program. This is important to ensure successful and fast outcomes for businesses awarded loans. In addition, the supplemental technical support should ensure that businesses develop resiliency and the right business model with today’s reality after hurricane Maria.”

PRDOH Response: Thank you for the comment PRDOH will take this feedback into consideration as programs are further developed.

“4. Workforce Training Program (Community Development Block Grant Disaster Recovery Action Plan - pages 111-112)

The Government of Puerto Rico is allocating \$8M for training programs focused only on the development of skilled workers for the construction industry. Ensuring rebuilding safe and sustainable homes and code compliant businesses and public infrastructure that incorporate hazard mitigation measures is a priority. Also, it is clearly foreseeable that the intense rebuilding effort will demand a significant number of skilled workers. Nevertheless, ConPRmetidos considers that limiting workforce trainings to the construction sector is a missed opportunity to secure employment opportunities already available in the island. Some of the areas and sectors we believe the government should allocate funding are: Agriculture, Project Management, Grant Writing, Technology and English writing and speaking training.”

PRDOH Response: Although other training opportunities are not excluded at this time, it is the intention of PRDOH to use the Workforce Training Program to aid in the rapid recovery of the island. PRDOH will consider other sectors as needs in other sectors are identified.

The attachment further describes the needs in the agriculture sector in Puerto Rico, particularly for coffee farmers. It is also recommended that some CDBG-DR funding be allocated to educate and train non-profit organizations on project management and grant writing, and that training be provided on English writing skills. Also, it is requested that technology available to the non-profit sector be increased.

PRDOH Response: Thank you for the suggestions. Projects suggested helped guide PRDOH’s development of programs outlined in the Action Plan. PRDOH will consider the projects proposed as further programs are developed when additional funding becomes available.

Comment via Email: #153_26-05-18|_Sarah McNeil Barton

We would like to submit the following questions and comments regarding the draft CDBG-PR Action Plan.

Page 20

it says the first allocation of \$1,507,179,000 - 80% of the grant funds - will be designated to most impacted and distressed jurisdictions. Vieques is not on that list, but 2016 housing statistics say the island has 4,832 housing units, of which 2,585 are occupied housing units. FEMA reported back in March that 1,053 People filled out an application for a damaged house -nearly 50% of all occupied housing units. Is Heidi truly reliable data?

PRDOH Response: Thank you for the comment. PRDOH has designed programs which will serve the entire island of Puerto Rico, including Vieques.

Page 21

On the list of jurisdictions, Vieques does not appear, but just below its ZIP Code does appear - 00765. Flagging in case there needs to be consistency.

PRDOH Response: Data in the table referenced is from the list of most impacted and distressed areas provided in 83 FR 5844.

Page 22

Bottom paragraph - would a non-profit be considered a construction company or vendor?

PRDOH Response: Non-profits are not excluded if they are otherwise qualified as Leadership in Energy and Environmental Design (LEED) certified construction vendors.

Page 24

First paragraph third sentence on duplication of benefits - are homes benefitting from temporary repairs through FEMA and other programs prevented from accessing CDBG program funds?

PRDOH Response: Applicants who are otherwise eligible to receive assistance are not excluded due to receipt of other benefits alone.

Page 34

The median income on Vieques is \$17,000; a later chart makes this heat map look incorrect.

PRDOH Response: Thank you for the feedback.

Page 40

Curious why Vieques isn't considered one of the large concentrations of special communities?

PRDOH Response: Data which informed said information was provided by the Planning Board, as cited in the Action Plan.

Page 51

TU HOGAR Renace it says that the program has served residents in every municipality conducting temporary repairs; we have seen a total number of properties served, but no data on which homes those are.

PRDOH Response: Thank you for the comment.

Page 95

Is there any concern about homeowners having to repay loans if they want to move? This was a significant contribution to the 2009 housing crisis.

PRDOH Response: PRDOH will take this feedback into consideration as programs are further developed.

Generally: Data on social vulnerability and other issues for Vieques is limited. Similarly, it seems there is limited data integration among federal agencies, as well as state, local, and non-profit entities. What plans exist to integrate all of these streams to improve the efficiency of service delivery? What process exists to conduct oversight of funds once flowing through the programs/processes laid out in this document? What happens if homeowners continue to not receive the response they need?

PRDOH Response: PRDOH aims to provide streamlined, transparent programs. Information regarding appeals is outlined in the Action Plan and will be tailored to each individual program in program guidelines. PRDOH is subject to all applicable oversight and audit regulations.

Comment via Email: #154_26-05-18_David Guadalupe

The body of the email contained no text, but an attachment was included.

Attachment to Email:

The attachment outlines the services provided by Servicios Sociales Luteranos de Puerto Rico and specifically regarding CDBG-DR funding, states the following: "In particular, I stress the need for funds to be accessible to block organizations and not for reimbursement." In a hurting economy achieving progress is very difficult if we don't have flexible ways to address the requirements due to the disaster."

PRDOH Response: Methods of Distribution are outlined in the Action Plan. Beneficiaries will receive assistance according to the guidelines established for each program. When guidelines are available, they will be published at www.cdbg-dr.pr.gov

Comment via Email: #155_25-05-18_José a Santiago Rivera (Mayor Comerio)

The email contained no text, but an attachment was included.

Attachment to Email: Carta Comerío

The attachments submitted include Spanish and English versions of a letter from the Mayor of Comerío, José A. Santiago Rivera. The letter urges direct collaboration with all 78 municipalities in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipalities exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipalities and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #156_25-05-18_James Brauer

“whom it may concern, below are comments related to the action plan and focusing on the stated needs for 1) sustainable housing, 2) economic stimulus for the creation of local jobs, and 3) low-income stability.

Preface: Sustainability encompasses a wide area but when used in conjunction with construction of buildings provides homes and business that are more durable, cost less to operate, and have healthier indoor environments.

- 1. Within the action plans, I saw no clear indicator of the development of a sustainable construction code. As new buildings are constructed, whether they be business or residences, it should be explicit that they follow a set methodology. Under the Homeowner Repair, Reconstruction, or Relocation Program section of the plan states that a Program Accomplishment will be to “reconstruct housing to higher resilience standards” and earlier parts of the document discuss LEED and FORTIFIED Home, but the two sections are disjointed. Somewhere within the action plan should be the allocation of resources to create the Puerto Rican Sustainable Construction Code. This code should be developed by a small committee of industry experts and focus on resiliency*

(specifically flooding and high-force winds), energy efficiency, water efficiency, indoor air quality, and general resource efficiency. This committee should be comprised of national program development experts as well as local construction experts. Concepts for the code can be drawn from LEED for Homes, the International Green Construction Code, the National Green Building Standard, as well as ENERGY STAR and WaterSense for New Homes.

- 2. In conjunction with the development of the Sustainable Building Code, there will be a need for local inspectors. Resources need to also be allocated to training a workforce that can inspect and oversee the construction to ensure that the practices are followed as well as a Quality Assurance mechanism on the Inspector to help prevent abuses, favoritism, and/or corruption. Both the LEED for Homes Verification Network and the ENERGY STAR for New Homes (under RESNET) have a system of training, certification, and oversight that can be modeled and adapted for local usage.*
- 3. Under the Housing Counseling Program, a component should be added within the wraparound educational services to address sustainable operation of their homes. It is not enough to design sustainable buildings and to ensure they are constructed as such. The business and home owners also need to know how to maintain them and operate them to keep their operating and maintenance costs low which creates a greater financial resiliency. I would be happy to discuss these concepts in greater detail.*

To give a summary of our Subject Matter Expertise:

- We are a Professional Engineering firm licensed in all 50 states to provide Mechanical, Electrical, and Plumbing design for buildings with a focus on multifamily housing as one of the key sectors of our business as well as commercial buildings ranging from manufacturing plants, warehouses, and small retail buildings.*
- We also have a dedicated group for sustainability services that provide design guidance, construction administration, commissioning, performance testing, and inspection services. Among these team members, we are*
- certified LEED for Homes Trainers, RESNET Rater Trainers, and WaterSense for Homes Inspectors as well as former LEED Faculty and Adjunct Faculty teaching sustainability at the University of North Texas.*
- Quality Assurance Designees under LEED for Homes and RESNET.*
- Experienced with program development through volunteering on the NGBS 2015 and 2018 development committees, the Single-Family Representative on the LEED Technical Committee, the LEED for Homes Midrise working group, Item Writer for the LEED for Homes Green Rater exam, and the RESNET Multifamily Working Group.*
- Field Inspectors for the International Energy Conservation Code, ENERGY STAR for New Homes, ENERGY STAR Multifamily High Rise, National Green Building Standard, LEED (all rating systems), and Commissioning Agents.*
- Energy Modelers to provide a simulation of building energy usage.”*

PRDOH Response: Thank you for the comments. PRDOH will abide by Puerto Rico Building code; the Action Plan has been updated accordingly. PRDOH will take this feedback into consideration as programs are further developed.

Comment via Email: #157_25-05-18_Alexy Colon

“My name is Alexy Colon and I am interested in presenting my comment on the Draft of the Plan of action for the CDBG-DR funds and receive all the help that you have available for my community as well as for me and my family. Thanks”

Attachment to Email:

The attachment describes storm impact and existing unmet needs of the author and the author’s community. It also indicates that the author’s community was unaware of public hearings and requests information on how CDBG-DR funding will be used to cover unmet needs in the community.

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov

Comment via Email: #158_25-05-18_Mayda Hernandez

“Attached comments from the Transportation Sector regarding the Action Plan, for your information and corresponding action”

Attachment to Email:

The attachment provides an overview of the transportation sector and impact to infrastructure caused by the 2017 disasters. The document suggests that CDBG-DR funds be used to match other funding streams to address infrastructure needs and includes the following specific comments regarding the Action Plan:

“Recommendation:

All of the CDBG-DR Action Plans need to have a statement included that addresses a sustainable financial leveraging concept to address financial recovery resilience for

Disaster Recovery.”

Page 12:

- *COR3 is guiding a shared vision for Puerto Rico's future along the following five (5) broad elements: 21st Century Infrastructure, Sustainable Economic Growth, Fiscal Responsibility & Government Efficiency, Partnership with State and Federal Government, and Increased Commerce and Trade.*

Page 15:

- *Public hearing respondents submitted 296 Infrastructure project requests totaling \$3.5B. We believe this is below the comprehensive need. Some of the transportation project requests include:*

- 1. Restoration of public roads, bridges and/or sidewalks*
- 2. Improvement/construction of bridges*
- 3. Improve public transportation (bus, ferry, train)*
- 4. Improve Emergency evacuation routes*
- 5. Create/rehabilitate airport(s) or heliport(s)*
- 6. Restore existing/abandon piers for tourism and recreational use (e.g., Vieques Pueblo Pier, etc.)*

Page 24:

- *CDBG-DR Action Plan will focus on housing and economic recovery. However, there is no leveraging component associated with the effort nor any accounting for the capacity of the activity to be completed in a comprehensive coordinated fashion that will create opportunities for the financial institutions and other private sector stakeholders to partake in a Disaster Recovery Plan initiative.*

Page 60:

- *Transportation issues are not mentioned in Infrastructure Impact section.*

Page 63:

- *FEMA's Open FEMA Dataset: Public Assistance Funded Projects Details - VI currently has only some of the closed-out project data for Category A (Debris Removal) and Category B (Protective Measures), but no data on roads, bridges or water control facilities.*

Page 84:

- *Introductory paragraph appears to speak more to preparedness planning for response. Language should acknowledge the role and value of TRANSPORTATION RECOVERY PLANNING: Utilize Transportation as The Platform for Improving the Quality of Life. A comprehensive planning for a more resilient, smart, and futuristic transportation system for the entire island.*

Page 116:

At this time, with the severity of the unmet housing needs and the Stafford Act restrictions regarding Duplication of Benefits, the infrastructure approach will be centered around, planning

activities (funded under the Planning programs) and close coordination with FEMA. Here again is where the opportunity to ensure those planning dollars include comprehensive planning for the island. Actually, with the participation of all Executive Directors from the principal transportation agencies in PR, at the Transportation Solutions Team, we have found solutions that will resume in Economic Development and efficient, resilient ways to reinforce the system.

Page 117:

- To fortify infrastructure with resilience measures, it will be of the utmost importance to leverage all resources including critical flexible CDBG-DR dollars in conjunction with other funding streams that can create a sustainable funding opportunity.
- It should be requested that the federal cost share for all Public Assistance be increased to 100% of the total of all eligible costs. Secondly, if not 100% then the cost share match required for each municipality and incorporated in the leveraging concept for maximization of scarce resources. The Puerto Rico Disaster Recovery Action Plan allocates \$73,250,000 for Planning Programs. A portion of that should be allocated to TRANSPORTATION RECOVERY PLANNING. This allocation should include funds for:

- Project Management Fees
- Architectural and Engineering Fees
- Amphibious/Floatable Modular Construction Research (Residential & Commercial)
- Innovative creative mitigation activities such as glow paint and pavement enzymes to lessen maintenance costs.

Funding should also be allocated to build resilience in the transportation network to provide funding for:

- Right-of-way acquisitions
- Land purchases for transit and utility corridors
- Beach Restoration/nourishment/reclamation projects
- Transit Oriented Development (TOD)

The attachment also includes a list of proposed projects to be funded under cost share.

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Comment via Email: #159_25-05-18_Omar Marrero

“Attached is a letter from the Executive Director of the Central Recovery and Reconstruction Office of Puerto Rico (“COR3”) to the Secretary of the Department of Housing including the COR3’s comments to the Draft Disaster Recovery Action Plan for the use of Community Development Block Grant – Disaster Recovery Funds in Response to 2017 Hurricanes Irma and María (FEMA-4336-DR-PR and FEMA-4339-DR-PR).”

Attachment to Email:

“The Central Recovery and Reconstruction Office of Puerto Rico (the “COR3”), a division within Puerto Rico Public Private Partnerships Authority (“Authority”), submits the following comments to the Puerto Rico’s Department of Housing (“Vivienda”) Draft Disaster Recovery Action Plan for the use of Community Development Block Grant-Disaster Recovery (“CDBG-DR”) Funds in Response to 2017 Hurricanes Irma and Maria (FEMA-4336-DR-PR and FEMA-4339-DR-PR) (the “Draft Plan”). The Draft Plan describes how the State proposes to spend the \$1.5 billion allocated by the U.S. Department of Housing and Urban Development (“HUD”) to address the housing and community development long-term recovery including the restoration of infrastructure, housing, and the economic revitalization in the “most impacted and distressed” areas of Puerto Rico.

The COR3 appreciates and recognizes the effort made by Vivienda to provide much needed recovery support to Puerto Rico and its citizens, and with this letter we want to indicate the importance of the coordination between State, federal, and local agencies in the recovery effort.

The Bipartisan Budgetary Act of 2018 (the “Act”) requires the Government of Puerto Rico and the Federal Emergency Management Agency (“FEMA”) to prepare an Economic and Recovery Plan that defines the priorities, goals, and expected outcomes of the recovery effort to be undertaken by the Island. In building on the principles of the Act and the National Disaster Recovery Framework (“NDRF”), FEMA expanded the 6 Recovery Support Functions defined in the NDRF to create 12 Sectors to assess the damage and to establish Solutions Based Teams necessary to mitigate vulnerabilities to future extreme weather events and natural disasters and increase community resilience. The objective of the CDBG-DR funding intersects with all the NDRF sectors and is an important element that should be considered in all planning efforts and recovery efforts.

As recognized in the Draft Plan, the damage caused by the hurricanes was spread Island wide affecting people, structures, infrastructure, services, and the economy. As you know, the COR3 is the State entity with responsibility to lead the coordination, development, and execution of long term recovery and reconstruction efforts. As such, the COR3 has the duty to oversee and assure that all federal funds available for recovery are used in accordance with the Governor’s recovery vision. Specifically, pursuant to the certified New Fiscal Plan for Puerto Rico, dated April 19, 2018 (the “New Fiscal Plan”), the Government of Puerto Rico shall use CDBG-DR funding to offset the non-Federal cost share required for projects funded under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 100-707, (“Stafford Act”) grant programs. See, Page 11 New Fiscal Plan.

To this effect, the COR3 recommends that the Draft Plan be amended to allocate \$400 million of the aforementioned \$1.5 billion to cover the cost share requirements of the Stafford Act’s Public Assistance and Hazard Mitigation Programs. This is consistent with the requirement that the HUD CDBG-DR funds be invested in actions supporting disaster relief, long-term recovery,

restoration of infrastructure and housing, and economic revitalization in the “most impacted and distressed” areas. In fact, the CDBG-DR Program funds are the main the source of Federal funding that can be applied to the non-Federal cost share in the Public Assistance and Hazard Mitigation Grant Programs. Given the Government’s fiscal situation, the flexibility characteristics of this grant, and what is stated in the New Fiscal Plan, the use of these funds for cost share must be seriously considered to leverage available Stafford Act funding to support the Island’s recovery and restoration efforts.

The action of combining resources between federal programs represents a unique opportunity to advance the Puerto Rico recovery process from the destruction caused by Hurricanes María and Irma. The COR3 looks forward to continuing to work with Vivienda in maximizing the use of funds across the different grant programs and assisting Puerto Rico’s recovery.”

PRDOH Response: “Please receive a cordial greeting from me and my team at the Department of Housing (Vivienda). We acknowledge receipt of letter from the Central Recovery and Reconstruction Office of Puerto Rico (COR3), dated May 25th, 2018, requesting the amendment of the draft Action Plan prepared by Vivienda to manage the allocation of \$1,507,179,000 grant provided by the Department of Housing and Urban Development (HUD) for the Community Development Block Grant Disaster Recovery (CDBG-DR) Program. Such request can be summarized as a recommendation from COR3 to allocate \$400,000,000.00, or 26.67% of the total grant, for the cost share requirements of the Stafford Act’s Public Assistance (FEMA PA) and Hazard Mitigation Grant Program (HMGP).

The Supplemental Appropriations for Disaster Relief Requirements, 2017 (P.L.115-56), approved September 8th, 2017 makes available \$7.4 billion in Community Development Block Grant disaster recovery (CDBG-DR) funds 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.) (HCD Act) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the “most impacted and distressed” areas (identified by HUD using the best available data) resulting from a major disaster declared in 2017. As you mention, this appropriation allocates erimpacts of 2017 Hurricanes Irma and Maria.

It is further our understanding that, on November 2nd, 2017, the President of the United States amended the cost-sharing arrangements regarding major disaster declaration for the Commonwealth of Puerto Rico (FEMA-4339-DR, this only applying to Hurricane Maria and not including Hurricane Irma), and related determinations of Federal funds provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act,

42 U.S.C. 5121 et seq. (the "Stafford Act"), to authorize, with certain conditions, Federal funds for all categories of FEMA PA at 90 percent of total eligible costs, except for assistance previously approved at 100 percent. Therefore, the Government of Puerto Rico is in need to identify sources of funding for the ten-percentage gap.

As provided by the Housing and Community Development Act and outlined in the Federal Register Docket No. FR-6066-N-01 (Notice), funds may be used as a matching requirement, share, or contribution for any other Federal program when used to carry out an eligible CDBG-DR activity. This includes programs or activities administered by the FEMA or USACE, however it is important to note that the Appropriations Act excludes the use of CDBG-DR funds for any activity reimbursable by, or for which funds are also made available by FEMA or USACE.

Because of federal requirements to submit projections on expenditures and performance, Vivienda is seeking additional information to evaluate this request and to consider an amendment of the CDBG-DR draft Action Plan. This will require detailed information to substantiate a justification for HUD consideration how the \$400million share match will be used in a timely fashion and in accordance with the Notice. To satisfy such, the COR3 will have to provide the list of projects considered for Public Assistance Categories C-G pursuant to Sections 428, 406 and 404 of the Stafford Act. Also, information of procurement, construction and disbursement of funds schedules for all permanent repairs, new permanent construction and HMGP considered within Stafford Act.

Vivienda suggests a three-tiered approach to manage the information needed working together with the COR3 team. The first step would be for our teams to begin coordination on the setup of a Global Match program to allow the use of CDBG-DR funding to be credited towards the non-federal share of FEMA HMGP costs. The second step is for our teams to continue collaboration as the HMGP amount becomes more concrete, and third, for our teams to work closely in anticipation of CDBG-DR additional funds for mitigation activities, which may be a more appropriate funding tranche for HMGP match costs. These steps will help us work collectively to ensure that funding streams are allocated accordingly, in the most effective sequence, and in a strategic fashion that maximizes the limited resources made available to Puerto Rico.

Vivienda is working intensively to complete the amendment of the final Action Plan to HUD by June 14th, 2018 taking in account all received comments and requests, consequently the timeline to accomplish such milestone is extremely committed. Therefore, is critical to receive the information and begin the collaborative efforts between Vivienda and the COR3 as soon as possible."

Comment via Email: #160_25-05-18_Luis Burdiel

“Attached you will find the proposed changes for CDBG-DR regarding Economic Development Bank or EDB.”

Attachment to Email:

The document submitted included exact copies of pages 107 – 109 from the English version of the Action Plan. The Action Plan pages were modified with changes tracked. Changes suggested include:

- *Change the total program budget for the Construction Revolving Loan program to \$50,000,000 (page 107, English version)*
- *Change the administering agency for the Construction Revolving Loan program from DDEC to EDB (page 107, English version)*
- *Change the total program budget for the Small Business Loans program to \$35,000,000 (page 109, English version)*
- *Change the administering agency for the Construction Revolving Loan program from DDEC to EDB (page 109, English version)*
- *Recommendations related to eligibility criteria for the Small Business Loan program were proposed as follows:*
 - *“A microenterprise, defined as a commercial enterprise that has five or more Full Time employees, one or more of whom owns the enterprise” (page 109, English version)*
 - *Businesses that create and maintain the permanent jobs excluding owners for no less than 1 year for the loan to qualify for forgiveness. (page 109, English version)*
- *It is proposed that “leasehold improvements” be added to the list of items for which small business loans and that the maximum loan amount be increased to \$500,000. (page 109, English version)*

PRDOH Resposne: Thank you for the comments

Comment via Email: #161_29-05-18_Carlos Cruz

“I am requesting help for my dad Carlos Cruz Cruz The house is not habitable due to the severe damages. “



PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #162_29-05-18_Abel Vale

“Attached is our comments for the Action Plan”

Attachment to Email:

The attachment includes Spanish and English versions of comments regarding the Action Plan. The document also offers PRDOH use of Karst’s intellectual property. The comments presented are as follows:

“We have reviewed and endorse the Plan. We have the following comments and recommendations:

1. All activities for the social or economic development, such as construction, reconstruction and rehabilitation to recover the physical, economic and social environments must also focus attention on natural resources. Natural resources were exposed and severely impacted by the recent hurricanes with great devastation. They are also suffering impacts of previous natural events as well as human impacts that have not been properly managed and addressed. It is essential to modify or design plans for the restoration of those resources and to plan for their protection and resilience in future natural events, including hurricanes, sea level rise and other climate change effects.

2. It is indispensable to create programs to develop and enhance our most vulnerable communities. They should promote the development of community leaders and teach all people how to become involved and effective community members. These efforts will transform them, empower them to learn and to embrace tools and behaviors to make them stronger, better prepared and more resilient for future catastrophic hurricanes and other climate change challenges.

The development of safe, proud, accessible and strong communities that are responsible for their surrounding environments and themselves requires an integrated Plan. The Plan should allow all Puerto Ricans that share our islands’ natural environments to come to agreements as to how to manage our activities so that we conserve nature as well as provide for the wise and development of our people.



PRDOH Response: PRDOH appreciates the comments. PRDOH is committed to complying with all applicable environmental regulations. The Whole Community Resilience Program was designed as an avenue for citizens in vulnerable communities to actively participate in decision-making related to the creation of resilient, whole-community solutions.

Comment via Email: #163_01-06-18_Ana Cintron

“I am looking for information regarding the Bayshore Villas at Puerta de Tierra. I cannot find where to apply for the housing project and at the moment via phone no one knows anything about it. Hope you can help me with some information and where to go.”

PRDOH Response: Bayshore Villas at Puerta de Tierra are not outlined as a part of this Action Plan.

Comment via Email: #164_01-06-18_Luis B Méndez Nido

“As previously discussed, attached please find the Department of State’s project proposal for CDBGDR funds for the Puerto Rico Business Emergency Operations Center (“PR-BEOC”). The PR-BEOC seeks to facilitate information sharing and situational awareness between the private sector and government agencies during emergency management. Were any additional information necessary, I would be more than willing to share the specific progress that has been made with this project, as well as a more detailed presentation of its current organizational and legal structure. Thank you in advance for your assistance with this matter.”

Attachment to Email:

The document submitted proposes creation of a Puerto Rico Business Emergency Operations Center (PR-BEOC) and includes information regarding proposed benefits of the project, location of the center, project timelines and estimated budget. The document estimates the cost of the PR-BEOC to be \$150,000.

PRDOH Response: PRDOH appreciates the comments. Small Business Incubators assisted under the Small Business Incubator program outlined in the Action Plan are encouraged to incorporate resilience measures to allow for continuity of business operations in the event of power outages, natural disasters, or other disruptive events.

Comment via Letter: #165_Andrea De Jesus.

"The FEMA response was not effective. What FEMA gave me did not help me for my losses from my home since I had stay in another home because my whole house was destroyed; I lost appliances, the refrigerator, stove, cabinets, kitchen, doors etc. FEMA gave me \$ 846.07 and I do not receive help from the Hogar Renace program. My home lacks a kitchen, there is no house phone or internet because the posts and cables are lying on the floor as well as the poles. We have people who are bedridden, sick and FEMA has not done anything to help them which can be seen in Loiza I have just learned about these funds and I don ' t think the community had access to this information in Loiza. We also need guidance on places to request for help, for the victims and because we feel we have been forgotten. Additionally, I lost my washing machine and the living room set was soaked. "

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Letter: #166_22-05-18_Betsy Pizarro

I am part of community La 23 and Calle Gardenias in Loíza. I do not have access to the internet and I had no knowledge about the CDBG-DR funds. I also did not know about the public hearings for the use of these funds, which lacked effective publicity or the proposed plans for my community.

We should achieve greater community participation and allow real needs to be presented. My community is mostly composed of people of advanced age, disabled persons with low or moderate income, parents or mothers with children with many needs which were not attended, related to housing, infrastructure and economic revitalization, ect. Many homes were completely destroyed by Hurricanes Irma and Maria. FEMA, the Tu Hogar Renace program and SBA in my community do not help them in full or in part: Because they do not have title deeds, second floor dwellings, rented ect. These people need to be provided a safe home or to reconstruct their homes to stabilize and improve their long-term quality of life.

This municipality and this community does not have a fund, to acquire and develop housing projects to mitigate or eliminate overcrowding, it is not prepared for future hurricanes or floods. They are living in temporary dwellings with blue thrushes, repaired part of their roofs but even these do not provide long-term security and stability.

A project for flood mitigation and control is needed to safeguard lives and property and prevent floods from destroying homes, property, puvial sewage construction, pumping stations, roads, limieza and maintenance of water bodies.

These projects can be carried out without having to relocate or move people.

We need an emergency room with the necessary equipment to deal with any emergency.

Our community is still cleaning debris, carrying out repairs on the electrical lines, lighting poles, communications, etc..

Many people do not have basic equipment in their home such as: beds, stoves, games rooms, TV etc. Other people don't have enough for costs or permits or do not have water and electricity service.

If these funds are not adequately utilized, they can cause communities to be displaced and only small groups benefit from this recovery.

We are at your disposal to provide additional information, as required. "

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The Homeowner Rehabilitation, Reconstruction or Relocation program prioritizes elderly applicants. A Title Clearance program and Rental Assistance programs have been added to the Action Plan. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov. All relocation offered under this Action Plan is voluntary.

Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities as explored

Although PRDOH is not considering extending the public comment period for this Action Plan, it will consider these comments in determining the length of the public comment period for subsequent Action Plans or substantial amendments. PRDOH is committed to a 30-day public comment period for the substantial Action Plan amendment associated with the next CDBG-DR allocation. A copy of the Citizen Participation Plan is available at www.cdbg-dr.pr.gov.

Comment via Letter: #167_Carmen Pizarro

"Needs (comments)

- 1. Reconstruction of room in wood (back of the house)*
- 2. Tent in front of the home where I placed guaguas, cars.*
- 3. Filtration in part of the house (room, rooms ...)*

4. Marquee furniture (furniture got wet and damaged)

I did not receive any help from FEMA (agencies) or Tu Hogar Renace.

** Attached photos of needs in my home **

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via letter: #168_20-05-18_Elizabeth Pizarro

"Hello: My name is Elizabet Pizarro, I reside in ... We doing what is possible to empower our community. We formed a committee in February 2018 after Maria due to all the problems that we are going through. We received some information from the Federal CDBG-DR funds but it was May 18, 2018 by an agency called "taller de salud".

This agency is surprised that they did not notify or inform the communities of the public hearings or anything that was happening with all this. Therefore, I am raising awareness. In my sector it is an extremely vulnerable area, since they are elderly, bedridden, disabled and a very helpless community. There are problems of property titles, almost all have affidavits, but FEMA did not want to help this population. Many lost their homes, others lived inhumanly with problems about their roof and housing in general.

El programa Tu Hogar Renace helped some people, that being an overstatement. For example, if they had roofing problems, they received an incomplete treatment; or for roofing issues they only painted it, but they did not take the exposed barrels or put it on screens and then seal that work.

In other cases, they put a kitchen cabinet partially; only the top part or the bottom. If people needed a refrigerator they received office type 3 'high and many others are still waiting. Now that I'm on the community board, I've realized the way our people really live, and it ' s so painful to see. I ask you to please come to my community and in at least two hours I can show you my area with your own eyes. Please give us the tools to help our community. Due to the short time that we have shared this information with everyone, we have photos with written comment on their needs. Many of them couldn ' t participate due to health situations and old age. If this letter reaches you please communicate with me and I can be informative on anything you would like to know ...

P.S. We want to be a self-sufficient, self-sustaining community to be independent and functional. We only need the tools.

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

A full version of the Citizen Participation Plan is available at www.cdbg-dr.pr.gov.

Comment via Letter: #169_23-05-18_Jose Sierra

"By this medium, I am communicating to inform you that, Jose Luis Sierra a resident of Loíza ... and here in this community there are many needs. But in particular there is one related to flooding from quick accumulation and damaged roads with many holes.

Here in the Honduras 23 sector near the cemetery and in many streets there is a lot of water accumulation, and flooding which makes it necessary to try to collect the water so that the water does not trespass the houses or residences to damage our belongings.

I hope you can attend to this need in sector Honduras 23 Loíza, Gracias. "

PRDOH Resposne: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Comment via Letter: #170_Kelvin Quinones

"I Kelvin Quiñones Ortiz resident of ... Loíza and a neighbor of the Gardenia sector, hereby request aid to be able to finish my home in conjunction with other homes on the same land as my family. At this time my wife and I, my two children are living in a single room. We have a kitchen and bathroom, but we have been trying to build two rooms for our children. My great-grandmother who was the owner passed and her children who inheritance the land are already

indirectly trying to get me out of here. My grandmother is one of the heirs. Seeing my grandmother has made my life impossible to live comfortably and peacefully. I had started to build two rooms however with everything that has happened, I am looking at an uphill battle to a better future. FEMA provided me aid of \$2,000.00 dollars but that is not enough to replace everything we lost because of Hurricane Maria to buy a room set, refrigerator, clothes, television and a baby crib. We lost everything to the hurricane. There are light service problems since one of the heirs of the land is making it impossible to finish the work. This is the only place I have. Right now, I have seen a piece of land in the same area where I live that has a cost of \$10,000 to \$15,000 dollars. It has a property title and is up to date. If you could help me buy and build a house, I would thank you. I would also accept help to allow me to finish what I started constructing. I am desperate, my wife and I have already requested public housing but have never received any response. I have also asked for help from the municipality, but they always help their own, not those who really need it. I also am requesting help for my community. Our streets are not suitable, there are many elderly people who need a lot of help and there are many abandoned houses that are serving as places for mice. Many people lost their roof and even FEMA has not answered. It has been 8 months since the hurricane and it is sad that we are still in the same situation. Please help ...

P.S. Notification and participation

- 1. FEMA not very effective because they are not giving enough money to replace everything people have lost. That is if we have received help with food and enough supplies.*
- 2. Sincerely I have not received from the Tu hogar Renace program and in my community, I have not seen any repairs.*
- 3. I have access to the internet and social networks*
- 4. No, I did not know about the funds until the leaders of my community did show them to me and my family.*
- 5. I did not know about the public views; my community was notified through the leaders of the community*
- 6. At least they sent me the information at the last moment and it is in God that I can be helped."*

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Letter: #171_17-05-18_Usubales

The letter includes a summary of the proposal submitted on March 5, 2018 by the Municipio of Canóvanas and includes the following comments. (The proposal submitted by Canóvanas is available in its entirety at www.cdbg-dr.pr.gov.)

Within the proposal of the municipality of Canóvanas, our community of Usabal is not included.

We were never notified of the public hearings in the communities or from their leaders. Since we are a community board Los Usabales Inc; we are requesting Community participation in the comment section for the fund action plan CDBG-DR and the right to decent housing in the communities, gathering the needs discovered after Hurricane Maria I have even the communities to move.

The responses of the agencies were not effective. Federal FEMA also has little SBA help for the community. The response of the Tu Hogar Renace program is coming slowly to many houses that have not visited so they are not prepared for any other disaster. The telecommunications system has not yet been fully restored in the residences. Legal aid lawyers informed us about the Hurricane Maria funds. The public outreach sessions were totally unknown, the communities never informed us, nor was there notification either written nor by placards or other means of communication. There was no opportunity for the community or for me as a community leader, to submit comments or proposals or transparency for the use of funds. The breakdown presented by the municipality of Canóvanas was included as a breakdown of the use for CDBG-DR funds for housing.

*As for the unmet needs in my community, the lack of housing units waiting for the help of home reborn, they suffer from severe leaks, cracks undermined terrain, landslides with landslides. We need to dredge and clean areas of Lagoons, remove a large number of alligators that have multiplied, representing great danger to the community. Dredging, cleaning drains and closing culverts similarly to avoid and mitigate flood areas since it was a project under new safe home where residents were relocated by FEMA under the law 124 where homes were affected by the undermining lagoon. Before the hurricane there was a study being completed by Hydrological engineers and others. Our area is in danger of flooding due to poor constructed and in proximity to areas being the most affected by the waters of the lagoon similar to the flood map, This situation has been persistently brought up in different complaints and negotiations to FEMA, central and municipal government.
(Attached Usabal flood map).*

The most affected in the area are the Barrio. The central community continues to usabal where there are many houses still waiting with blue awnings for 8 months after Maria. Homes without roofs, awnings are still seen. We do not know the extent of where requests, status of residences, rate of affected homes every time it rains since they lose all their belongings while they wait for help of the relevant agencies. We refer to it since now no one has organized to request community participation for the right to have a decent home through the CDBG-DR funds for the Communities affected by the natural disaster. There was alleged mention of displacement for some areas, without mentioning a mitigation plan from the state, federal or municipal government. The arrangements to the houses are not completed since FEMA only attended the Interior of homes so there are homes that need external repair. The community is not fully

prepared if another disaster happens. There are alleged areas which will be displaced but we don't know which ones.

Needs of infrastructure and economic development.

1. severe leaks, cracks, undermined terrains, landslides with landslides

Protected mogotes that have not been taken care of, we need to dredge to clean areas of Lagoons, removal of a large number of alligators that has multiplied Representing great danger to the community, and the dredging and cleaning of drains and Sewers covered to avoid and mitigate the areas to flood

2. The Neighborhood la central community continues to usabal where there are many houses with blue awnings 8 Months after Hurricane Marfa, homes without roofs, with awnings, are still visible. Request for clarification of unknown applications, status of residences. All belongings are being lost during the rain and they are still waiting for help from the relevant agencies. no organization has requested community participation and the right to decent housing

3. The infrastructure, roads,

4. Complete arrangements for both housing, environment and cleaning Culverts and dredging.

Vulnerable populations - We consider that we were discriminated against by the municipal government, We filed a complaint with the bar association after Hurricane Maria to say we were severely discriminated against.

Proposal

- Request funds separately from the municipality or other non-profit entities to*
- Carry out home repairs, infrastructure, mitigate the areas to avoid*
- the impact of flooding, new hydrological studies of the area near*
- The lagoon and houses. It is not estimated, but around 3 million are calculated.*
- Rehabilitate affected structures, paintings, arrangements of gates, cracks, filings*
- We need to dredge, clean areas of lagoons, remove a large amount of*
- Alligators multiplied representing great danger to the community,*
- cleaning drains and sewers covered to mitigate the areas and the drag and canalization.*
- Correct leaks, cracks, undermined lands, terrene with landslides in areas of • protected mogotes that have not been served, we need to dredge to clean areas of*
- Lagoons, removal of a large number of alligators that has multiplied Representing great danger to the community, and the drainage and cleaning of drains and Sewers.*
- Build the passive areas in the lands acquired by FEMA, which were not been developed, but were acquired for that purpose.*
- To build a community center so that in the event of a disaster it is the first response*
- Relocate the command center and support all the residents as medics*
- Communication accessibility to contact emergency management agencies and others as services*
- Coordinate with all agencies and operations.*

PRDOH Resposne: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.

Although PRDOH is not considering extending the public comment period for this Action Plan, it will consider these comments in determining the length of the public comment period for subsequent Action Plans or substantial amendments. PRDOH is committed to a 30-day public comment period for the substantial Action Plan amendment associated with the next CDBG-DR allocation. A copy of the Citizen Participation Plan is available at www.cdbg-dr.pr.gov.

"Additional comments

- *there was no notice, notification for citizen participation, communities, organizations, community leaders, public views carried out.*
- *Regarding the eligibility requirements, the information is not detailed.*
- *funds should be granted for the restoration of communities to the municipalities for infrastructure works to non-profit organizations, and leaders who know where the need is.*
- *the displacements, need to know where, when and how they will be carried out.*
- *what plans will be worked,*
- *explain if there will be a mitigation plan for the areas to be moved*
- *explain the purpose that displacement sayings will have*
- *explain if there will be forced evictions to the so-called suburbs or classified lands as an invasion*
- *they should investigate the form and manner if the communities were ceded to be displaced, as the land rescuers, now called invaders, arrived, and set responsibilities in medicine of the process to be displaced*
- *Communities.*
- *there must be transparency and citizen participation.*
- *that communities or areas are notified to move.*
- *CDBG-DR stands for each section of the plan. "*

The letter also includes a completed questionnaire outlining demographic information and information regarding unmet needs in the community.

PRDOH Response: Thank you for the comments. A full Citizen Participation Plan, which outlines information regarding public hearings and involvement of community leaders is available at www.cdbg-dr.pr.gov.

Eligibility criteria for each program is outlined in the Action Plan. Information regarding documentation and processes for determining eligibility will be further outlined in program guidelines after programs receive approval from HUD. As required by 83 FR 5844, program guidelines will be available at www.cdbg-dr.pr.gov.

All relocation offered in this Action Plan is voluntary.

Comment via Email: #172_15-05-18_Miguel Rodriguez

“Can you share HUD base plan for economic development programs?”

PRDOH Response: Economic development programs are described in the Action Plan.

Comment via Email: #173_17-05-20_Johanna Ortiz

Hello I would like to know what the program consists of, I know that it is for August?

PRDOH Response: Information currently available regarding programs is available in the Action Plan at www.cdbg-dr.pr.gov. Programs will be further defined in program guidelines after programs are approved by HUD. As required by 83 FR 5844, program guidelines will be posted to www.cdbg-dr.pr.gov when they become available.

Comment via Email: #174_15-05-18_Nadia Torres

Greetings my name is Nadia Torres and I am communicating with you to know if my community the Urbanization park sun of Bayamon, still has enough time to send a proposal for the participation in the CDBG DR funds. These funds are solicited to better the infrastructure of the community.

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored.”

PRDOH looks forward to continued citizen participation throughout the life of the CDBG-DR grant.

Comment via Email: #175_15-05-18_Ana B González

Greetings, I am requesting the Spanish version of the action plan for comments.

PRDOH Resposne: “The draft Action Plan was published on May 10 at the following website: www.cdg-dr.pr.gov. Additionally, the action plan is attached for your convenience. Remember that comments and suggestions received until 11:59pm, Friday, May 25, regarding the plan, will be included in the draft plan.

Comment via Email: #176_16-05-18_Jason Biondi

“Having read the draft report for Puerto Rico on how to use the HUD disaster funds, I happen to notice that right now the draft plan doesn’t mention the National Green Building Standard (NGBS) by name. I am a green building consultant with projects all over Fl., Latin America and the Caribbean. I would like to work in PR and help meet your green building and sustainability goals. Please consider updating the report so that NGBS is named as an allowed green building standard. NGBS is a stringent, thorough and focused sustainability program with a heavy emphasis on resilience. I would be very excited to participate in the rebuilding efforts in P.R. and hope to get started as soon as possible. I am very familiar with all of the different green building programs and I hope you will consider me a resource on these matters.”

PRDOH Resposne: PRDOH will abide by 2011 Puerto Rico Building Code. Information regarding procurement, including Requests for Proposals (RFP), will be posted to www.cdbg-dr.pr.gov. PRDOH encourages interested parties to monitor the website for opportunities. Green building strategies are available in the Action Plan.

Comment via Email: #177_16-05-18_Jose Hernandez

"I, Mr. Jose A Hernandez, a resident in the Virginia Valley ... had serious damage in my land. These damages were the result of a landslide that occurred to my neighbor, located at a much lower level. This slide happened to my neighbor and reached my land adjoining causing slippage. This is a very serious situation that keeps me in constant worry. I became aware through an old incumbent mayor that guided me on these federal CDBG funds. I would like further guidance on this urgently. I will be very grateful. "

PRDOH Resposne: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov. Information currently available regarding programs is part of the Action Plan, posted on the website.

Comment via Email: #178_16-05-18_José L Cruz Cruz (Mayor Trujillo Alto)

Attached document establishes the opinion for the Municipio of Trujillo Alto for the CDBG DR funds.

Attachment to Email:

The attachment includes data regarding the unmet needs and storm impact in Trujillo Alto. The document highlights the experience the municipio has with managing federal programs and requests the following programs be funded under CDBG-DR, including:

- *Rehabilitate housing units*
- *Rental assistance*
- *Loans for the acquisition of housing*
- *Construction of four elevated highway lanes*
- *Widening of roads.*

PRDOH Response: Thank you for the comments. The Homeowner Rehabilitation, Reconstruction or Relocation program provides eligible applicants with an opportunity to rehabilitate or reconstruct homes in place or relocate out of high risk areas. A Rental Assistance program has been added to the Action Plan. Programs outlined in the Action Plan are designed to serve a geographical area which covers the entire island of Puerto Rico, including Trujillo Alto.

The attachments submitted also include Spanish and English versions of a letter from the Mayor of Trujillo Alto. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD.

Comment via Email: #179_22-05-18_Michelle Foster

"I manage the green building certification program that uses the National Green Building Standard (ICC-700) referenced by HUD in their disaster assistance program. I would be interested in meeting with developers or builders that want to use the NGBS to comply with the

Puerto Rico Disaster Recovery Action Plan but need to learn more about the program. If you could forward me to the right staff person, I would be very appreciative."

PRDOH Response: PRDOH will abide by 2011 Puerto Rico Building Code. Information regarding procurement, including Requests for Proposals (RFP), will be posted to www.cdbg-dr.pr.gov. PRDOH encourages interested parties to monitor the website for opportunities. Green building strategies are outlined in the Action Plan.

Comment via Email: #180_24-05-18_Nelson J Torres-Yordán

*Attached ponencia for the Municipality of Guayanilla
Attachment to Email:*

The attachment resubmitted a formal proposal submitted by the municipio.

PRDOH Response: Formal Proposal submissions are responded to in the appendices of the Action Plan.

Comment via Letter: Cecilia #181_Cecilia Carrasquillo

"The help received was not enough. \$ 377.00 and I didn't receive help from FEMA or from the Tu Hogar Renace program, therefore, I'm not happy seeing homes on the floor, awnings but denying them help. Homes need with filtration, have broken windows, doors, with damaged appliances, equipment on the floor, cables thrown, spotlights in the air and there is no telephone communication or internet while people bedridden, sick and still I do not see that help. They do not understand the condition the community is in.

I did not know of these funds, so I think the community did not have access to anything.

Community of Loíza Med. Baja. "

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #182_20-05-18_Gregorio Allende

"To whom it May concern:

I understand that there are many victims, but 8 months after Hurricanes Irma and María, the treatment for an American territory is evident. For states, there are trains and trucks but for an island that needs boats and planes; A lot of protocol and bureaucracy is the order of the day. How will the CDBG-DR funds be distributed? Since I came to Loíza I could see a town without sidewalks, poor lighting, sewage and covered by lack of maintenance being a flood zone when they use the machines make larger holes that exist without thinking of filling them in the near future. The photo checks super old mailboxes, there are spaces to build booths for those purposes; I found them when I arrived in 1995.

Thank God I built the house that resisted all the events before Irma, but Maria, Oh dad! It took us out running. From FEMA, I understand that, like us, it is a new experience.

Guiding questions to comment:

- 1. Was the response from federal agencies, such as FEMA and SBA, effective in your community?*
 - a. I can say that for my 72 days in a shelter it was not easy at all.*
 - b. Not applicable, my house was totally lost.*
 - c. I do not have access to the internet.*
 - d. I did not know about the CDBG-DR funds.*
 - i. Did you know about the public views for the use of these funds? I do not remember hearing, nor seeing notifications on the issue of CDBG-DR funds.*
 - ii. Was your community notified? I do not remember receiving brochures, etc. etc.*
 - iii. Do you consider that there was - for your community and for you - an opportunity to participate or submit comments or proposals for the use of these funds? Honestly, if there was some of that maybe I was not tuned in and I lost the opportunity for sure that now there are reasons to get involved and learn.*
 - iv. I am not aware of the proposed plans for these funds in my town, but after this communication I will do my best to be clear on everything that involves issues of CDBG-DR funds. As soon as they do it by radio, press or TV.*

PRDOH Response: Thank you for the comments. A full Citizen Participation Plan, which outlines information regarding public hearings is available at www.cdbg-dr.pr.gov.

Regarding housing:

- 1. I have to this the day of this communication, missing help.*
- 2. There are several trees that in a next event would be a big problem.*
- 3. I am temporarily renting. I have not managed to repair the house.*

4. *In another disaster it will not be finished yet, if as Maria, God forbid that ...*
5. *N / A*
6. *Do you think there is another alternative to maintain your community and your homes without having to resort to relocating or displacing people?*
 - a. If possible, let each person have a cement house.*
 - b. Solar panels, at least for a light and refrigerator and with a more than enough radio.*
 - c. A cistern depending on the family size*
 - d. With a reasonable amount which covers the owner of the house and the rest the government, including maintenance (60 - 40).*

PRDOH Response: Thank you for the comments.

Vulnerable populations:

1. *The youth population should start at age 16 to have experiences of part-time work; it helps them begin to have responsibility.*

Proposals:

1. *Loíza is a flood zone VI that used the maps of 1900 could see more easily the bodies of water that you could uncover how to channel water so at least the flooding wont be so catastrophic.*

Vulnerable populations:

In my community, the elderly have seen a bus go down and up, searching for them early in the morning to verify that these programs continue.

The center of the final 23, make it functional after the school community finish their classes have a place nearby for tutoring and / or recreation and sports. That communal center of the final 23 could not be used for close support center and not have it for diverse needs sometimes you must move to the town being long distances.

Young people over 16 urgently need to have part-time work experiences for weekends, involving private companies.

PRDOH Response: Thank you for the comments.

Infrastructure needs:

What has been done or has been slow to identify the names of the many streets and alleys and try to keep them identified with numbers and / or letters to achieve a more effective identification of property. The culture of neglect has not helped owners have property titles.

Transportation (the trolls) need to move more timely. The US serves as a model, they are almost punctual, you can count on them. Transportation will give us a better quality of life again; those of us who do not have a bicycle will appreciate it; really yes.

Proposal:

A public-private pool, as in the clear majority of the complexes in Tampa. It helps the recreation, since being a coastal town there are few public beaches that can be named. There are long distances between communities.

The structures of what at one time were alternative schools of use, having them partner with private companies for their maintenance can be moved to convert them into apartments for a modest rent. We are all not administrators, but it is necessary (required) that a politician from the governor all the way down has a professional in this discipline at his side to minimize the entrances versus the exits.

In rice and beans, if you receive 5 cents at the end of the month, you cannot spend 6. It will only be achieved with an administrator to the right of a governor.

God help us!

And thanks for your cooperation. "

PRDOH Response: Data regarding infrastructure needs is preliminary at this time, but PRDOH continues to explore opportunities to fund infrastructure activities in conjunction with FEMA. PRDOH will consider these comments as opportunities to undertake infrastructure activities are explored

"P.S. How can I participate?

a. One of the many questions I could read in the informative brochure that the community leader facilitated was education. With the non-profit Ministry in favor of the "Sal de la Tierra" community

b. The premises that would be the main offices were destroyed (as well as the house and a possible radio station) by hurricanes Irma and María.

c. Also approving chaplaincy course.

d. In addition, speech course To God be the glory! and. The Bible teaches in Psalm 127: 1"Unless the LORD builds the house, those who build it labor in vain; if Jehovah does not guard the city, the guard watches in vain. "

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018.

When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Letter: #183_22-05-18_Maria Carrasquillo

"What I received from FEMA ... was not enough for a claim I made about the damages and leaks of my house, of equipment, etc. FEMA gave me \$ 368.00 ... \$ 132.00 dollars, FEMA has not been effective. Because even seeing the damage of the destroyed houses, awnings on the floor thrown while all the lights are down. There is no home telephone communication or internet. There are bedridden and sick people who are not being helped. They think that this community does not exist. We need help so badly. We did not know about the availability of these funds. I think the community has not had any access to that; I hope you also remember other communities that are also in need, Loíza, Med. Baja. "

PRDOH Resposne: PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Letter: #184_Marilyn Vargas

"FEMA gave me help which I used to replace some equipment, but it was not enough for all. The Tu Hogar Renace program offered me aid for the filtration of the house, which was unsuccessful because the filtration issues are still ongoing. I am requesting the help for the filtration issues, the roof, the cabinets in poor condition, the fence that fell and damaged refrigerator. We hope you will help both in the community with electricity and water pumps for the flooding.

PRDOH Resposne: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Letter: #185_08-05-18_Mercedes Lopez

"Hi, I'm interested in knowing about the program. FEMA has been more about the show and less about the substance. Maybe this is the same dog with a different collar. I would like to know more about the funds Community Development Block Grant - Disaster Recovery (CDBG-DR)! A

very long nice name; however regarding to FEMA it hasn't helped. An elderly woman is writing you. I say being elderly doesn't mean anything to anyone anymore. "

PRDOH Response: Thank you for the comments. Information currently available about the CDBG-DR programs is available in the Action Plan at www.cdbg-dr.pr.gov.

Comment via Letter: #186_Rosa Quinones

"I have applied to the Tu Hogar Renace program and you have not answered me yet. I do not have access to the internet or social networks. I have no knowledge of the CDBG-DR funds. I did not know about public hearings for the use of these funds. Our community was not notified. This community needs maintenance such as lighting especially by Gardenia Street and La 23 street. This area is a flood zone.

PRDOH Response: Thank you for the comments. PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov. PRDOH values citizen participation throughout the life of the grant.

Comment via Letter: #187_Vecinos Cantera

"Hurricane season weather is starting. Note: when you are doing distribution of supplies, does the list you use do household by household because the supplies are going anywhere. I say this, because the island is full of Dominicans full of bad habits, they look out for themselves and they do not think about others. The (National Guard)- who are very nice- share packs of 24; but in a single home like 20, that is supposed to be enough for mom, dad, grandmother, sisters, aunts, mother in law. Some of them have businesses and they sell water at \$ 2.00 each bottle. Water is gold. They go to each other to advise when supplies are available, and they appear with many and take all the supplies. Everything is exhausted quickly and used without consideration. They are bold. They have health plans, coupons, WIC, Section 8; they do not pay for water or electricity and they are the same faces that line up to take advantage of the help that should be available for all. As an example, a neighbor of 400 pounds 6 feet and 2 inches put on his boots, getting help for his girlfriend of Arecibo; both receive social security for their home and they are working in the capitol with Senator Batia. "

PRDOH Response: Eligibility criteria is outlined in the Action Plan for each program.

Comment via Email: #188_25-05-18_Luz E. Pizarro Allende

"Greetings: My Name is Luz E. Pizarro Allende. I live in the Barrio Medianía Baja in Loiza. During Hurricane Maria my home sustained many damages (like most people). I applied to FEMA but did not qualify. I appealed the case, but I have not received an answer. They only contacted me to corroborate the claim, but after that nothing else. I went to the offices they have in Loiza, for the month between April or May. They told me they have not done anything yet. In my case, not only did María attack me, but during the month of December, 2017, my house burned down, losing part of what little I had. There are still traces of what happened. I went to your Hogar Renace, and they told me that I do not qualify, since the property is not mine. I live in the house that belonged to my parents. I lost my home, after being unemployed; after 10 years of paying it. My brothers agreed to give me my parents' house; they all agreed. There is no writing, only a letter they signed. Unfortunately, the response from both FEMA and "Tu hogar renace" in my case was not effective. I was unaware of CDBGDR funds and public hearings. One of the community leaders informed me. As for the community there are several sectors that are flooded. Remediating this so that this does not continue to affect the community would be helpful. In addition, lighting is needed on the poles; that is very important. Thank you for the opportunity to present the needs that I am confronted with and that the community confronts. Blessings for all."

PRDOH Response: Thank you for the comments. PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov. A Title Clearance Program has been added to the Action Plan and alternate documentation proving ownership may be accepted, as outlined in the Homeowner Rehabilitation, Reconstruction, or Relocation program.

Comment via Email: #189_25-05-18_Víctor M Emeric Catarineau (Mayor Vieques)

"FAVOR DE CONFIRMAR EL RECIBO DE ESTE CORREO ELECTRÓNICO."

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Vieques. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #190_25-05-18_Clemente Agosto Lugardo (Toa Alta)

"Receive a cordial greeting from my administration and my own. I hereby send you the letters related to the CDBG-DR Funds. Without another to which to refer, I remain. "

Attachment to Email:

The attachments submitted include Spanish and English versions of a letter from the Mayor of Toa Alta. The letter urges direct collaboration with all 78 municipios in the administration of CDBG-DR funding and suggests a history of poor management and administration of programs by PRDOH. The letter also indicates that majority of municipios exhibit a positive track record in the management of program under CDBG.

PRDOH Response: PRDOH values the participation of all municipios and looks forward to a working relationship at the municipal level throughout the life of the grant. Programs which will be administered with partners or subrecipients are outlined in the Action Plan. PRDOH was named the grantee of CDBG-DR funding and as such, maintains ultimate responsibility for compliant expenditure of CDBG-DR funds. As part of the review of the Action Plan, HUD must also review and approve of the management capacity and financial controls in place at PRDOH.

Comment via Email: #191_25-05-18_Nicolmarí Rivera Ramírez

"Attached you will see letter on behalf of Carlos Ruiz Cortés, director of the Institute of Puerto Rican Culture and Carlos A. Rubio Cancela, director of State Historic Preservation Office regarding the Comments on the Draft Puerto Rico Disaster Recovery Action Plan for the use of CDBG-DR Funds in Response to 2017 Hurricanes Irma and Maria."

Attachment to Email:

The attachment includes comments regarding the Action Plan as follow:

“On March 8, 2018 ICP and SHPO presented in a public hearing the need to protect, over 29,000 art pieces and 18,500 archaeological artifacts as well as historical documents. A project of mitigation and new construction was proposed in response to this need. Upon evaluating the draft, we realize that the pressing need to conserve our heritage remains without being addressed. As such, we request that the project be considered in the next phases of the PR CDBG-DR Action Plan, as the urgent need for preservation is still present. The proposed activity would spur economic growth, revitalize commercial and residential zones of low and mid income communities and generate employment.

Both ICP and SHPO realize that an increase in the number of technical personnel at their respective offices will be imminent to comply with Section 106 of National Historic Preservation Act - NEPA for the development of the CDBG-DR projects presented in this draft. The timely evaluation and implementation of both offices will require additional technical personnel. We suggest an assignment of at least \$5M per office to better execute the proposed infrastructure developments.”

PRDOH Response: PRDOH looks forward to working with SHPO and Instituto Cultura Puertorriqueña to identify staffing needs to ensure compliance and efficient programs.

Comment via Email: #192_25-05-18_ Héctor L Pagán

"I attached the comments our organization La Perla de Gran Precio to the action plan for the CDBG-DR funds"

Attachment to Email:

The attachment provides background information about La Perla de Gran Precio and the mission of the organization. The document requests that projects to rehabilitate buildings used by the organization be included in the Action Plan and provides information about the projects. Also proposed for inclusion in the Action Plan is a community outreach project and purchase and rehabilitation of a building to create multi-family housing.

PRDOH Response: Thank you for the project suggestions. Non-profit entities are eligible applicants under the Social Interest Housing Assistance program, which aims to create housing for vulnerable populations.

Comment via Email: #193_25-05-18_ Carolina Cortés

“As a note on the outlined section for Economic Recovery Programs contained in the draft for the Puerto Rico Disaster Recovery Action Plan, the Museo de Arte Contemporáneo de Puerto Rico (MAC) would like to highlight the value of arts and culture as essential tools that can be leveraged for recovery efforts as well as for long-term economic development in Puerto Rico. Investing in our cultural infrastructure serves the dual purpose of stimulating local business activity throughout various communities and supporting a thriving visitor economy by enhancing Puerto Rico’s position as a global destination.

In the aftermath of Hurricane Maria, the MAC has recognized the profound impact that a coherent action plan involving arts and culture has on the economic recovery of affected communities. Empowering this sector is key in establishing resiliency and revitalizing local economic activity that can translate tangibly into exportable cultural products, but also supports marketing strategies that promote Puerto Rico as a competitive destination. Puerto Rico’s cultural capital should be recognized as an indispensable asset to the tourism sector and the visitor economy, and thus contemplated as a valuable component of any economic development strategies implemented.

About the MAC:

The Museo de Arte Contemporáneo de Puerto Rico (MAC) is an artist-founded, collecting art institution located in the Santurce neighborhood of San Juan. It is devoted to the study, documentation, collection, preservation and promotion of art produced since the mid-20th century in Puerto Rico, the Caribbean and Latin America and by their respective migrations. The MAC has developed and implemented a wide range of community-based art and culture initiatives to bring cultural equity to economically vulnerable communities.”

PRDOH Response: Thank you for the comment. PRDOH will take these comments into consideration as programs are further developed.

Comment via Email: #194_25-05-18_María Mari Narváez

"I include comments from the Community Working Group on Police Reform."

Attachment to Email:

The attachment voices the following concerns related to the Certifications required as part of the submission of the Action Plan to HUD. Concerns are as follows: “Item J in the action plan’s last page (p.126) establishes: “Puerto Rico certifies that it has adopted and is enforcing the following policies, and, in addition, must certify that they will require local governments that receive grant funds to certify that they have adopted and are enforcing: (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and (2) A policy of enforcing

applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction”.

The members of Grupo Comunitario de Trabajo de la Reforma de la Policía are extremely concerned about the government of Puerto Rico’s failure to comply with these certifications as recent history has evidenced that the Puerto Rico Police Department (PRPD) has incurred in excessive use of force against peaceful protestors in different demonstrations. In the last four years, the PR Police has also continuedly barred the entrance of peaceful protestors, teachers, students, and citizen lobbyists to the Capitol in San Juan, Puerto Rico, during the deliberation and approval phases of critical bills.

The PRPD has a long history of violence against protestors as documented in the Department of Justice’s 2011 Investigation of the Puerto Rico Police Department and Findings Report, in ACLU’s 2012 Island of Impunity report, and in the subsequent Agreement for the Sustainable Reform of the Puerto Rico Police Department. However, despite the current Agreement for Reform, in the last two years, PRPD’s excessive use of force against protestors has worsen, particularly during the demonstrations of April and May, 2017 and of April and May, 2018, when even children, elder, and passerby where seriously affected by gas, in various violations of the PRPD’s Use of Force policy; disproportioned violence against demonstrators, reporters, and legal observers as well as unlawful warrantless arrests of protestors.

Compliance with the Civil Rights Act of 1964 and the certification of adoption and enforcement of policies prohibiting the use of excessive force by law enforcement agencies against any individuals engaged in nonviolent civil rights demonstrations are critical for the allocation and disbursement of reconstruction funds. However, as a Group that has monitored police violence and suppression of speech in the last years, we are deeply concerned that the Government of Puerto Rico might not have the political will to comply with these certifications.

Our groups will certainly observe that they do and will denounce all failure to comply. We urge the Government of Puerto Rico, the PRPD, and other law enforcement agencies to abide to the Civil Rights Act of 1964, and fully respect the conditions upon these Disaster Recovery funds are approved and allocated. It is also their responsibility to demonstrate it accordingly.”

PRDOH Response: PRDOH is committed to compliance with all applicable local and federal regulations and laws.

Comment via Email: #195_25-05-18_Ana Celia Pages

“WE HEREBY PROVIDE OUR COMMENTS TO THE 2018 ACTION PLAN PREPARED BY THE PUERTO RICO DEPT. OF HOUSING. WE COMMEND THE GOVERNMENT OF P.R. FOR THE INFORMATION

PROVIDED TO THE PUBLIC IN ORDER TO BUILD BACK A BETTER PUERTO RICO BY STIMULATING THE ECONOMY, REBUILDING HOMES, INFRASTRUCTURE AND PLANNING FOR A MORE STABILIZED GOVERNMENT, FAMILIES AND COMMUNITIES THROUGH THE FUNDS PROVIDED BY THE US GOVERNMENT AS AN ISLAND WIDE INVESTMENT.

OUR COMMENTS ARE WITH RESPECT TO HOUSING FOR THE ELDERLY POPULATION ACROSS PUERTO RICO. PRESENTLY, THERE ARE THREE PROPERTIES WHICH WERE DEVELOPED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM AND HAD A 15 YEAR SUBSIDY CONTRACT WITH THE LAW 173 SUBSIDY PROGRAM FUNDED BY THE GOVERNMENT OF PUERTO RICO.

THROUGH THE DEPT. OF HOUSING AS OF JULY 2017 AND GOING FORWARD, THESE SUBSIDY CONTRACTS EXPIRED AND THE GOVERNMENT HAS NOT RENEWED THE CONTRACTS DUE TO THE INSUFFICIENCY OF FUNDS OF THE GOVERNMENT. DURING THIS PERIOD THE PROPERTIES HAVE BEEN OPERATING USING THEIR RESPECTIVE RESERVES ESTABLISHED AND FUNDED FIFTEEN YEARS AGO. THE RESERVE FUNDS HAVE NOW BEEN CONSUMED AND THE PROPERTIES ARE IN DIRE NEED OF OBTAINING A SUBSIDY CONTRACT TO LEVERAGE THE OPERATING, MAINTENANCE AND FINANCIAL EXPENSES. THESE TYPES OF PROJECTS RELY ON MONTHLY SUBSIDIES TO MAINTAIN THE VIABILITY OF THE PROPERTIES UNDER THE CONDITIONS AND PROGRAMS WHICH WERE USED FOR THEIR DEVELOPMENT. THESE PROPERTIES ARE STILL UNDER THE EXTENDED USE AND COMPLIANCE PERIODS OF THE LIHTC AND HOME PROGRAMS. FAILURE TO PROVIDE THE RENTAL SUBSIDY RESULTS IN THE DEFAULT WITH LENDERS, CREDITORS AND THE PROBABLE FORECLOSURE OF THE LOANS.

WORST OF ALL IS THAT MOST OF THE RESIDENTS, DUE TO THEIR MONTHLY INCOME, CANNOT PAY THE RESTRICTIVE RENT THE PROGRAMS REQUIRE ONCE THE SUBSIDY IS NOT IN PLACE. SINCE THE DEPARTMENT OF HOUSING HAS NOT RENEWED THE SUBSIDY CONTRACT, THE OWNER ENTITY HAS HAD TO NOTIFY THE RESIDENTS OF THE RESTRICTIVE RENT WHICH WILL BE EFFECTIVE IN JULY 1ST, 2018. WE WOULD LIKE TO REFINANCE THESE LOANS, BUT DUE TO THE FACT THAT THE LOAN BALANCES ARE HIGH AND THE FACT THERE IS NO SUBSIDY IN PLACE AND THE INCOME LIMITS ARE SO LOW IT IS IMPOSSIBLE TO OBTAIN A LOAN AND/OR MAINTAIN THE PROPERTIES AT THE RESTRICTIVE RENTS.

WE WANT TO EMPHASIZE THAT THE PRESERVATION OF HOUSING IS A BASIC GOAL UNDER THE HOUSING ACT OF THE U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT. THE PROPERTIES DEVELOPED IN PUERTO RICO, UNDER WITH THE LIHTC AND HOME PROGRAMS HAVE BEEN DESIGNED UNDER THE STANDARD BUILDING CODES, IN COMPLIANCE WITH ADA AND 504 REGULATIONS FOR THE YEARS WHEN THE PROPERTIES WERE BUILT. WE HAVE A FORMALIZED HOUSING MARKET, THERE WERE NO EVACUATIONS OR RELOCATIONS AFTER THE IRMA AND MARIA HURRICANE PASSAGE. WE HAD MINOR OR MEDIUM DAMAGES DUE TO THE STORM BUT MAINLY TO THE EXTERIOR PAINT, EXTRACTORS AND FENCES. THE PROPERTIES PROVIDE AFFORDABLE HOUSING WITH A SAFE AND SUITABLE ENVIRONMENT FOR THE ELDERLY POPULATION WE SERVE. WITH THE ELDERLY POPULATION INCREASING ON THE ISLAND, OUR ELDERS ARE PART OF THE SOCIAL VULNERABILITY PUERTO RICO IS EXPERIENCING. THE MEDICAL COSTS, FIXED INCOME, MOBILITY CHALLENGES AND DISABILITY CHALLENGES THEY ENCOUNTER

CONFIRMS THE NEED OF AFFORDABLE HOUSING PRESERVATION. HOUSING THAT IS EXISTENT AND IN OPERATION PROVIDING AFFORDABLE HOUSING TO OVER 350 ELDERLY FAMILIES AMONG THREE PROPERTIES MUST BE PRESERVED. THE FAMILIES ARE NOT IN AN OVERCROWDED ENVIRONMENT, THEY HAVE ALL THE FACILITIES WHICH PROVIDE THE DECENT, SAFE AND CLEAN LIVING CONDITIONS THEY NEED. WE HAVE FAMILIES THAT HAVE LIVED IN THE PROPERTIES SINCE THE INITIAL OCCUPANCY OF THE PROJECT (2000-2002).

UNDER THE FISCAL PLAN, THE METHODS OF DISTRIBUTION OF FUNDS FOR THE RECOVERY ARE OUTLINED. THEREIN, THE PUERTO RICO D.O.H AS GRANTEE, UNDER THE GRANT AGREEMENTS, ARE TO PROVIDE FUNDS TO THE BENEFICIARIES. WE UNDERSTAND THAT SECTION 8 FUNDS OR GDBG FUNDS SHOULD BE ALLOCATED TO THE DEPARTMENT OF HOUSING AS PHA OR TO THE PUERTO RICO HOUSING FINANCE AUTHORITY (PRHFA) IN ORDER TO PROVIDE A CONTINUED RENTAL SUBSIDY TO THE PROPERTIES. THIS SUBSIDY CAN BE ESTABLISHED AT THE SAME AMOUNT OF \$400 PER UNIT PER MONTH, JUST AS THE TRANSACTION WAS UNDERWRITTEN ORIGINALLY. THE COST REASONABLENESS AND COST BENEFIT TO ALL PARTIES, GOVERNMENT, ELDERLY POPULATION , OWNER ENTITY AND PROPERTY VIABILITY IS SELF EVIDENT WHEN COMPARED TO THE COSTS AND TIME ASSOCIATED TO DEVELOP A NEW PROPERTY. IT IS PARAMOUNT THAT THE RESIDENTS REMAIN IN THEIR HOMES AND WOULD NOT HAVE TO MOVE, ESPECIALLY WHEN THERE IS A DEFICIENCY IN THE MARKET FOR THESE TYPE OF PROPERTIES AND UNITS DESIGNED FOR THE ELDERLY POPULATION IN THE YAUCO AND TOA BAJA MUNICIPALITIES, SPECIFICALLY.

WE PROPOSE THE PUERTO RICO D.O.H CONSIDER THE AMOUNT OF \$10 MILLION DOLLARS ANNUALLY FOR AN ADDITIONAL 15 YEARS TO COVER LOAN OBLIGATIONS AND LEVERAGE THE DEMAND OF THE LAW 173 RENTAL SUBSIDIES WHICH HAVE EXPIRED AND THE FUTURE CONTRACTS WHICH ARE TO EXPIRE NEXT YEAR. THIS AMOUNT ALONG WITH THE AMOUNT OF FUNDS RECEIVED BY THE PRDOH FROM THE DEPT. OF TREASURY WILL PROVIDE THE FUNDS TO SERVE THE ELDERLY PROJECTS WHICH PROVIDE THE AFFORDABLE HOUSING TO OUR ELDERLY POPULATION WHICH ARE A PRIORITY UNDER THE FISCAL PLAN, THE PRESENT REALITY AND OUR HEARTS.

ALSO, SOCIO-ECONOMIC REALITY. THE CURRENT INCOME LIMITS ARE BASED ON THE CENSUS, THE INCOME LIMITS FOR PUERTO RICO HAVE TO BE REVISED AND ADJUSTED TO THE BUT DO NOT REFLECT THE REALITY OF WHEN WE QUALIFY FAMILIES AT THE 50% AND 60% AREA MEDIAN INCOME LEVELS. THE ELDERLY FAMILIES WHICH HAVE REACHED THE QUALIFYING AGE OF 60-62 YEARS, OUR BABY BOOMERS NOWADAYS, HAVE WORKED ALL THEIR LIVES AND THEREFORE RECEIVE SOCIAL SECURITY INCOME. THE AMOUNT OF THEIR MONTHLY INCOME IS OVER THE INCOME LIMITS FOR A ONE PERSON FAMILY.

THEREFORE, MANY ELDERLY FAMILIES DO NOT QUALIFY FOR THESE PROPERTIES AND HAVE TO REMAIN IN OVER CROWDED UNITS, SUB-STANDARD HOUSING AND IN A HIGH RISK, NON SECURE ENVIRONMENT. P.R. IS 100 BY 35 MILES AND THE ISLAND IS DIVIDED IN NINE REGIONS WITH DIFFERENT INCOME LIMITS, THUS AFFECTING THOSE REGIONS/COMMUNITIES WHICH ARE NOT IN THE SAN JUAN REGION. THIS IS DETRIMENTAL TO THEIR HOUSING NEEDS. IN THE

CASE OF MULTI-FAMILY HOUSING THIS WOULD BE TRUE AS WELL, THE INCOME LIMITS HAVE TO BE REVISED IN ORDER FOR MORE FAMILIES BE BENEFITED. THIS WOULD ALSO HELP ON THE SUBSIDY SIDE SINCE THE FAMILIES WITH MORE INCOME WOULD REQUIRE LESS SUBSIDY. WE APPRECIATE YOUR TIME IN REVIEWING OUR COMMENTS AND FEEL FREE TO CONTACT US AT YOUR EARLIEST CONVENIENCE. WE STRIVE IN HELPING OUR CONSTITUENTS AND THE REBUILDING OF OUR ISLAND.”

PRDOH Response: The Rental Assistance program, which prioritizes elderly applicants, has been added to the Action Plan. Housing projects which qualify under the Low Income Housing Tax Credit (LIHTC) program may be eligible under the CDBG-DR Gap to Low Income Housing Tax Credit (LIHTC) program. PRDOH recommends that parties monitor www.cdbg-dr.pr.gov for forthcoming information regarding these programs.

Income limits are established by HUD.

Comment via Email: #196_26-05-18_David J Carrasquillo Medrano

Puerto Rican Planning : "I attach the comments of the Puerto Rican Planning Society to the Action Plan. Good day."

Attachment to Email:

The attachment describes the involvement of the Soceidad Puertorriquña de Panificación in the recovery effort and the development of the Action Plan. The attachment includes the following comments related to the PRDOH Action Plan:

"PROCESS OF PUBLIC VIEWS AND CITIZEN PARTICIPATION: The Public Hearing process held at the beginning of March was mainly directed to government agencies and construction sectors in Puerto Rico for the presentation of project proposals for the future allocation of CDBG-DR Funds for post-hurricane recovery of Puerto Rich. At that time the amount of the next allocation of \$ 18.5 billion (18.5 billion) had not yet been announced. The Public Hearings were totally directed to the presentation of projects and did not react or comment on any document or draft Plan or public policy regarding central issues in public discussion, such as affordable housing, abandonment, land use planning or urban development in Puerto Rico. Even the Plan itself includes in a list of the papers identified by type of project presented. However, papers such as the one submitted by the SPP are not considered despite the fact that it directly discusses the issue of Public Hearing: the content of the Action Plan. Finally, taking into account that the Action Plan does not enter into the evaluation of projects (and it is even necessary to wait for a Plan to be approved to be able to enter in said discussion), it is not clear what the objectives of the round of views were public, their achievements and the information collected relevant to the

development of the Plan. Regarding the process itself, as previously indicated by letter, we understand that the parameters and minimum requirements to comply with the Code of Federal Regulations have not been met, specifically with the provisions contained in Section 91.115 of Title 24 (24 CFR 91.115) on Citizen Participation Plans. There are paragraphs on how to encourage and encourage citizen participation. Among the factors that we understand affected a better participation of the process are the following:

- a) Very short call to the process*
- b) Lack of clarity of objectives and expectations of the process*
- c) Lack of orientation of the process towards community actors*
- d) Absence of a logical link that would make the participation of actors unrelated to the construction sector relevant.*
- e) For the most part, the views were offered only during homogeneous schedules where people who work could hardly attend.*
- f) Many relevant documents, such as the "Allocation Notice" from HUD, were not available and accessible in Spanish.*

In the case of the publication of this draft Plan of Action, without yet entering into the merits of its content, two (2) weeks for its evaluation and public reaction are simply not enough in the context of a population still in shock. "Both by the ravages of the hurricane, and by the austerity measures to which it is being subjected. Even in the context of HUD establishing the work agenda, it is the responsibility of the Government of Puerto Rico to guarantee a well done process and clearly the time limitation has affected the decision making process as it will be even more evident in the next parts of these comments. "

PRDOH Response: PRDOH values your feedback and has taken your comments and suggestions into careful consideration. The public hearing process was open to the public and resulted in a wealth of information exchanged. Hundreds of submittals from the public were received. Although each proposal may not have been referred to by name in the Action Plan, all submittals have been reviewed carefully by PRDOH and were considered in the development of the plan.

PRDOH recognizes your feedback on the public process. PRODH has requested that HUD provide the Federal Register notice in Spanish. Feedback regarding the length of the comment period for this Action Plan has influenced the decision made by PRDOH to institute a 30 day comment period for the Action Plan amendment which will address the next allocation of CDBG-DR funding. PRDOH welcomes collaboration regarding outreach strategies.

"LIMITATIONS AND CHALLENGES WITH THE PROCESS OF AWARDING FUNDS:

We found that a system of "partners" (who would finance the projects and then be reimbursed with the allocation of the CDBG-DR Funds) creates an unnecessary layer that opens the door to

processes of inefficiency in assigning these and even for possible acts of corruption and enrichment of intermediary organizations and institutions that do not contribute to the process. We understand that there are cases where experienced foundations and banking institutions must assume this responsibility, however, introducing other types of organizations constitutes an unwanted intervention in a decision-making process that must be characterized by being extremely transparent, especially when the definition offered in the plan of said term "governmental organizations" is absent.

Although the document indicates that the "grantee" would maintain the responsibility to make all important decisions, obviously a "partner" who does not sympathize with a project or vision can choose not to finance certain types of projects or influence the process in many other ways. We recommend that the allocation of available Funds be negotiated with HUD and FEMA without the need for these actors as a first option. Regardless of the form of financing, the details to be implanted in the future formal processes for the allocation of Funds must be part of the Plan. It is important to emphasize that even today there has not been a formal call for projects, therefore, it should not be assumed that those projects submitted to public hearings and online comments constitute all of the projects that could be presented once and for all. You should ask for them. "

PRDOH Response: Partners identified in the plan will perform duties under strict PRDOH monitoring and compliance oversight. All participants are subject to monitoring from HUD and Office of the Inspector General (OIG) monitoring at any time. Due to the federal nature of these funds, detailed reports on expenditures and activities will be reported to HUD on a quarterly basis and will be posted to the website.

" THE BEST AVAILABLE DATA ":

The Plan in numerous instances indicates using the best available data to sustain its decision-making process. We wish to make special mention of the gross use of said term on page 20 of the document in the title on the most impacted areas during Hurricanes Irma and María. It is assumed that these types of exercises are carried out to determine, at a high level of specificity, which are the priorities to direct the action. However, it offers a map and a list identifying 60 municipalities and 16 Zip codes around the entire island.

The "Allocation Notice" of HUD clearly states that the justification and characterization of any intervention must be developed with disaggregated data, pertinent to the context under discussion. As we know, in Puerto Rico there is a great diversity within the municipal limits. We have municipalities where levels of inequality and contrasts are extreme. It is common for neighborhoods to house both the richest and the poorest communities. Therefore, to ensure that interventions, such as the public policy to be defined, must take into account these dynamics and existing data.

The Plan is housed in a citation of a communication dated February 9, 2018 where the Federal Register expresses the following on the drafting of the Action Plan for HUD:

“Given the extent of damage to housing in the eligible disaster areas and the very limited data at present regarding unmet infrastructure and economic revitalization needs, this notice requires each grantee to primarily consider and address its unmet housing recovery needs.”

However, since March 20, 2018, the official database of the Individual Household Assistance Program for owners and tenants who submitted their cases through the complaint system of FEMA2 (OpenFEMA) has been published. With this information the agency was able to georeference (locate) the cases at the census block level. In this way, a real characterization of the communities and areas most impacted by the hurricanes can be made. Among the information that has been achieved to map and illustrate destroyed homes, damage caused by floods, damage to roofs and damage verified (inspected) to the personal property of victims. All this information is illustrated at the census block level. Information at this level manages to effectively identify in a preliminary way affected areas that are much better defined than those mentioned in the Plan, which will be discussed shortly in these comments.

We present preliminarily several maps with this information as an example of the exponentially more specific level at which analysis can be produced for this important juncture ... ”

(Maps are available in the full versión of this comment)

“... The Action Plan is a public document. Likewise, all the sources of information used to formulate arguments and public policy recommendations must be public and accessible in order to be fairly evaluated by the public. The Plan on numerous occasions refers to data contained in the document entitled “Puerto Rico Builder’s Association Housing Study (February 2018). The arguments cited in this report support and justify the new construction of homes throughout the island. However, this report is not available to the public for evaluation. We find it worrisome that a major influential source in public policy to be established through the future approval of this plan has been financed and promoted by a sector directly benefited by these recommendations. In contrast to the developmental vision of the Plan, there are also official census data that suggest just the opposite. According to the 2015 Community Survey of the Census Bureau of the United States, we have an estimated 326,435 housing units classified as vacant within a universe of 1,300,000 housing units. This represents 25% of the total housing units in all of Puerto Rico. For many reasons, among them, hurricanes, Laws 20 & 22, speculative practices, dismissals, school closures, recession, unemployment, among others, it is already known that this number must have increased significantly and must follow this trend. Only in the municipalities of San Juan, Bayamón, Carolina, Ponce and Mayagüez we have an estimated 92,629 vacant housing units. However, all this information is not included in the Plan ... ”

“... We mention these 5 Municipalities, since they are those that should be promoted as centers to be densified, because they are the ones with the greatest infrastructure, the largest job possibilities and the proximity of residential and commercial activities. Likewise, these densification strategies should be the norm in peripheral settlements and municipalities. In

these spaces, the densification would have positive economic, environmental and social effects. Among them: less energy consumption, less travel time, less pollution, less need for the car, greater use and profitability of transport services, less abuse of existing infrastructure and the development of new industries. Communities where their homes are used, are better communities in terms of safety, quality of life and economic development.

We ask to take this opportunity to make them accessible to all. The Action Plan has the potential to change and close those access gaps. "

4. "EVALUATION" OF NON-COVERED NEEDS:

Page 25 of the Plan is the only one that addresses the main theme of this plan: the needs not covered by the FEMA assistance programs. Despite being titled "Unmet Needs Assessment", it is totally lacking in an evaluation on the subject. Aggregate figures are offered for all of Puerto Rico divided by the lines of "Housing", "Infrastructure" and "Economy". However, when plans from other jurisdictions such as Texas, New Orleans, Florida or New York are observed, all include details and evaluations characterizing and categorizing unmet needs. For example, other Action Plans include analyzes such as the following:

- a) Demographic profiles of affected populations*
- b) Effect on the real estate market*
- c) Effect on the sector of homeless populations and other vulnerable populations*
- d) Statistics of services provided by state and local governments*
- e) Statistics of effects on the mental and physical health of the population*
- f) Statistics of temporary housing programs to affected*
- g) Statistics of the National Flood Insurance Program*
- h) Statistics of the Loan Program of the "Small Business Administration"*
- i) Statistics of the Public Housing Assistance Program*
- j) Statistics FEMA Individual Assistance Program*
 - i. Owners*
 - ii. Tenants*
 - iii. Amount of damages*
 - iv. Identification of areas with serious damage concentration*
 - v. Subjected cases*
 - saw. Inspected Cases*
 - vii. Inspected Losses*
 - viii. Totals by Jurisdiction*
 - ix. Average Need by Damage Category*
 - x. Other*

It is pertinent to mention that these analyses were presented by these other jurisdictions having much less data available compared to what Puerto Rico has available today. It is worrisome or confusing that it is simultaneously argued that there is not enough data to identify unmet needs at a specific level, however, insistence on the certainty of aggregate figures to be assigned and their urgency. Taking this into consideration, the fundamental questions that the Plan is supposed to answer remain unanswered:

- 1) Who were the most affected?**

- 2) What are the pressing priorities?
- 3) What is the link between the allocation of funds and the affected populations?

5. COMPLIANCE WITH THE MAIN GUIDELINES OF THE "ALLOCATION NOTICE": The "Allocation Notice" published on Friday, February 9, 2018 indicates, with reference to the possible use of the funds allocated, the following:

"grantees may only use funds for activities included in the action plan that are approved by the Secretary for disaster recovery that: (1) Are authorized under title I of the HCD Act or allowed by a waiver or alternative requirement published in this notice; and (2) respond to a disaster-related impact to infrastructure, housing, or economic revitalization in the most impacted and distressed areas. To inform the plan, grantees must conduct an assessment of community impacts and unmet needs to guide the development and prioritization of planned recovery activities," Pg.1

... ..

"A description of the connection between identified unmet needs and the allocation of CDBG–DR resources. Grantees must propose an allocation of CDBG–DR funds that primarily considers and addresses unmet housing needs. Grantees may also allocate funds for economic revitalization and infrastructure activities, but in doing so, must identify how any remaining unmet housing needs will be addressed or how its economic revitalization and infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas. Grantee action plans may provide for the allocation of funds for administration and planning activities and for public service activities, subject to the caps on such activities as described below." Pg.6

Although designated CDBG-DR funds are allowed to address issues such as infrastructure and economic development, such uses must be directly related and tied to meet needs not covered in the area of housing and individual assistance. That said, it is questionable that a program has been formed for the distribution of funds to topics such as tourism in this allocation of CDBG-DR Funds when there is no direct link between this activity and the needs of the housing sector, or at least in a evident or argued in the Plan. And even more worrying, in presentations offered to the public, mention has also been made of the alleged collaboration already established for the development of these issues with organizations when there has not yet been a formal call for the allocation of funds directed to such uses.

6. ABSENCE OF A PROFILE OF COMMUNITIES DIRECTLY AFFECTED:

Even recognizing that the Action Plan is a tool at the macro level of the state government, it is very clear in the statutes of law and regulations that there must be a link between the affected populations and the allocation of funds. The spatial component is vital in meeting these requirements. In addition, in order to promote transparency the process of visualization, of educating and converting data into information is of the utmost importance. It is important to

underline the importance of recognizing that planning is a process in which we must all be involved. Planning is not an exercise of a few. Nor should the process of developing the Plan be seen as merely fulfilling. The Plan must be conceived bearing in mind the need and importance that the population can know both the priorities and the needs, not only of their community, but of all. This information is necessary so that they can evaluate and estimate decisions at community, family and individual levels.

The issue of scale is a cross-cutting issue in matters related to risk, social justice, transparency, environment, demography, necessity, vulnerability, access, accountability, among others. It is the responsibility of the Government of Puerto Rico to offer a clear vision regarding the future development of the country, as well as to respond directly to the pressing needs that resulted and remain alive as an externality of Hurricanes Irma and María.

Categorizing 66 municipalities and 12 "Zip Codes" as the most affected areas, is categorically making the most affected areas invisible.

7. OMISSION OF RECOMMENDATIONS OF SPECIALIZED WORK PLACES:

The Puerto Rican Planning Society has participated in numerous working groups that have the purpose of advising and complementing the development of this Plan, both from civil society and from governmental entities at different levels. All these tables (that even several of them are mentioned in the Plan) generated reports. We recommend that these reports are also accessible to the public. We also consider it necessary to establish which recommendations were accepted and which were not.

8. OMISSION OF THE LAND USE PLAN:

Given that the Land Use Plan is the country's main planning tool that establishes where construction is allowed and where it is not, we understand that the participation and responsibilities of the Planning Board must include ensuring that the recovery process of Puerto Rico be harmonious and harmonious with the Strategies and Guidelines for Territorial Planning, as well as their classification maps.

9. OMISSION OF MUNICIPAL PLANS OF TERRITORIAL ORDINATION:

The Territorial Planning Plans are the plans that address the critical issues and needs at the local level in the Municipalities (that have prepared it). Preparing any kind of course of action requires taking local planning processes into consideration. This includes the citizen participation requirements established in Law 81 of 1991, better known as the Law of Autonomous Municipalities and Law 170 of 1988, better known as the Uniform Administrative Process Law. These tools are guarantees of community involvement that must be harmonized during this process with the requirements of the Code of Federal Regulations and the bylaws of agencies such as FEMA and HUD.

Even the Plan of Action, instead of recognizing the great contribution that the Municipalities can offer with their knowledge of the local context, limits the municipal participation to an allocation of \$ 10,000 to prepare an initial evaluation, which is not defined in the descriptive in terms of its content.

Separating community planning from municipal institutions and insisting on centralized planning delays 30 years of progress towards what is supposed to be the strengthening of local governments and citizen empowerment over the decisions of their environment and territory. Having the opportunity to strengthen the planning units with local knowledge, precisely this Plan proposes the opposite.

10. OMISSION OF RISK MITIGATION PLANS:

After the hurricane FEMA granted a grace period to the Municipalities which has not been completed to prepare and update their Risk Mitigation Plans. These plans are essential to measure both the need for infrastructure related to risk mitigation, and equally, reflect the needs and risks at the local level. These plans collect at the project level the possibilities to reduce the risks and vulnerabilities of communities, especially those substantially affected by hurricanes. The information to be produced by these efforts will be an essential one to link to the main objectives of this Plan.

11. OMISSION OF THE PLANS OF ADAPTATION TO CLIMATE CHANGE:

Climate Change is a reality that is manifesting itself in Puerto Rico already. Starting large-scale decision-making processes without first defining the general strategies to follow in the face of the enormous challenges posed by new trends in climate behavior would be a mistake. Imposing changes without the populations having had the opportunity to listen to possible scenarios, will create greater difficulty in the process of genuine dialogue between the parties.

12. OMISSION OF A CHARTER OF RIGHTS FOR PEOPLE AFFECTED BY THE PLAN:

In other jurisdictions, a hard struggle has been made to establish a consensual framework in which all citizens are guaranteed their rights⁷. In order to promote a fair and respectful recovery of the complexities of the reality of our population, developing some understandings and rules of the game to follow is fundamental. We recommend accepting the recommendations of civic groups that specialize in the defense of civil rights.

13. PLANNING IS A REGULATED PROFESSION IN PUERTO RICO: *The practice of the profession of planning in Puerto Rico is regulated by the Board of Examiners of Professional Planners attached to the Department of State of the Commonwealth of Puerto Rico. Licensed professional planners are those with the exclusive right to practice that profession and are called to direct and assume the responsibilities of design, preparation and certification of plans, among other related tasks. It is regrettable that the Department of Housing does not have the participation of licensed professional planners in the development of this Plan, not even involving the Planning Office of your own department in these tasks. The lack of inclusion of our planning professionals in the preparation of this document is palpable since it is totally lacking in the important task of developing planning, participation and analysis tools, as well as the harmonization of local public policy (absent in the document) with that federal.*

14. CONCLUSION:

The process of recovery of Puerto Rico will take place under conditions that have never been seen in the history of mankind. It will be a process in a colonial context, in full implementation of an austerity agenda, in the midst of a recession of more than a decade. It will take place in a context of government reductionism and centralization of the management apparatus, while public policy is based on the attraction of external capital to make viable the privatization of public assets and the decapitalization of the Puerto Rican people. In a context where processes considered illegal in many other jurisdictions, they are promoted here. One of the clearest examples of this is the speculation and displacement processes of vulnerable communities. We are in a context where the future of Puerto Rico has not yet been taken into account in the face of debt and public credit. A context where the mere idea of an audit is still poorly seen by the rulers.

The Action Plan can not ignore our realities. The responsibility to adequately attend an allocation of money of this level can not be lost in technicalities and bureaucracy. For the reasons stated in these comments, among many others, the Puerto Rican Planning Society does not yet recommend the approval of this Plan by HUD. We recommend that a new date be granted so that the Housing Department, together with all the relevant stakeholders, can review it and achieve the basic objectives of linking the allocation of money with the communities and populations really affected by the hurricane and in real need. fair guarantees for the proper use and distribution of the same.

PRDOH Response: The Action Plan, including the unmet needs assessment, is a living document and will be updated as programs evolve or additional data becomes available. The identification of the Most Impacted and Distressed areas referred to is a HUD designation.

PRDOH has requested an updated dataset from FEMA and will update the unmet needs assessment with refreshed data during the next Action Plan amendment. PRDOH is also exploring avenues to more visibility into the data for the public.

Reports referenced in the plan as key resources are posted to the website and attached as appendices to the plan. PRDOH has incorporated your data on vacant units into the housing section because relocation into an existing unit is the preferred option under the relocation program.

Feedback on densification has been taken into consideration for upcoming programs. Additionally, the LIHTC and social interest housing programs have accessibility components as part of their programs.

Much of the information included in the data list provided is included in the plan. Regardless, we have added additional representations.

The connection between economic recovery programs and housing is straightforward. PRDOH appreciates your feedback on this area.

PRDOH agrees that spatial analysis is valuable. PRDOH will continue to explore opportunities to make visualizations/ mapping more available to the public, either through our own services or in conjunction with partner agencies such as the Planning Board.

Again, the designation of certain municipios and zip codes as “most impacted and distressed” is a HUD designation. PRDOH agrees that a great deal of important work has been conducted by workgroups and will make every effort to post these reports on the website as they become available. Projects performed by CDBG-DR will conform to federal and local law.

Comment via Letter: #197_20-05-18_Modesta Cepeda

"I, Modesta Cepeda Rivera, neighbor of La 23 Final located in the lower Midland, I am reporting as a resident in this sector; to ask you please to take us into consideration for the problems we are facing to leave our residences when the main street is flooded. It is impossible to leave unless you leave by car and if the cars can leave, it can't be traveled on foot. We ask the authorities to please take into account this sector and those of us who live here especially as the next season approaches. We have suffered so much. With anticipated thanks, hope you can help us. "

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #198_30-05-18_DDEC

Attachment to Email:

The attachment included specific comments regarding changes in the Action Plan, as follows:

“Comment # 1 – Small Business Loans

On page 83 and page 109, we request that the program title be changed from “Small Business Loans” to “Small Business Financing”. IN the first paragraph of theh Program Objective and Description on page 10, the text “Small Business Loan Program” should be changed to “The Small Business Financing Program.”

In addition, we request that the following three paragraphs be inserted in between the first and second paragraphs of the Objective and Description on page 109:

“Microenterprise Grant Program”

The microenterprise grant program will provide immediate, desperately-needed gap funding to microenterprises that will allow them to pay bills, expand, or simply re-open their doors in the wake of the hurricanes. Grants will be available to help establish microenterprises that will fill much-needed goods and services gaps in communities across the Island, and will also be available to existing microenterprises that have had to close or have struggled to find success in the wake of the hurricanes.

Small Business Forgivable Loan Program

The Small Business Forgivable Loan Program will provide a flexible loan to businesses that are slightly larger and more established than microenterprises, but still have vulnerabilities resulting from the post-disaster credit crunch. With this structure, a portion (or the entirety) of a loan can be forgiven or deferred, with certain conditions met by the borrower. This allows flexibility to defer payments and remain in business when resources are scarce or cash flows are uncertain in the post-disaster economic environment.

Guaranteed Business Loan Program

The Guaranteed Business Loan Program will support businesses that may be larger or more well-established than the businesses served by the Microenterprise Grant Program and the Small Business Forgivable Loan Program, but are still struggling with the increased risk of the post-disaster economy. The limits of the guarantee will vary depending on the risk profile of the grantee and the risk appetite for the grantor, but the added security and relief will be invaluable as these businesses work to regain stability and begin focusing on growth and expansion.”

Comment #2 – Small Business Incubators

On page 110, describing the Small Business Incubators program, we request that the maximum award amount be increased from \$1,000,000 to \$2,500,000. The in full implementation of an austerity agenda, in the midst of a recession of more than a decade. It will take place in a context of government reductionism and centralization of the management apparatus, while public policy is based on the attraction of external capital to make viable the privatization of public assets and the decapitalization of the Puerto Rican people. In a context where processes considered illegal in many other jurisdictions, they are promoted here. One of the clearest examples of this is the speculation and displacement processes of vulnerable communities. We are in a context where the future of Puerto Rico has not yet been taken into account in the face of debt and public credit. A context where the mere idea of an audit is still poorly seen by the rulers.

The Action Plan can not ignore our realities. The responsibility to adequately attend an allocation of money of this level can not be lost in technicalities and bureaucracy. For the reasons stated in these comments, among many others, the Puerto Rican Planning Society does not yet recommend the approval of this Plan by HUD. We recommend that a new date be granted so that the Housing Department, together with all the relevant stakeholders, can

review it and achieve the basic objectives of linking the allocation of money with the communities and populations really affected by the hurricane and in real need. fair guarantees for the proper use and distribution of the same.

Comment #3 – Workforce Training Program

On page 112, we request an additional final bullet be added to the list of existing bullets. The text of the new (final) bullet should read: “Other identified unmet workforce training needs to support Puerto Rico’s long-term recovery goals”

Comment #4 – Commercial Redevelopment

On page 83 and page 115, we request the program title be changed from “Commercial Redevelopment” to “Strategic Projects and Commercial Redevelopment”.

Comment #5 – Economic Impact

On page 65, we request the addition of a topic for “Impact on Manufacturing”. We will send the information to be included in this topic in a subsequent correspondence.”

PRDOH Response: Thank you for the suggestions. PRDOH considered these comments while making revisions to the Action Plan. PRDOH looks forward to a continued successful partnership with DDEC.

Comment via Letter: #199_24-05-18_Sonia Morales

"I Sonia Morales Parrilla, resident in the Sector The final 23, in Medianía Baja, Loíza am writing to you, the official leaders, both municipal, state and federal to share how the residents of this sector, are affected with the rains, floods, heavy rain and hurricane season. We are left in solitary confinement since a lot of water accumulates on the road we use to leave our homes and it is the only way out that we have at the moment. We would like to be given machines or pumps to be able to draw out the water when it accumulates, to be able to draw water when it accumulates, to be able to leave and reach places where we have to leave if an emergency that occurs. We feel like we don't exist and help doesn't reach us since getting here is difficult enter for; In addition, there are older people, who are sick of conditions, who can barely look after themselves. We need help from emergency personnel and authorities as well. We hope you won't forget this sector and other surrounding places. Thank you very much and may God Almighty help us and you too, "

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018.

When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.

Comment via Email: #200_25-05-18_Ayuda Legal

We are attaching to this email comments from Ayuda Legal Huracan Maria in reference to the Draft Action Plan for the CDBG DR funding along with the endorsement of more than 80 entities of PR and EU.

Attachment to Email:

The attachment to the email outlines the mission of Ayuda Legal Huracán María and highlights the organization’s commitment to “open the channels of participations and transparency, so that use of funds is done in an appropriate manner that is fair and just”.

The document offers the following comments related to PRDOH’s Action Plan:

"Our comments are organized in three parts:

- I. Recommendations on the rights of people affected by hurricanes Irma and María that should be included in the final plan.*
- II. Detailed comments on various aspects of the Action Plan*
- III. Final recommendations - Actions that we suggest being included in the Action Plan are identified in [blue](#).*

Recommendations on the rights of people affected by Hurricanes Irma and María that should be included in the final Plan.

→ Required Action: [Include the rights listed below in the Plan of Action and use them as guiding principles for the plans that the government of Puerto Rico proposes for the CDBG-DR funds.](#)

1. Right to decide

The right of the people affected by hurricanes Irma and María must be respected to decide where they want to live. This includes the responsibility of the government and its contractors trying to get the most community participation as well as prior informed consent for relocation proposals and/or evictions.

2. Right to remain

- a. The right of these people to stay or return to their homes must be guaranteed to communities, if they are safe and habitable. We define safe and habitable as those dwellings and communities which have been given a real, participatory and reasonable*

opportunity to mitigate the damages suffered by the disaster. Mitigation should always be considered as the first alternative to the relocation.

b. In those cases where relocation is necessary, the government, its subrecipients and its contractors must give priority to maintaining the integrity of the community, respecting geographical proximity and special needs that may exist.

3. Right to equal treatment and freedom from discrimination.

a. The government of Puerto Rico must guarantee fair, equal and non-discriminatory treatment to people affected by providing adequate assistance throughout the recovery process. This includes the long-term recovery of their communities.

b. Through a dignified and just recovery, each community and person must be treated without distinction by reason of race, sex, sexual orientation, gender identity, age, functional diversity, social condition, national origin or other classification. Must ensure equal treatment in the achievement of projects aimed at flood protection and, equally, fair treatment in the implementation of housing projects, infrastructure or economic revitalization.

c. The government of Puerto Rico must assume a proactive role in the protection and defense of the rights of historically vulnerable groups and identities such as the elderly, women, impoverished communities, people with functional diversity, people from LGBTTIQ communities, homeless people, immigrants and others.

4. Right to real and effective participation

a. This right is related to the opportunity of individuals, groups and communities to participate directly, in a real way and effectively. This includes the possibility of real information, ability to comment, go to public hearings, be really listened to or heard in these public forums and be part of the processes related to CDBG-DR funds as well as other post-disaster recovery processes.

b. The highest standard of accessibility should be considered for populations whose functional participation may be limited. Eight (8) months after the hurricane, there are thousands who still lack services such as basic electric, transportation and communication which are needed to be able to participate in the process in accordance with the provisions of local and federal regulations.

II. Detailed comments on the Draft Plan of Action

1. Lack of real and effective citizen participation

→ Action required: Make an official translation of the Allocation Notice and information on other matters related to CDBG-DR funds available in Spanish to ensure effective communication about the program to the communities, as well as extensive notification about the availability and eligibility of these funds.

→ Action required: Hold public forums at feasible times in equal distribution between geographic areas and notify the working population of Puerto Rico in an appropriate manner.

→ Action required: Extend the period to submit comments to the draft action plan so that the communities have enough time to consider the draft, effectively assess infrastructure and housing needs and submit their comments on the Plan.

→ Action required: Draft an action plan that is readable and accessible to the general population.

The Allocation Notice establishes the requirements for citizen participation and publication of the action plan. However, it was not translated into Spanish, so its content - particularly regarding the criteria with which the Department of Housing must comply - has not been published in a format and language accessible to the General population.

Attempts to call for participation on the CDBG-DR funds has been ineffective. It should be noted that, to this date, there are no materials on the Allocation Notice in Spanish and that the material available on the CDBG-DR page (<http://www.cdbg-dr.pr.gov/>) which has been translated from English is extremely short.

The allocation notice requires notification to the affected citizens prior to the publication of the draft action plan. In Puerto Rico, eight (8) months after the passage of the hurricane, a large part of the population still doesn't have stable telecommunications or electricity services, sadly this includes multiple communities who do not have any electric service- therefore platforms or methods of online notification services are not an effective method of notifying the public.

Announcements about the public hearings held from March 5, 2018 to March 10, 2018 were published in some newspapers of Puerto Rico however it was in small print and did not mention the participatory process of these funds. We find that it has not complied with the notification required by the allocation notice in compliance with the ADA Act and the Rehabilitation Act. It was not until after draft action plan was published, and within the limited fourteen (14) days for which the public could comment on it, that PRDOH began to provide guidance to citizens through of meetings held in Boys and Girls Club centers.

Regarding the public hearings convened by Vivienda, they did not reflect a broad community participation due to a lack of timely or adequate notification. As members of our team witnessed, these public hearings ended before the time announced and for the most part were attended by mayors or their representatives. The order established in the registry was ignored and priority was given to mayors or their representatives while community leaders, members of the civil society and non-governmental organizations were relegated.

Shortly before the publication of the draft action plan, the Department of Housing published the papers from the entities that participated in the public hearings and from those entities that submitted "Ponencias" or project proposals and/or comment on its website, however outside the term established for it. There is no data in this electronic platform to explain the methodology for the evaluation of unmet needs and how the implementation of the programs of the plan would be carried out. Without losing sight of; and according to applicable

regulations, the public should have the opportunity to understand the plan and have access to the underlying data that supports the plan.

We point out some irregularities that are obvious. First, the Spanish language of the draft action plan is deficient, to the extent that some sections completed cannot be understood. After comparing the language and content of the draft action plan with other action plans from other jurisdictions, it appears to contain fragments or sections that are a direct translation and lack context from English to Spanish, which makes understanding difficult. Secondly, technical problems experienced on the Department of Housing website on CDBG-DR is not operating."

PRDOH Response: PRDOH values your feedback and has taken your comments and suggestions into careful consideration. The public hearing process was open to the public and resulted in a wealth of information exchanged. Hundreds of submittals from the public were received. Although each proposal may not have been referred to by name in the Action Plan, all submittals have been reviewed carefully by PRDOH and were considered in the development of the plan. PRDOH recognizes your feedback on the public process.

PRDOH has requested that HUD provide the Federal Register notice in Spanish. Feedback regarding the length of the comment period for this Action Plan has influenced the decision made by PRDOH to institute a 30 day comment period for the Action Plan amendment which will address the next allocation of CDBG-DR funding. PRDOH welcomes collaboration regarding outreach strategies.

"2. Accessibility criteria

The government of Puerto Rico, as the recipient of the funds, must ensure that the Communications and information about the plan are accessible to people with functional diversity. This includes applicants, beneficiaries and members of the public. This responsibility extends past the draft action plan process. Those who are visually impaired or who have hearing disabilities should be able to count on us to provide the resources necessary to comment, participate and serve as part of the recovery process. These criteria are not onerous, nor do they alter the fundamental nature of the result different programs or activities.

The mentions of people with functional diversity in the draft action plan are generic and limited to the construction of five hundred (500) housing units for "special needs" and a housing counseling system for people with functional diversity under the social interest housing program. The draft action plan includes commitments regarding Title VI of the Civil Rights Act and the Fair Housing Act, but it doesn't mention or recognize the law and/or requirements established to guarantee access to equal use of these federal funds under the Rehabilitation Act."

PRDOH Response: Information related to PRDOH's CDBG-DR grant will be publicly available at www.cdbg-dr.pr.gov. Materials posted to the website will be accessible in both Spanish and English and contain readable format to allow access for persons with

disabilities. Information will be available in other formats accessible to persons with disabilities, when requested.

"3. Information used by the DV to identify unmet needs, and its link to the allocation of CDBG-DR funds.

→ Action Required: Identification of unmet needs through census data compiled by community leaders

The sources used to support the identification of needs discovered in the draft action plan are inadequate and insufficient. Some of the main sources of the draft action plan are FEMA, SBA and the Build Back Better Report of the Government of Puerto Rico. As was foreseeable, the most emphasized data was that provided by FEMA. If the norm is to use this information, we are not convinced that it is the "best data available" in accordance with HUD regulations. Our organization served as the first initiative aimed at providing legal assistance after the disaster in Puerto Rico. To that effect, over sixty (60) communities have been visited around the Island. In the first months after the hurricane, much of the work was directed to assistance completing FEMA applications and, later, appeals. We have been able to confirm that the FEMA evaluations of the damages suffered by individuals and families are inadequate.

Statistics revealed to media, indicate that FEMA has denied or has not answered about 62% of the applications submitted. The ineligibility determination for the FEMA assistance is allegedly triggered by the following five (5) reasons: (1) safe housing or insufficient damage; (2) the person did not accept the relocation; (3) the person could not prove ownership; (4) lack of documents required by FEMA officials; and (5) the person could not be contacted. In our experience as community legal representatives, the way FEMA makes its determination is arbitrary and does not conform to the reality of the impact of the disaster in the country, particularly in the case of more vulnerable communities. Since FEMA is based on the inspection carried out by subcontractors who do not have the proper preparation to carry out the inspections and who, in most cases, fail to comply with the process established by FEMA. This is why, even in cases where assistance is granted, it is not enough to cover the replacement of personal property and much less the damage in the home. For these purposes, both the local and international press have highlighted the gross inefficiencies in FEMA practices in the country, as well as the lack of transparency and accountability in its post-disaster management.

It should also be noted that during the past months, Ayuda Legal Huracan Maria and other entities have been faced with the lack of access to information about the damage identified by FEMA. It is for such reason that several requests for access to information have had to be presented to the federal court, among these, one promoted by us, together with Latino Justice (PRLDEF) and Democracy Forward. Due to the serious accusations against FEMA, as well as the lack of transparency of the agency, we identify the data provided as inadequate to calculate the unmet needs.

PRDOH Response: Thank you for your comment regarding FEMA data. The unmet needs assessment included in Action Plan was developed in accordance with guidance in 83 FR 5844, using best data available. A description regarding methodology used to calculate unmet needs is included in the Action Plan and a complete list of data sources, including census data, is included in the appendices.

"3. Vulnerable populations: Promotion of housing, economic revitalization and infrastructure needs for these groups.

→ Action required: Update poverty, inequality and other indicators of social mobility using information collected after the Hurricanes.

→ Action required: Ensure that rehabilitation, reconstruction, replacement and construction of new housing and shelters is mainly directed low-income populations, rather than distributing assistance equitably or preferred to the population of moderate income.

→ Action required: Include other strategies, beyond the social interest housing, to meet the needs of impoverished communities and other groups with particular needs, such as people with disabilities, the elderly, or others.

Strategies on economic revitalization and infrastructure must address the needs and the development of these groups.

→ Action required: Define in detail what vulnerable populations are for the purposes of this plan, beyond the enumeration of populations or the statement about "people of low or moderate income".

→ Action required: Open participation and comment period for the substantial amendment that consists of later publishing the eligibility criteria of the second phase of the Community Resilience Planning Program

→ Action required: Require subrecipients and companies contracted for economic development, housing and infrastructure development to hire people living in Puerto Rico, with an emphasis on vulnerable communities and groups.

A. Analysis of vulnerable populations

Although the B-PA includes an analysis on the level of poverty in Puerto Rico and indicators of social mobility, it does not include an analysis of the impact of the hurricanes on these rates. That is, the data is not the best as long as it is not updated. Currently, it is estimated that the level of poverty in Puerto Rico increased from 44.3% to 52.3%. This increase in poverty undoubtedly alters the illustrative maps of people of low to moderate resources, transforming the area and scope of impact of the CDBG-DR funds.

We are concerned about the vagueness with which the issue of vulnerable populations is addressed in the draft action plan. Outside of listing existing programs or mentioning the social interest housing program, there are several missing elements. Among these: the evaluation on how planning decisions will affect the people of the protected groups, areas of racial, ethnic concentration, areas of poverty; how will it promote housing availability affordable in areas of low poverty; or about how it will respond to impacts related to natural hazards are limited to organizing the available data.

That being said, no proposed program meets the requirements of the allocation notice in relation to the determination of eligibility for benefits of the programs proposed in the draft action plan. There is no description of the activities that you plan to promote housing for vulnerable populations. The plan must include an assessment of how planning decisions will affect members of protected classes, areas of racial and ethnic concentrations, as well as concentrated areas of poverty. In addition to this evaluation, the plan must include a description of how the plan will be geared towards these vulnerable populations, classes, protected areas, and areas of concentrated poverty.

Although the methodology of the Social Vulnerability Index (SOVI) can be of great help, SoVI does not serve on its own to answer the questions about decent and sustainable recovery for these groups. It is necessary to include reliable, updated statistics and data to develop an effective action plan. It should not be lost from perspective that the allocation notice itself requires the use of the latest information to estimate these needs, as well as a clear definition of what is considered a "vulnerable population". The draft action plan mentions that the programs are oriented towards LMI (people with low or moderate income). This is not enough and does not meet the requirements of the allocation notice. As an example of the lack of eligibility criteria or description of aids, in the "Repair, reconstruction or relocation program for homeowners," mentions "prioritizing elderly persons." This mere mention, in a program that aspires to be implemented through the direct distribution model, does not comply with the allocation notice requirements on evaluation and description of aid for vulnerable populations.

PRDOH Response: Thank you for the comments. The Action Plan has been updated to include a definition of 'vulnerable populations'. As outlined in the 83 FR 5844, 70% of CDBG-DR program funding must be used to benefit low and moderate-income persons.

"B. Housing needs, resilient housing and the use of funds for the payment of mortgages

As we have previously indicated, vagueness is one of the greatest ills of the draft action plan. Beyond including key concepts such as "housing need", "Resilient housing" or the destination of these funds to people of "low or moderate income", the correlation between discovered need and how different strategies will satisfy such need must be made explicit according to the allocation notice.



For example, the draft action plan lacks a definition of resilient housing. The Whole Community Resilience Planning program “states that the eligibility criteria for phase two will be published at a future date, during the fourth quarter of 2018. However, before the publication of the final Action Plan, such criteria must be published in the form of a draft to allow comments from citizens. If this was not done for the draft action plan; it should be assumed as a substantial amendment and, therefore, open it to the participation and comments. In the same way, the so-called “comprehensive community recovery plans”, which will be revealed in the future, should also be considered as a substantive amendment and must follow the public comment process.

On the other hand, it is indicated that \$ 45,000,000 will be destined to the payment of overdue mortgages to from the impact of hurricanes Irma and María. Although we recognize the existence of a crisis of foreclosures in the country, which affects more than one hundred thousand (100,000) families that are currently at risk of entering an enforcement process, we are concerned that such money is used for these purposes under the umbrella of “low to moderate income” without more definition. We cannot lose perspective that most people with mortgages are people with moderate incomes, so we would be allocating large resources to a group of people who - although affected by the disasters, are not the most vulnerable.

PRDOH Response: PRDOH appreciates the feedback provided. Criteria for what constitutes a substantial amendment is outlined in the Action Plan. The Mortgage Catch-Up program, as outlined in the Action Plan aims to meet HUD national objectives of benefitting low-and-moderate-income households and meeting an urgent need. Households with an annual income over 80% of the area median income may be served under this program.

“Needs of the vulnerable population beyond housing: infrastructure and economic revitalization

i. Economic measures

Although social interest housing can be essential for those people, families and communities that need to be relocated - after real efforts, participatory and reasonable mitigation- or that are homeless, this cannot be the only betting strategy with these funds. We urgently encourage an intersectional analysis in relation to infrastructure projects and economic revitalization, responding to the question about how these will promote real opportunities for economic development and protection for populations of special needs, such as homeless or with functional diversity.

On the one hand, we are not convinced that employment measures, aimed at hiring of services, is sufficient to promote the labor and economic security of these groups, especially when deep analysis has been made on how the contracting of services does not serve to promote mobility or social security. On the other hand, it is important to demand that the hiring is directed,

precisely, to people of vulnerable communities and vulnerable local communities of Puerto Rico, promoting the construction of houses and the economic recovery of these areas.

We can't lose perspective that Vivienda is waiting for new assignment of funds, so this draft action plan should focus on prioritizing the needs most pressing, to establish programs that can continue to benefit from the next allocation of CDBG-DR funds. To this end, programs for housing, infrastructure and economic revitalization serving these populations with priority, in consideration of their urgent needs should be considered. "

PRDOH Response: Thank you for the comments.

"4. Minimizing displacement of people or communities and assistance for displaced people or communities.

→ Action required: Establish a clear non-displacement policy in those cases in which real, reasonable and participatory mitigation is possible. Displacement can't be the first alternative.

→ Action required: Adopt a definition of informal housing that does not include legal ownership as a condition for such "formality". The lack of documents proving the status of owner should not be an obstacle for a person to receive assistance for post disaster housing.

→ Action required: Include and detail the participative strategies to address the issue of lack of formal title. Because it is an important amendment to the plan, it should be open to public comments.

a. Absence of a clear public policy against displacement

In the draft action plan, the policy of minimizing travel and assistance to displaced people is present. However, there is no anti-displacement plan, such as required by the allocation notice. In a brief two paragraphs, Vivienda intends to address the allocation notice requirement on the minimization of displacements. In a single sentence it is mentioned that it "plans to minimize the movement of people or entities and assist people or entities displaced as a result of the implementation of a project funded by CDBG-DR ". The draft action plan does not provide details about that plan. Equally, we are concerned about VIVIENDA's assertion about how this policy "does not have the intention to limit the ability of VIVIENDA to carry out purchases or acquisitions of units or units destroyed and extensively damaged after a flood.

According to the draft action plan the possibility of participation in voluntary acquisitions and activities of optional relocation to "avoid repeated damage by flooding" , in accordance with the exemptions to applicable federal laws, would be tied to the fact that people prove to be eligible (through the concept of demonstrable hardship) whenever they experience circumstances such as "excessive amounts of debt due to a natural disaster, prolonged loss of work, substantial

reduction in family income, death of a family member, unexpected medical bills and extraordinary, inability. "

Absent a clear and effective mitigation plan, displacement – whether it's called "reubicación o relocalización " ie. relocation - may become undeclared policy for the management of these funds. This would be in accordance with the findings made after reading and summarizing the projects submitted by different municipalities. We are concerned that the references to mitigation of "risk conditions" are vague and limited to the possibility of using the CDBG-DR funds to match FEMA funds and thus make mitigation feasible. The elevation standards set out are taken care of general form and the plan does not describe how it plans to comply with §VI.B.32.e of the allocation notice, in contravention with the provisions of the allocation itself.

*"B. Stigmatization and displacement of people and communities without "formal" titles
We wonder what will happen to people who lack certificates of ownership (or "informal holders") regarding the developments and plans of relocation proposed to be implemented with these funds. When the draft action plan makes mention of informal housing, it is equated to housing in risk areas, built without permits, on public land. Then, there is an allusion to the problem of lack of ownership, noting that some of these homes lack an adequate title deed. In more than one occasion, reference is made to the fact that, in Puerto Rico, between 45-50% of dwellings are informal. We are concerned that, outside the "Planning Initiative Program", that would allow to identify informal housing and a reference to "reforms to the registry of plots for the restructuring of the real estate market," there is no clear information about the plans regarding these communities and homes after the updating of such registry. We want to emphasize that it is not correct to argue that dwellings that lack formal title are unsafe, are in risk areas or lack health or electric services. Lack of accessibility to assistance such as FEMA, as well as the alleged "illegality" of the occupation is in lieu of historical, social and economic factors that can be addressed by regulating their permanence, without the need for travel or relocations."*

PRDOH Response: PRDOH appreciates the feedback. A Title Clearance program has been added to the Action Plan and alternative means of proving ownership have been further outlined in the Homeowner Rehabilitation, Reconstruction or Relocation program. Relocation outlined in this Action Plan is voluntary.

"6. Accountability and transparency criteria

→ Action required: Require contractors, municipalities and other legal or natural persons to carry out the works required by the plan and detail the costs -line by line- of the work, to promote the adequate and efficient use of public funds.

→ Action required: Establish an appellate process that complies with the federal and local regulations. Because this is a substantial amendment to the plan, it must be open to public comments once it is incorporated.

→ Action required: Establish claim mechanisms against contractors who do not meet the necessary standards in construction.

Adjudication of funds and transparency

It is required that the draft action plan describe in detail the distribution method of funds to the municipalities, other recipients or the description of the project that will be carried out by the government directly as a recipient. The interest is to promote greater transparency and the highest level of accountability regarding the management of funds. For this, it is important that the draft action plan detail those eligibility criteria, objectives, criteria and method of distributing funds and the specific impact of these and other elements in the disaster recovery process.

In the same way, it is extremely important that the plan requires that each applicant - whether it is a natural person or legal entity- receive a detailed cost estimate of the destination given to the assistance, signed and dated by a person legally authorized to represent VIVIENDA. This will prevent the treasury from being defrauded with items or expenses unreasonable and inflated, promoting greater anti-corruption protection in favor of transparency.

B. Appeal process for the programs of VIVIENDA

The draft action plan indicates that an appeal process will be established for the participants and applicants of the CDBG-DR programs. This is not enough. The final plan must describe the appeal process in greater detail and clearly indicate that any applicant for the programs, as well as the participants of any program subsidized with CDBG-DR funds, have the right to claim any action or omission of the DV, recipient, subrecipient, or contractor that they believe to be detrimental to them. The final plan must include that the appellant, among other things, is entitled to copies of his file and written notification of the reason for the adverse decision or the reason for inaction; including the corresponding sections of law, regulation, policy of the program or another rule on which the denial was based. In turn, the final plan must establish that the affected persons will be entitled to a due process of law and other protections recognized by Puerto Rican administrative law, such as the exhaustion of remedies and the holding of hearings. It is essential that the due process of law is guaranteed in these processes with CDBG-DR funds. "

C. Standards for construction contractors and mechanisms in case of breach

The Plan should be emphatic in establishing detailed standards for construction, as well as mechanisms so that homeowners and small businesses can challenge the construction work performed that does not meet these criteria. HUD suggests a period of six (6) months to file a claim on construction. Additionally, it must be taken into account that the Civil Code of Puerto Rico establishes that the persons affected by vices of construction may exercise action against the contractor within a period of ten (10) years from the end of construction. "

PRDOH Response: Partners identified in the plan will perform duties under strict PRDOH monitoring and compliance oversight. All participants are subject to monitoring from HUD and Office of the Inspector General (OIG) monitoring at any time. Due to the federal nature of these funds, detailed reports on expenditures and activities will be reported to HUD on a quarterly basis and will be posted to the website.

Appeals processes will be tailored to each program and further described in program guidelines. Program guidelines will be developed after programs are approved by HUD. In accordance with 83 FR 5844, program guidelines will be posted to www.cdbg-dr.pr.gov after they are available.

"7. Comments on economic revitalization

→ Action required: Revalue and detail the programs aimed at economic recovery, from the perspective of needs disclosed by the communities themselves and including their participation as a priority. This is central to designing or developing a plan related to jobs, services and investments.

The proposed programs for economic recovery, like those of housing and infrastructure, must include a detailed description of the beneficiaries, beyond pointing out that they are aimed at people with low or moderate incomes and to satisfy unmet needs. In the draft action plan, there is no indicator, description of program, action, or goal that demonstrates how to meet the requirement that seventy percent (70%) of these funds are destined to benefit LMI populations.

For example, it does not explain how loans to small businesses meet the objective to benefit people with low or moderate incomes. Nor does it show how the tourism plans, which are not included in the document, will promote the development of the low and middle-income sectors. In turn, the draft action plan establishes that the economic development plan - in the words of the plan- is anchored in three pillars: a) reinvent and revitalize established industries; b) develop high-impact emblematic projects and c) use innovative strategies to advance Puerto Rico. Descriptions of the "emblematic programs of high impact" and the "innovative strategies" to be used should be included in the final plan. Since such strategies can be substantial amendments to the plan, they must be subject to public comments once they are detailed. If not, the communities will not be able to give their input about such proposals.

We note great concern about the lack of community participation in this draft action plan. The content on economic revitalization would have benefited enormously from the input of community leaders and grassroots organizations with experience and need for support in the development of microenterprises, small businesses and other types of local industries. Moreover, direct community participation would have the effect of promoting the recovery and sustainable revitalization of their environment, ensuring that responds to your needs.

For example, a program that consists of loans to small businesses must define, explain and clarify which small emerging companies have priority due to their link with the incubator program. Likewise, you must specify what type of emerging companies should be considered for the incubator program with an equitable perspective and assess the particular needs of the community to which that company would be serving. The risk of supporting emerging companies without an assessment of previous community needs constitutes a misuse of funds and does not promote the recovery or sustainable revitalization of the community. Also, specific criteria should be clarified regarding what is needed to request these loans and what conditions for cancelling them would entail. It is necessary to compile the criteria that a company would need to fulfill in order to be considered for the cancellation. In any case, we suggest assistance to community-based start-ups and junkets or community collectives arising from the disaster in communities' with scarce resources for their subsistence be considered, not as loans. The above requires a study that identifies community groups and grassroots organizations that have been responsible for assisting people in their community in areas of health, nutrition, psychological and social support, among others. Finally, we point out that in the job training section work categories be re-evaluated.

It is necessary to meet with community leaders and have an open dialogue to determine what kind of recovery work is needed in a community. Recovery work does not always involve labor in building. For example, in ALHM we have witnessed the need for work in the areas of psycho-social nature, health and nutrition. It is imperative that these job categories respond to the needs of each community and recognize the leading role that the communities and grassroots organizations can play in their management.”

PRDOH Response: Thank you for the comments. PRDOH values the input of organizations like Ayuda Legal Huracán María and looks forward to a continued positive working relationship.

Comment via Letter: #201_24-05-18_Miguel Rodriguez

The Municipality of Guayama presents their comments in opposition to the "Draft of the Plan of Action", by the part that exposes the Autonomous Municipality of Guayama. In light of May 10, 1918. The following are part of our comments:

1 - There is no notice to the residents of our community to participate in a public hearing and listen to the proposal of the proponent in his presentation.

2- Our community is part of the Historical Zone of Guayama since 1992, so we must protect it and keep it in perpetuity,

3- The Autonomous Municipality of Guayama is in contradiction outside of compliance with the law # 1 of March 1, 2001 known as the Integral Law of the Special Communities of Puerto Rico. The same law that gives us the right to self-management and empowerment of the residents of this community.

4- Recently, our community proposed an immediate project to mitigate overflow or floods "caused" by the Guaraní River, which will greatly endanger the damage of these waters.

5- The flooding affecting our community inspired a better understanding of the mismanagement of dammed waters of Lake Carite located in the northern part and mountainous area of the municipality. They have an elevation above sea level of 1,783 feet traveling more than 15 kilometers downstream. These waters devastated our community. CDBG funds must be allocated for what they were created - the long-term recovery of homes affected by disasters. (Hurricane Maria)

Moving or dismissing our community would really affect economic development. Both the shops of our community and the shops of the traditional urban center would be affected. We ask that the funds in your administration be well used in our community Borinquen de Guayama. Not of the proposal made by the municipality of Guayama that will benefit the owner of developer lands and political friends of this and under this incumbency. Yes to the development of our community, repair of homes and common areas. No to the proposal by the municipality and its administration to relocate and acquire affected homes, destroying our heritage.

Thank you very much, Miguel Rodriguez

PS:

Two families from our community have been re-housed on two previous occasions.

1. In the Vielodas de Guayama community area on land of an old landfill.

2. In the Barrancas Guayama community area in the vicinity of the mouth of the Guaraní River exposing these residents to floods due to storm surges and a surprise "tsunami".

We remonstrate contrary to what was proposed by the municipality of Guayama. "

PRDOH Response: Thank you for the comments. Programs outlined in the Action Plan are designed to serve a geographic area which includes all of Puerto Rico, including Guayama. All relocation outlined in this plan is voluntary.

Comment via Email: #202_25-05-18_Sarah Mickelson

"I am writing to submit comments to Puerto Rico's Community Development Block Grant Disaster Recovery (CDBG-DR) action plan on behalf of Diane Yentel, president and CEO of the National Low-Income Housing Coalition, and the Disaster Housing Recovery Coalition."

Attachment to Email:

The attachment offers information regarding the Disaster Recovery Housing Coalition and provides the following suggestions regarding the Action Plan.

“1. Deploying housing recovery funds and implementing cost-effective measures to ensure that all households – including homeowners, renters, and those who were experiencing homelessness before the disaster – receive the affordable and accessible housing assistance they need to get back on their feet.

- Include a detailed description of the beneficiaries for Puerto Rico’s proposed economic recovery, housing and infrastructure programs, indicating how the programs are aimed at people with low or moderate incomes and will address meet unmet needs. The Action Plan includes no indicators, program descriptions, actions, or goals that demonstrates how it will meet the CDBG-DR requirement that 70% of funds are used to benefit low and middle-income people.”*

PRDOH Response: Budget table has been revised to show estimated percentages of each program will spend to benefit low and moderate-income households. Program descriptions and goals are outlined in each program in the Action Plan.

- Include other strategies – beyond social interest housing – to meet the needs of impoverished communities and other groups with specific needs, such as people with disabilities, the elderly, and others. The action plan only outlines social interest housing plans for “people with functional diversity” and limits these programs to the construction of 500 housing units for people with "special needs" and a housing counseling system. The Action Plan includes commitments regarding Title VI of the Civil Rights Act and the Fair Housing Act, but it fails to mention how Puerto Rico will guarantee equal access to these federal funds.*

PRDOH Resposne: Thank you for the comment. The Whole Community Resilience Planning program is geared to ensure citizens in vulnerable communities have a voice in well developed whole community recovery strategies. The Rental Assistance program has been added to the Action Plan to address housing needs of the elderly. PRDOH will consider these comments as programs are further developed.

- “• Include a detailed description of who is considered a member of a “vulnerable population” for the purposes of this plan. As drafted, the plan only provides a general enumeration about "people of low or moderate income." Although the Action Plan includes an analysis of the level of poverty in Puerto Rico and indicators of social mobility, it does not include an analysis of the impact the hurricanes had on these populations. As a result, the data underlying this action plan is not sufficiently up to date and is not the best data available. The increase in poverty – due to the impact of the disasters – undoubtedly alters illustrative maps of people with low to moderate incomes,*

transforming the area and scope of where CDBG-DR funds should be deployed. We are concerned about the vagueness with which the issue of vulnerable populations is addressed in the Action Plan.”

PRDOH Response: A definition of vulnerable population has been added to the Action Plan.

- *“Provide greater resources to the most vulnerable households. The current action plan allocates a significant share of resources to a relatively small portion of the population. For example, the plan would provide \$45 million to the payment of backlogged mortgages. While we recognize the existence of a mortgage foreclosure crisis in the island, affecting more than 100,000 families currently at risk, we are concerned that resources are dedicated to this population under the umbrella of “low to moderate income” without further definition. We cannot lose sight of the fact that most people with mortgages are people with relatively higher incomes, so this could result in diverting resources away from people with the greatest needs.”*

PRDOH Response: Thank you for the comment. PRDOH will take this into consideration as programs are further developed.

- *“Establish a clear policy of non-displacement that prioritizes real, reasonable and participatory mitigation whenever possible. Displacement cannot be the first option.”*

PRDOH Response: All relocation options currently outlined in the Action Plan are voluntary.

- *“Ensure that the lack of documents that accredit ownership is not an obstacle in receiving assistance for housing after disasters. To do so, the action plan should adopt a definition of informal housing that does not include legal title as a condition for “formality.” The “Planning Initiative Program” would allow the identification of informal housing and includes a reference to “reforms to the registry of plots for the restructuring of the real estate market.” We are concerned that there is no clear plan regarding these communities and housing after the update of such registration. We want to emphasize that it is not correct to argue that dwellings that lack formal title are unsafe, are in risk areas, or lack of sanitary or electrical services. The lack of accessibility to assistance such as that of FEMA, as well as the alleged “illegality” of the occupation, responds to historical, social, and economic factors that should be addressed by regulating their permanence, without the need for displacement or relocation.*
- *Include and detail the strategies for public participation in addressing the issue of lack of formal title. We consider this to be an important amendment to the plan, and for that reason, it should be open to public comment.”*

PRDOH Response: PRDOH understands the challenges that are associated with lack of formal title on the island. A Title Clearance Program has been added to the Action Plan.

Criteria for what constitutes a substantial amendment is defined in the Action Plan. Amendments that meet the criteria for substantial amendment will be accompanied by a public comment period of not less than 14 days.

2. *“Ensuring that federal and state investments in public infrastructure and environmental remediation are allocated fairly and adequately to meet the needs of low income people and communities in urban, suburban, and rural communities.*

- *Re-evaluate and detail the programs aimed at economic recovery, from the perspective of needs disclosed by the communities themselves and including their participation as a priority. This is a central requirement when designing or elaborating a plan related to jobs, services, and investments.*
- *Ensure that the strategies for economic revitalization and infrastructure meet the needs and development of low income people and communities.”*

PRDOH Response: Citizen Participation is encouraged throughout the life of the CDBG-DR grant. Comment collected during the development of the Action Plan informed PRDOH’s program design.

3. *“Adopt transparent data and reporting standards to ensure that federal and state resources are allocated fairly and adequately to meet the needs of low income people and communities.*

- *Utilize additional data sources (like the U.S. Census) beyond FEMA data to identify unmet needs. Some of the main data sources used in the action plan to support the identification and assessment of unmet needs are FEMA, SBA and the Build Back Better Report from the Office of the Governor of Puerto Rico. Predictably, the most emphasized data is that provided by FEMA. Although the general norm is to use this information, we are not convinced that it is the “best available data” in accordance with HUD regulations. To collect this data, FEMA relies on inspections carried out by subcontractors who do not have the proper training and who, in many cases, fail to comply with the processes established by FEMA. There are requests pending for access to FEMA data – including requests from DHRC members – highlighting the agency’s lack of transparency across several disaster fronts.”*

PRDOH Response: Data sources used in the development of PRDOH’s unmet needs assessment are many. All sources used are cited in the appendices of the Action Plan.

- *“Require contractors, municipalities, and other legal or natural persons carrying out the work required by the plan- to make public a detailing line-by-line accounting of expenses in order to promote the adequate and efficient use of public funds. It is required that the Action Plan give a detailed description of the distribution method it will use to distribute funds to municipalities, subrecipients or the description of the project that will be directly carried out by the government as a recipient. To promote greater transparency and the highest level of accountability regarding the management of these funds, the Action Plan should provide greater detail of*

eligibility criteria, objectives, the criteria and method of distribution of funds, and the specific impact of these and other elements in the disaster recovery process.”

PRDOH Response: Information regarding expenditures and procurement will be published at www.cdbg-dr.pr.gov, when it becomes available, in accordance with 83 FR 5844. PRDOH is committed to leading a transparent recovery effort.

• *“Establish an appeals process that complies with federal and local regulations. Because this is a substantial amendment to the plan, it should be open to public comments once it is incorporated.”*

PRDOH Response: Appeals processes will be tailored to each program and further outlined in program guidelines, after HUD approves of the programs. Criteria for what constitutes a substantial amendment is defined in the Action Plan. Amendments that meet the criteria for substantial amendment will be accompanied by a public comment period of not less than 14 days.

“Establish guarantee and claim mechanisms against contractors who do not comply with the necessary standards in construction.”

PRDOH Response: thank you for the comment. This will be taken into consideration as program guidelines are established.

“4. Setting robust requirements for public information, education, and community participation.

- *Make available an official translation of the Allocation Notice (AN) into Spanish as well as information on other matters related to CDBG-DR funds to ensure effective communication to communities about the program, as well as broad notice of availability and eligibility of these funds.*
- *Conduct public hearings distributed in an equitable manner between geographical areas, at feasible times for the working population of the country. Notice of these public hearings should be done in an appropriate manner to ensure community participation.*
- *Extend the period to submit comments to the action plan so that communities have enough time to consider the draft, effectively assess the needs in terms of infrastructure and housing, and draft comments. To ensure meaningful and effective participation, Puerto Rico must consider the reality of the thousands of people who, eight months after the hurricane, still do not have electric power, electric service, transportation or means of communication necessary to learn about the plan and participate.*
- *Ensure that the action plan is accessible and readable for the general population.*

PRDOH Response: PRDOH has requested a translation of the Federal Register notice from HUD. Other materials on PRDOH’s website are available in Spanish and English. Public hearings have been conducted in geographical areas and at different times of the day, including weekends, as described in the citizen participation plan. PRDOH appreciates

these comments. Although PRDOH is not considering extending the comment period for this Action Plan, PRDOH will allow a 30-day comment period for the Action Plan associated with the next CDBG-DR allocation.

“5. Ensure that the lowest income households can fully benefit from federal disaster housing resources and have meaningful choices over where to live and opportunities for work – free from discrimination by furthering fair housing choice and combatting housing segregation.

- *Guarantee the right of the people affected by Hurricanes Irma and María to decide where they want to live. The Puerto Rico government and hire contractors have a responsibility to make all necessary efforts to obtain greater community participation and informed consent prior to proposals of relocation and evictions.”*

PRDOH Response: Relocation offered under this Action Plan is voluntary. Information regarding procurement, including copies of any executed contracts, is available at www.cdbg-dr.pr.gov.

- *“Guarantee the right of the people to remain or return to their communities whenever housing is safe and habitable. Communities and individuals must be given a real, participatory and reasonable opportunity to mitigate the damages suffered by the disaster. Mitigation should always be considered as the first alternative to relocation.*

- *Prioritize maintaining the integrity of the community, respecting geographic proximity and special needs that may exist, when relocation is necessary.*

- *Guarantee fair, equal, and non-discriminatory treatment to the affected people by providing adequate and equitable assistance throughout the recovery process. This includes the long-term recovery of their communities.”*

PRDOH Response: PRDOH thanks you for these comments. The Whole Community Resilience Planning program was developed to give citizens in vulnerable communities a meaningful opportunity to contribute to long-term recovery efforts in their community.

“Ensure a dignified and just recovery, in which each community and person is treated fairly and equitably, without discrimination based on race, sex, sexual orientation, gender identity, age, functional diversity, social condition, national origin or other protected classification. Equal treatment must be guaranteed in the attainment of projects aimed at flood protection and, equally, fair treatment in the implementation of housing, infrastructure or economic revitalization projects.

- *Proactively protect and defend the rights of historically vulnerable groups and identities such as the elderly, women, impoverished communities, people with functional diversity, people from LGBTTIQ communities, people experiencing homeless, immigrants and others.*

- *Ensure the highest standard of accessibility and participation for people with functional diversity, including compliance with local and federal regulations.”*

PRDOH Response: Thank you for the comments. PRDOH is committed to leading a recovery effort free from discriminatory practices, in accordance with applicable federal and local regulations.

- *“Require subrecipients of funds for economic, housing and infrastructure developments to hire people living in Puerto Rico, with an emphasis on vulnerable communities and groups.”*

PRDOH Response: Thank you for the comment.

Comment via Email: #203_17-05-18_Kathy Diaz

“How is the program going? I am interested because my house was damaged and I am waiting to see what I have to do. I am from ható. Rey tu hogar renace cannot help me until the roof, which is wood, is done. The rooms and the floor are also made of wood. Thank you.

PRDOH Response: PRDOH will begin offering assistance after receipt of HUD approval of the Action Plan. The final version of the Action Plan must be submitted to HUD no later than June 14, 2018. PRDOH estimates that programs will begin around September 2018. When programs have begun, details regarding how to apply for programs will be available at www.cdbg-dr.pr.gov.



