

ACTION PLAN

Community Development Block Grant Disaster Recovery (CDBG-DR) | 2013

August 30, 2013

> ready > set > succeed



Application for Federal Assistance SF-424

Version 02

*1. Type of Submission		*2. Type of Application	*If Revision, select appropriate letter(s):
<input type="checkbox"/> Preapplication		<input checked="" type="checkbox"/> New	
<input checked="" type="checkbox"/> Application		<input type="checkbox"/> Continuation	* Other (Specify)
<input type="checkbox"/> Changed/Corrected Application		<input type="checkbox"/> Revision	

*3. Date Received:	4. Application Identifier:
--------------------	----------------------------

5a. Federal Entity Identifier:	*5b. Federal Award Identifier:
--------------------------------	--------------------------------

State Use Only:	
6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Commonwealth of Pennsylvania	
* b. Employer/Taxpayer Identification Number (EIN/TIN): 38-3849352	*c. Organizational DUNS: 088115720

d. Address:	
*Street1: Commonwealth Keystone Building Street 2: 400 North Street, 4th Floor	
*City: Harrisburg	
County: Dauphin	
*State: Pennsylvania	
Province:	
Country: USA	*Zip/ Postal Code: 17120-0225

e. Organizational Unit:	
Department Name: Department of Community and Economic Development	Division Name: Center for Community Financing

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms.	First Name: Donna
Middle Name: M.	
*Last Name: Enrico	
Suffix:	

Title: Chief of the Community Development Operations Division

Organizational Affiliation: Center for Community Financing Department of Community and economic development

*Telephone Number: 717-720-7343	Fax Number: 717-214-5326
*Email: denrico@pa.gov	

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9. Type of Applicant 1: Select Applicant Type: **A. State Government**

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.269

CFDA Title:

CDBG-DR in Response to Disasters Occurring in 2011 or 2012

*12. Funding Opportunity Number:

N/A

*Title:

N/A

13. Competition Identification Number:

N/A

Title:

N/A

14. Areas Affected by Project (Cities, Counties, States, etc.):

36 disaster declared counties: Adams, Bedford, Berks, Bradford, Bucks, Chester, Columbia, Cumberland, Dauphin, Delaware, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York

*15. Descriptive Title of Applicant's Project:

State-Administered Community Block Grant (Disaster Recovery)

Attach supporting documents as specified in agency instructions.

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16. Congressional Districts Of: PA-001, PA-002, PA-005, PA-006, PA-007, PA-008, PA-009, PA010, (con't below)

*a. Applicant Commonwealth of PA *b. Program/Project: CDBG-DR - 36 Counties

Attach an additional list of Program/Project Congressional Districts if needed.
PA-011, PA-013, PA-015, PA-016, PA017, PA-019

17. Proposed Project:

*a. Start Date: 9-1-2013 *b. End Date: 9-30-2017

18. Estimated Funding (\$):

*a. Federal \$29,986.00
*b. Applicant
*c. State
*d. Local
*e. Other
*f. Program Income
*g. TOTAL \$29,986.00

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

- Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

**I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. *First Name: C.

Middle Name: Alan

*Last Name: Walker

Suffix:

*Title: Secretary, Department of Community and Economic Development

*Telephone Number: 717-787-3405

Fax Number: 717-783-4662

*Email: cawalker@pa.gov

*Signature of Authorized Representative: *C. Alan Walker*

Date Signed: 8-22-2013

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***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

State Certifications

Certifications waiver and alternative requirement. Sections 91.325 and 91.225 of title 24 of the Code of Federal Regulations are waived. Each State or unit of general local government receiving a direct allocation under **Federal Register** /Vol. 77, No. 73 /Monday, April 16, 2012, (this Notice) must make the following certifications with its Action Plan:

A. The Commonwealth of Pennsylvania (Grantee) certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within its jurisdiction take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (See 24 CFR 570.487(b)(2) and 570.601(a)(2).)

B. The grantee certifies that it has in effect and is following a residential anti displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.

C. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.

D. The grantee certifies that the Action Plan for Disaster Recovery is authorized under State law and that the grantee, and any entity or entities designated by the grantee, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice.

E. The grantee certifies that activities to be undertaken with funds under this Notice are consistent with its Action Plan.

F. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this Notice.

G. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

H. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each unit of local government receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).

I. The grantee certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the method of distribution of funding.

J. The grantee certifies that it is complying with each of the following criteria:

(1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 2011, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*).

(2) With respect to activities expected to be assisted with CDBG disaster recovery funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate income families.

(3) The aggregate use of CDBG disaster recovery funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent of the grant amount is expended for activities that benefit such persons.

(4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery grant funds, by assessing any amount against properties owned and occupied by persons of low and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (A) Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (B) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (A).

K. The grantee certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601–3619) and implementing regulations.

L. The grantee certifies that it has adopted and is enforcing the following policies. In addition, the grantee certifies that it will require units of general local government 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.

M. The grantee certifies that it (and any subrecipient or administering entity) has the capacity to carry out disaster recovery activities in a timely manner; or the grantee will develop a plan to increase capacity where such capacity is lacking.

N. The grantee certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55.

O. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.

P. The grantee certifies that it will comply with applicable laws.

C. Alan Walker, Secretary
PA Department of Community and Economic Development
Dated: August 22, 2013

**COMMONWEALTH OF PENNSYLVANIA
ACTION PLAN
FOR
COMMUNITY DEVELOPMENT BLOCK GRANT
for DISASTER RECOVERY (CDBG-DR)
2013**

Pursuant to:

U.S. Department of Housing and Urban Development, Docket No. FR-5696-N-01,
Published in *Federal Register*: March 5, 2013(First Allocation) and;

U.S. Department of Housing and Urban Development, Docket No. FR-5710-N-01,
Published in *Federal Register*: April 19, 2013 (Clarifying Guidance) and;

U.S. Department of Housing and Urban Development, Docket No. FR-5696-N-03,
Published in *Federal Register*: May 29, 2013(Grantees – Disasters in 2011 &
2012, Second Allocation) and

Authorized by:

Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January
29,2013)

Tom Corbett, Governor

C. Alan Walker, Secretary
PA Department of Community and Economic Development
www.newPA.com

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Executive Summary

The Commonwealth of Pennsylvania is required to publish an Action Plan for Disaster Recovery (subsequently referred to as Action Plan) that describes the proposed use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding associated with the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013). The Act provides for disaster relief, long-term recovery and restoration of infrastructure, housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.) (Stafford Act). The HUD guidance for the funding was published March 5, 2013 in the Federal Register as Docket Number FR-5696-N-01 and a second allocation announced on May 29, 2013 in the Federal Register as Docket Number FR-5696-N-03.

This document will describe 1) the eligible affected areas and eligible applicants; 2) the methodology to be used to distribute funds to those areas and applicants; 3) activities for which funding may be used; 4) citizen participation procedures; and 5) grant administration standards. The Department of Community and Economic Development (DCED or the Department) will be the recipient and state administrative agency for the use of CDBG for Disaster Recovery (CDBG-DR) funds for the Commonwealth of Pennsylvania.

This Action Plan will be used by the state to guide the distribution of the second allocation of \$29,986,000 of CDBG Disaster Recovery funding toward meeting disaster relief, long term recovery, restoration of housing, infrastructure, and economic revitalization needs in counties designated as Presidential Disaster Areas during 2011 as further directed by Public Law 112-55 and HUD's Notice of Funding Availability provided in Federal Register Volume 77, Number 73, Docket No. FR-5628-N-01 published on April 16, 2012 (the Notice).

While there remains a large degree of unmet needs in the Pennsylvania areas most impacted by the storms of 2011, the disaster recovery under the original allocation in 2012 is beginning with the release of the grant application for assistance on July 15, 2013. In 2012 DCED worked with a consultant to gather further information on unmet needs after the initial survey by HUD completed in December, 2011. The 2012 update found that there are significant unmet needs estimated at \$132.9 million, which included use of DCED's initial allocation of CDBG-Disaster Recovery funds in 2012 but not the direct allocations to Dauphin and Luzerne Counties. The first round of applications was received by DCED on August 23, 2013. Twenty two applications were submitted by local units of government totaling \$24,398,906. This round did not include the housing component.

The recovery process is a long-term process and must be coordinated with other federal, state, local and private resources. DCED will coordinate its CDBG-DR resources with the additional allocations made directly to Dauphin and Luzerne counties. DCED also is leading a broader recovery effort collectively with other state, federal, and local organizations called the State Recovery Resources Team. The CDBG-DR process of awarding funds and project activities will be deliberate and extend over a significant period of time. Consequently, citizens, businesses, and community groups must understand that the process and funds necessary to support recovery will be implemented over the long-term in order to fulfill the goals of disaster recovery.

The second allocation of disaster recovery funds (2013 allocation) covered under this Action Plan continues to address the unmet needs of the same areas as defined in the first allocation as outlined in the Action Plan of July 12, 2012 (2012 allocation) and will further the Commonwealth of Pennsylvania's efforts to provide long term recovery to its affected citizens.

As all needs have still not been finalized from these disasters, this Action Plan is an ever changing document. Substantial Amendments may be made to this Action Plan until September 30, 2017.

Effects of 2011 Presidentially Declared Disasters and Recovery Needs

In 2011, Pennsylvania was impacted by three declarations of Presidential Disaster Areas, including two major storm systems within 12 days of each other.

April Storms (Designation in July 2011)

The first designation occurred due to severe storms and flooding during the period of April 25-28, 2011, which impacted five counties in the northern tier of Pennsylvania near the New York border. These counties received aid from the Federal Emergency Management Agency (FEMA) to support public facility/infrastructure damages and the Commonwealth's and local response efforts.

Hurricane Irene

Pennsylvania was impacted by Hurricane Irene beginning late on Friday, August 26, 2011 with scattered rain showers across the Commonwealth. High winds and heavy rain associated with the very outer bands of Irene moved into the Commonwealth during the early morning of August 27, 2011. The main heavy rain shield associated with Irene moved into far Southeast Pennsylvania and continued throughout August 28, 2011. Some areas of the Commonwealth received in excess of five inches of rain over this 36 hour period. These excessive rain amounts caused major to catastrophic flash flooding in some areas of the Commonwealth. Widespread road flooding was reported, with numerous water rescues of stranded residents. The designated area included all counties bordering New Jersey and several in the Northeast Pennsylvania.

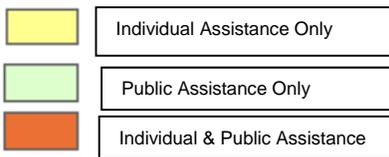
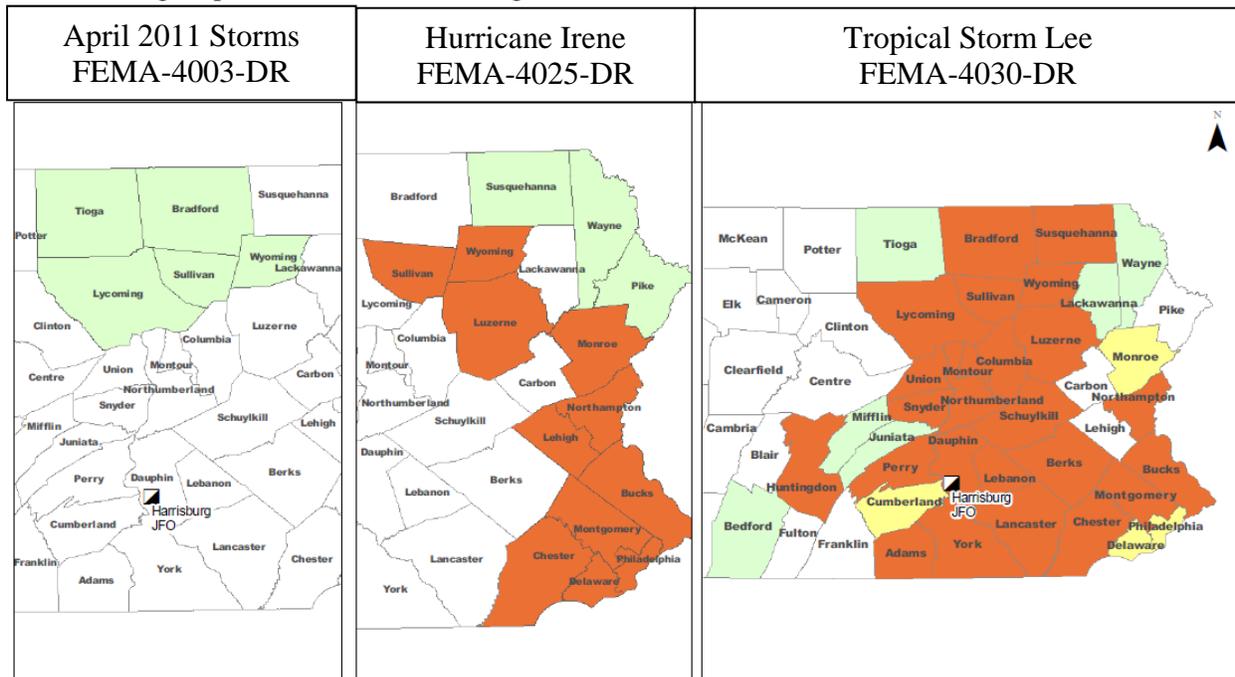
Tropical Storm Lee

Tropical Storm (TS) Lee began impacting Pennsylvania on the evening of Tuesday, September 6, 2011. Statewide rainfall total of 5.5 to 15.37 inches fell over the first 48 hours of the storm. The entire Commonwealth received above average rain fall over the previous 30 days, and the streams were all running high as a result. The remnants of TS Lee were absorbed by a large scale extra-tropical low centered in Central Ohio.

TS Lee left significant amounts of water over almost all of the eastern two-thirds of the Commonwealth, affecting the Delaware and Susquehanna River basins. Almost every town along the Susquehanna River experienced flooding including Athens, Towanda, Danville, Bloomsburg, Wilkes-Barre, Sunbury, Harrisburg and Marietta, as well as smaller communities in Lebanon, Lycoming, Schuylkill and Wyoming counties.

At the height of the response effort, there were 36 shelters open with 908 occupants. The Commonwealth has nearly 45,000 miles of rivers streams, nearly 30 waterways within that system were at or near record flood levels.

The following maps show the counties designated as Presidential Disaster Declaration Areas:



Consultation with Local Governments

DCED continues to provide information about the availability of CDBG-Disaster funds with local governments through public meetings and information on its website www.newPA.com. Some of the original consultation with local governments started early in the process by establishing Disaster Recovery Centers in 23 areas within days of the flooding to gather information from affected households and communities, while providing immediate assistance information for food, shelter, and necessities. On March 6, 2012, DCED participated in a conference workshop about the 2011 disaster response effort at the 2012 Winter/Legislative Conference of the Pennsylvania Association of Housing and Redevelopment Agencies in Harrisburg, PA. Also, on May 1, 2012, DCED staff presented information the allocation of CDBG-Disaster funds at the Community Development and Housing Practitioners Conference in State College, PA, which is an annual training event for subrecipients of federal funds administered by DCED. These conference events were open to any local government interested in learning more about DCED's efforts to support the disaster recovery.

Since the original allocation in 2012, additional opportunities for the state to gather comments and information on unmet needs have occurred. On October 10, 2012 a Summit on Rural Homelessness was held in the Town of Bloomsburg, Luzerne County. As Bloomsburg was one of the most severely hit communities with flooding, DCED took the opportunity to open the floor for questions about the disaster

recovery process and to gather additional unmet needs. On March 6, 2013 in Plymouth Township, Luzerne County a meeting was held with Township Supervisors, PEMA staff and DCED staff to discuss the CDBG-DR buyout program.

DCED staff worked with FEMA and its consultants to support the Long Term Community Recovery Planning efforts in some of the hardest hit communities. DCED staff participated in meetings and helped identify the potential uses of CDBG-Disaster funds in the action plans of those communities. These LTRC Plans were developed for Athens, Pine Grove/Upper Swatara Creek, Shickshinny, Valley United (West Wyoming Valley), and Bloomsburg.

DCED also held two targeted meetings with the counties that were hardest hit to coordinate the use of CDBG-Disaster funds and identify critical recovery needs. The first meeting was held with Dauphin and Luzerne counties, two counties that will receive a direct allocation of CDBG-Disaster funds for 2011 flooding disasters. Also, DCED invited the 8 counties with the highest level of unmet needs to a meeting on June 5, 2012 to discuss needs and help the Department develop its Action Plan for CDBG-Disaster funds. The 8 counties included the five counties that must receive 80% of the Commonwealth's allocation (Bradford, Columbia, Dauphin, Luzerne, and Wyoming) and the three counties with the next highest levels of unmet needs (Lebanon, Lycoming, and Schuylkill).

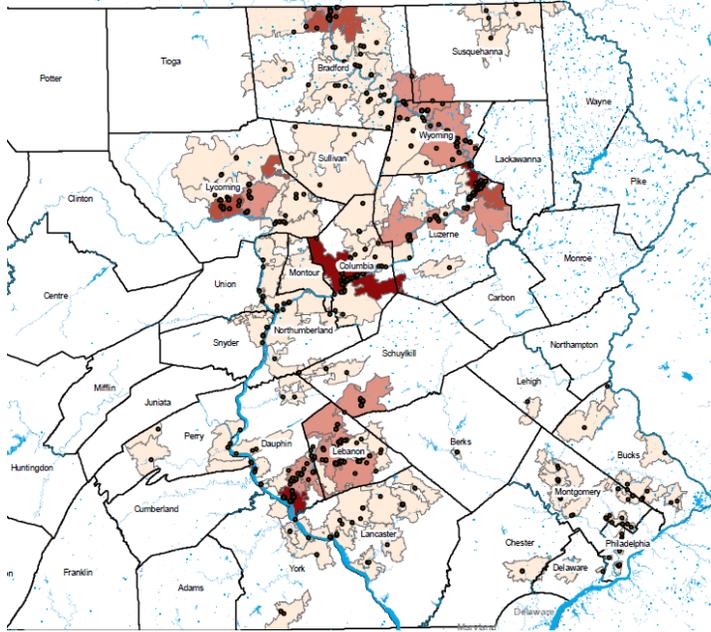
Additionally, DCED developed a draft Action Plan for comment, which was shared publicly and provided to local government associations. The document was distributed to these groups on July 13, 2012.

Impact and Unmet Needs Assessment

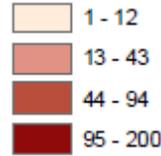
This Action Plan, once approved, will be used by the Commonwealth to guide the distribution of the allocation of \$29,986,000 of CDBG Disaster Recovery funding toward meeting unmet housing, infrastructure, and economic revitalization needs in counties designated as Presidential Disaster Areas during 2011 as further directed by Public Law 113– 2 and HUD's Notice of Funding Availability provided in Federal Register Volume 78, Number 103, Docket No FR–5696–N–03 published on May 29, 2013. This funding supplemented a previous award of \$27, 142,501 as provided through Public Law 112-55 and HUD's Notice of Funding Availability provided in Federal Register Volume 77, Number 73, Docket No. FR-5628-N-01 published on April 16, 2012.

While the needs are acute, the funding provided by HUD is inadequate to fulfill all unmet needs. The two allocations of CDBG-Disaster Recovery funds to DCED of \$27, 142,501 and \$29,986,000, totaling \$57,128,501 will provide significant resources in the process of helping disaster survivors, businesses, and communities mitigate their losses and finding options for recovery. (The Commonwealth also acknowledges that HUD is providing additional CDBG-DR funds directly to Luzerne and Dauphin counties, which in combination with DCED's allocations will total \$96,678,140.)

The follow map demonstrates the hardest hit areas based on the number of properties with greater than \$25,000 of real property damage according to FEMA property assessments:



Number of Properties per Zip Code area:



HUD data, as of December 2011, provided information about the counties with the greatest unmet needs. This list includes only those counties with at least \$2 million of unmet housing and business needs; other counties with needs are included in the Pennsylvania total. The full list may be found at: http://portal.hud.gov/hudportal/documents/huddoc?id=cdbg_dr_2011_unmet_dist.pdf

HUD Initial Assessment Data

County	Severely Damaged Homes	Severely Damaged Businesses	TOTAL SEVERE HOUSING AND BUSINESS NEEDS
Pennsylvania, Total	1,816	119	\$121,570,910
Luzerne County	436	48	31,313,488
Bradford County	294	17	17,225,323
Dauphin County	211	19	11,792,408
Columbia County	211	15	10,916,933
Wyoming County	134	10	10,610,507
Lycoming County	140	<10	8,754,838
Schuylkill County	45	<10	6,580,885
Lebanon County	106	<10	5,611,898
York County	28	10	2,797,899
Northumberland County	35	<10	2,495,216
Philadelphia County	26	<10	2,393,928
Lancaster County	39	<10	2,180,716

NOTE: The counties highlighted in yellow must receive at least 80% of all CDBG-DR funds HUD allocates to Pennsylvania as required in the Federal Register notice published on April 16, 2012.

The HUD Initial Assessment data in the chart above was based on early information from FEMA’s Individual Assistance data and Small Business Administration data as of December 2011. This initial data, provided with the first allocation of CDBG-Disaster Recovery funding. However, this data was incomplete in two ways. It lacked information on National Flood Insurance Program (NFIP) claims and damage information and claims from FEMA and SBA were not yet final.

Despite its limitations, the initial assessment data showed unmet needs of \$121,570,910. This figure exceeds the CDBG-DR funding approved for Pennsylvania, including DCED, Luzerne and Dauphin Counties – a total of \$96,678,140.

Updated Analysis of Unmet Housing, Infrastructure and Economic Needs

In 2012, DCED worked with a consultant to refine the unmet needs assessment data. That analysis added more comprehensive information from NFIP (June 2012) and updated FEMA Individual Assistance data (July 2012) and SBA data (July 2012). The 2012 update found that there are significant unmet needs estimated at \$132.9 million, which included use of DCED’s initial allocation of CDBG-Disaster Recovery funds in 2012 but not the direct allocations to Dauphin and Luzerne Counties.

	DCED Unmet Need Based Upon SBA, FIDA, & NFIP Claims			CDBG-DR Allocation April 16, 2012		
	Estimated Need Amount (and Number of Properties Damaged)	Estimated Benefit Received Amount	Estimated UNMET NEED Amount (and Number of Properties with UNMET NEED)	Funds Allocated	% of Need Funded	Estimated Unmet Need After CDBG
Economic Development	\$115,442,651.00 (2,131)	\$96,039,082.54	\$19,403,568.46 (2,131)	\$4,553,500.00	23.47%	\$14,850,068.46
Single Family Homes	\$477,913,035.00 (67,366)	\$353,065,270.39	\$124,847,764.61 (31,664)			
Rental Property	\$38,931,208.00 (7,774)	\$32,066,447.89	\$6,864,760.11 (6,769)			
Total Housing	\$516,844,243.00 (75,140)	\$385,131,718.28	\$131,712,524.72 (38,433)	\$13,660,501.00	10.37%	\$118,052,023.72
Infrastructure				3,500,000.00		
Planning & Services				5,428,500.00		
Total				\$27,142,501.00		\$132,902,092.18

The added data from NFIP included homeowners without replacement cost coverage for their damages and other homeowners not otherwise not fully covered for damages by NFIP. While duplication exists across the FEMA Individual Assistance data and NFIP, several differences minimize that duplication. FEMA data is a low estimate because the damage assessors are conscience of FEMA’s maximum assistance level of \$30,200 applicable to the 2011 flood disasters. The building damage assessments are deflated because the assessors know that FEMA will only pay up to that cap amount for all losses, including contents and temporary housing needs. These unreasonably low FEMA estimated offset the duplication between the data sets. Further, only 10% of FEMA recipients received SBA loans, which also minimizes the duplication.

This 2012 updated analysis is still limited in that there are no estimates on the amount of infrastructure needs. FEMA provided at least \$187,602,573 that was matched by state funding of \$46,900,643 to make infrastructure, building, and public facility repairs. Based on anecdotal information provided to DCED, there are communities that still have projects that were not completed using these funds and/or repairs were made that do not adequately address the long-term recovery of these communities. DCED will gain additional insight regarding these infrastructure and public needs through the Department’s initial application process for CDBG-Disaster Recovery funds. The window for this first round of applications opened on July 12, 2013 and will close August 23, 2013. Clearly, there are unmet needs to mitigate from future disasters and construct long-term remedies where temporary repairs had been made.

Also, the unmet planning and services needs have not been estimated yet. Again, DCED’s application process for the initial allocation of CDBG-Disaster Recovery funds will provide information as to the volume of needs in this category.

Additional Needs Assessment

DCED will contract with a vendor to undertake a more comprehensive assessment of unmet needs that fulfills the requirements of the Federal Register Notices published on May 29, 2013, which references the March 5, 2013 Notice, and the initial allocation Notice published on April 16, 2012. That assessment will update the 2012 analysis and enhance the information provided on: Housing, Infrastructure, and the Economy. This assessment will take into account the various forms of assistance available and likely to be available to affected communities and individuals. The needs assessment will take into account the cost of incorporating mitigation and resiliency measures to protect against future hazards.

DCED has received updated FEMA Individual Assistance data (as of May 2013) and will seek updated data from NFIP and SBA to conduct this analysis to comply fully with the CDBG-Disaster Recovery Notices.

Summary/Conclusions of Impact and Unmet Needs Assessment

The 2012 Updated Analysis described above serves as a baseline of information to demonstrate that Pennsylvania will allocate funds appropriately. Pennsylvania will still have significant unmet needs based on the 2102 analysis, even after receiving the additional CDBG-Disaster Recovery funds announced in 2013 as well as all of the funds allocated to Dauphin and Luzerne Counties:

Estimated Unmet Need – 2012 Analysis	\$132,902,092.18
Additional CDBG-Disaster Recovery Funds	
PA DCED	\$ 29,986,000.00

Dauphin & Luzerne Counties	\$ 39,555,639.00
Revised Estimated Unmet Need	\$ 63,360,453.18

Based on the 2012 Updated Analysis, HUD has not over funded the Commonwealth. Even with the added CDBG-Disaster Recovery funding, there is an unmet need more than double what HUD has provided DCED in total. DCED has conducted appropriate initial analysis, has sought feedback from affected communities, and will continue to refine this analysis of unmet need as it reviews the applications submitted for assistance. These steps provide a sound approach for the distribution of funds DCED has undertaken to date.

Connection between Unmet Needs and Allocation of CDBG-DR Funds (2013 Allocation)

DCED will allocate \$8,500,000 of the \$29,986,000 of CDBG-Disaster Recovery funds via this Action Plan. Based on the needs assessment data described above, these funds will be directed to housing needs, particularly buyout activities.

The data shows that unmet housing needs total more than \$118 million compared to \$14.85 million for unmet economic/business recovery needs. Further, DCED’s 2012 allocation will address 23% of the estimated business needs while meeting only 10% of the housing needs. This allocation would increase the percentage of housing needs met to 16.5%.

The Commonwealth’s 2012 allocation of CDBG-Disaster Recovery funds for targeted infrastructure needs was minimal because the Commonwealth committed all match required for FEMA’s Public Assistance program. Any local government facility or infrastructure project need that was eligible for FEMA Public Assistance will be covered by other resources committed by the Commonwealth, not CDBG-DR. DCED will allocate a modest portion of CDBG-DR funds for infrastructure activities in those communities/locations that propose “alternate” projects requiring funds beyond FEMA Public Assistance and the required state/local match, or infrastructure projects that were not eligible for FEMA Public Assistance. Additionally, DCED will support applications that extend the repairs and improvements to mitigate against future damages. A definite allocation amount for the 2013 allocation will be identified in an amendment that will be published in the PA Bulletin, once the first round of applications have been received.

As described above, DCED will develop a business impact assessment to identify the long-term recovery needs. Additionally, a needs assessment conducted by the Commonwealth, assisted by a vendor/subcontractor, will assist DCED in determining the long-term recovery needs of the areas impacted by the flooding disasters of 2011.

Because additional, more refined and more recent unmet needs data will be gathered in a needs assessment, DCED will continue to examine the impact of unmet needs against the Commonwealth’s allocation of funds among the variety of eligible activities. As the needs assessment is completed, and as DCED receives applications for the first allocation of CDBG-Disaster Recovery funds, DCED may shift funds and/or target to geographic areas that are not identified in this Action Plan. Changes that meet the requirements specified in this Action Plan will result in a Substantial Amendment to the Action Plan that is shared for public comment and will be published in the PA Bulletin.

Five counties (Bradford, Columbia, Dauphin, Luzerne, and Wyoming) must receive at least 80% of all CDBG-DR funds HUD allocates to Pennsylvania as required in the Federal Register notice. As unmet needs information is updated, DCED may request that additional counties be included in the 80% requirement. If such a change is proposed, DCED would provide opportunity for public comment as part of a Substantial Amendment to the Action Plan.

Short-Term Response / Recovery Needs

The significance of the two major flooding events is demonstrated in the statistics regarding the disaster damages:

- Federal Emergency Management Agency (FEMA) and numerous state agencies opened and operated 23 Disaster Recovery Centers which operated between September 14, 2011 and November 30, 2011
- 94,385 persons registered for assistance
- \$145,288,241 was approved to assist households through the Individual Assistance program to secure housing options, repair their homes, and cover other losses/needs, (as of August 1, 2013).
- \$187,602,573 was approved to assist local communities through the FEMA Public Assistance program to make infrastructure, building, and public facility repairs (as of August 1, 2013). The Commonwealth is providing the required match which totals at least \$46,900,643.
- More than \$325.8 million in claim payments were paid through the National Flood Insurance Program (NFIP), (as of June 15, 2012).
- Over \$101.7 million in low-interest disaster loans were approved by the U.S. Small Business Administration (SBA), with 90% of the approved applications and 74% of these funds assisting homeowners, as of October 15, 2012.
- 291 households were placed into temporary housing units provided by FEMA
- 18 confirmed fatalities

During the short-term recovery period immediately following the disaster, the Commonwealth deployed DCED staff at the DRCs with information on Homelessness Prevention, Rapid Re-Housing programs, county contacts for the Homeless Assistance Program, and contacts for Community Action Agencies. This network of local programs included linkage to emergency shelters, transitional housing options for homeless individuals and families, and services to prevent low-income families from becoming homeless due to the disaster.

A needs assessment conducted by the Commonwealth, assisted by a vendor/subcontractor, will assist DCED in determining the needs for these populations that remain after the 2011 disasters.

Long-Term Recovery Planning and Coordination

Recovery Resources Team (RRT)

The Commonwealth is developing a new approach to long-term recovery built on the National Disaster Recovery Framework. The approach will establish a Recovery Resources Team (RRT), co-chaired by DCED, the Pennsylvania Emergency Management Agency (PEMA) and FEMA, to coordinate the wide variety of federal, state, local, and private resources available to assist in long-term recovery. The staffing of this effort will be supported by a grant from the federal Economic Development Agency, and will focus on the planning and coordination of recovery efforts for all communities affected by the flooding events of 2011, as well as future disaster events. The Recovery Resources Team will be supported by six permanent committees, organized according to the recovery support functions of the national recovery framework, and work groups to address specific issues that respond to the needs, issues, and problems identified by citizens, local governments, community groups and businesses.

A primary focus of the RRT will be to leverage resources from other federal, state, local and private sources to support recovery needs. Additionally, the Team will help deliver technical assistance to community groups, businesses, and local governments in how to design and implement projects using the wide variety of resources available for recovery efforts.

Planning Requirements

To foster the rebuilding of more resilient neighborhoods and communities, DCED strongly encourages grantees to consider sustainable rebuilding scenarios such as the use of different development patterns, infill development and its reuse, alternative neighborhood designs, and the use of green infrastructure.

Pennsylvania is "Growing Smarter." DCED, through the Governor's Center for Local Government Services and other state agencies, along with thousands of local officials and other interested citizens throughout the Commonwealth, are working together to plan for the future health, sustainability and vitality of our communities. The Governor's Center for Local Government Services serves as a resource for local government officials, developers, and citizens interested in planning to improve, grow and enhance communities. It provides valuable tools that will support wise land use decisions and encourage economic development, a healthy environment, and strong communities. DCED participates in interagency planning efforts through the State Planning Board and a separate interagency coordination group that addresses planning issues. This process will be incorporated into all long term planning done through the disaster recovery efforts.

DCED also administers the Pennsylvania Flood Plain Management Act, Act 166 of 1978 which provides financial and technical resources for the preparation, enactment, administration, and enforcement of floodplain management ordinances/regulations by local governments. DCED's Municipal Assistance Program (MAP) includes a component for funding floodplain management activities. DCED reimburses 50% of eligible costs incurred in the prior full calendar year. DCED will continue to support training and technical assistance efforts for community planning, floodplain management, and building codes. DCED intends to provide planning support through CDBG-DR funds that will build upon the Long-Term Community Recovery plans that were developed with FEMA's assistance, helping to prioritize projects and develop appropriate, feasible implementation strategies.

DCED will impose planning and floodplain management requirements of all municipalities assisted through CDBG-DR funds. Specifically, any local government applicant seeking funds must document the following:

- Project is consistent with county comprehensive plan and applicable local planning and zoning ordinances
- Community must demonstrate that its floodplain management ordinance and mapping have been updated

Leverage of Other Funding

As previously stated the primary focus of the Recovery Resource Team will be to leverage resources from other federal, state, local and private sources to support recovery needs. Additionally, the Team will help deliver technical assistance to community groups, businesses, and local governments in how to design and implement projects using the wide variety of resources available for recovery efforts.

In addition DCED has prioritized any flood related activity for their funding programs including CDBG, HOME, ESG and the state funded Keystone Communities Program. The activities must meet the criteria of the programs but will receive priority if requesting assistance with disaster recovery or long-term mitigation.

As part of the application process, DCED is requesting local municipalities and organization to leverage funds for their projects and will allocation priority points during the review to those projects leveraging local funds.

Construction Requirements under the CDBG –DR Program

Building Codes

All rehabilitation, reconstruction, and new construction should be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigating the impact of future disasters. The CDBG-DR’s program guidelines will provide priority consideration to construction projects that provide high quality, durability, energy efficiency, sustainability, and mold resistance. All residential or commercial projects will adhere to the Pennsylvania Uniform Construction Code with local amendments as applicable. Priority will also be given to projects that exceed the UCC.

If construction work is exempt from the building code, the applicant must comply with DCED’s minimum rehabilitation standards to assure that work will bring the home up to minimum standards. These guidelines are a hybrid of the HUD Section 8 rehabilitation Standards. DCED may revised these further once a consultant has developed the housing guidelines.

As a minimum the following will also be followed:

Green Building

1. Green Building Standard for Replacement and New Construction of Residential Housing. Grantees must meet the Green Building Standard in:
 - a. all new construction of residential buildings;
 - b. all replacement of substantially damaged residential buildings.
Replacement of residential buildings may include reconstruction (i.e., demolishing and rebuilding a housing unit on the same lot in substantially the same manner) and may include changes

to structural elements such as flooring systems, columns or load bearing interior or exterior walls.

2. Green Building Standard requires that all construction covered by subparagraph (1), above, meet an industry-recognized standard that has achieved certification under at least one of the following programs: (i)
 - a. ENERGY STAR (Certified Homes or Multifamily High Rise)
 - b. Enterprise Green Communities
 - c. LEED (NC, Homes, Midrise, Existing Buildings O&M, or Neighborhood Development);
 - d. ICC-700 National Green Building Standard
 - e. EPA Indoor AirPlus (ENERGY STAR a prerequisite); or
 - f. Any other equivalent comprehensive green building program, including regional programs program.
3. Standards for rehabilitation of non-substantially- damaged residential buildings. For rehabilitation other than that described above, grantees must follow the guidelines specified in the HUD CPD Green Building Retrofit Checklist, available on the CPD Disaster Recovery Web site. Grantees must apply these guidelines to the extent applicable to the rehabilitation work undertaken, including the use of mold resistant products when replacing surfaces such as drywall. When older or obsolete products are replaced as part of the rehabilitation work, rehabilitation is required to use ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program (FEMP)- designated products and appliances. WaterSense-labeled products (e.g., faucets, toilets, showerheads) must be used when water products are replaced. Rehabilitated housing may also implement measures recommended in a Physical Condition Assessment (PCA) or Green Physical Needs Assessment (GPNA).
4. Implementation:
 - a. For construction projects completed, under construction, or under contract prior to the date that assistance is approved for the project, the grantee is encouraged to apply the applicable standards to the extent feasible, but the Green Building Standard is not required;
 - b. For specific required equipment or materials for which an ENERGY STAR- or Water- Sense-labeled or FEMP-designated product does not exist, the requirement to use such products does not apply.
5. HUD encourages grantees to implement green infrastructure policies to the extent practicable.

Assistance to Housing Types

Public Housing

In July, 2013 DCED conducted a survey to determine the extent of damage of public housing authority units and if there were any unmet needs remaining. The survey was sent to the 49 Public Housing authorities in the affected areas covered by this Action Plan. Nineteen authorities responded, with only three authorities indicating they had damage estimated to be approximately \$1,366,226. Fifty six residential units were affected. All three authorities had received assistance either through FEMA Assistance, National Flood Assistance Insurance, or Travelers Flood Insurance to rehabilitate or reconstruct these units. Though the residential needs have been addressed one authority received \$160,000 less from the insurance company than what was needed. They have gone to FEMA and HUD for assistance and both agencies have turned them down. There also remains about \$165,000 in unmet needs for non-residential units.

Additional contact will be made to get greater response from the authorities not responding.

HUD-assisted Housing

Attempts were made to gather this information for this Action Plan by DCED. There doesn't seem to be any standardized information on the damage of this type of housing. DCED will continue to make contact with housing agencies to determine the need.

McKinney – Vento Funded Shelters and Housing for the Homeless

DCED administers the Emergency Solutions Grant Program (ESG) for the state and is the Collaborative Applicant for the four Balance of State Continuum of Cares. As part of the application process, renovation or rehabilitation to emergency shelters is eligible for assistance. After the disasters in 2011, DCED conducted two application funding rounds for ESG. There has not been any request for funding for shelter rehabilitation or renovation due to flood damage or unmet needs.

There was one funding round for the Continuum of Care funding of transitional and permanent housing since the disasters. There were no requests for funding due to flood damage.

In an effort to seek information from agencies and service providers for homeless persons, including transitional and permanent housing providers, DCED solicited information from agencies attending a Summit on Rural Homelessness in Bloomsburg on October 10, 2012. That summit attracted attendees from across the eastern half of Pennsylvania.

Attendees were asked for comments and needs that arose as a result of the 2011 flooding events. DCED followed up with those attendees who submitted comments and needs and asked for additional information and details about:

- Difficulties finding affordable, suitable housing
- Other or additional issues identified since the Summit meeting
- Any unmet needs for the homeless population as a result of the flooding disasters

Very few people submitted comments to be addressed, even though DCED offer this outreach to address any present or future concerns related to the flooding disaster

Private Markets Receiving Project-Based Assistance or Section 8 Vouchers

Attempts were made to gather this information for this Action Plan by DCED. There doesn't seem to be any standardized information on the damage of this type of housing. DCED will continue to make contact with housing agencies to determine the need.

Assistance to All Income Groups

DCED will encourage the provision of adequate housing that is storm and flood resistant for all income groups that lived in the disaster-affected areas. DCED will continue to prioritize any emergency shelter requiring Emergency Solutions Grant Program shelter assistance to rehabilitate or renovation their shelter due to flood damage.

As other unmet needs present themselves to DCED through additional outreach, priority will be given to them.

Under the Emergency Solutions Grant Program funding is available for rapid rehousing of literally homeless individuals and households and homelessness prevention for at risk persons and families.

Priority will be given to applications from counties who are targeting the flood affected persons, so as to limit the time that they remain homeless due to the disasters.

DCED will encourage the Continuums of Care to provide priority to projects that seek to address the needs of those residents of the affected counties, who may need supportive housing. DCED will also discuss this with the Department of Health, who administers the HOPWA program for the state.

Planning Decisions on Racial, Ethnic and Low Income Concentrations

All successful grantees of the CDBG-DR funding will be required to follow the Fair Housing Act of 1968 in their planning and providing of assistance under this program. This will include the adoption of a Fair Housing Resolution, identifying a Fair Housing Officer, and fulfilling fair housing practices in all activities funded with federal funds.

Displacement of Persons

All successful grantees will be required to adopt an Anti-displacement Plan as part of their administration of the program. This plan must include their municipalities commitment to avoid displacement of residents if at possible. In the even they must displace a person or household, the plan must outline what assistance will be provided to the affected parties.

Monitoring Standards and Procedures

(1) Disaster CDBG projects will receive on-site monitoring to document local accountability and prevent inappropriate activities. Monitoring areas will include the standard CDBG programmatic areas including eligibility of activities, financial management, citizens' participation, environmental, procurement, and review of contract provisions, acquisition, rehabilitation, clearance, and disposition of any properties. The areas will be expanded to include a "duplication of benefits" analysis which will be completed for each grant. At the minimum each activity will be monitored at least once on site. Program representatives will also check and verify reported outcomes during on-site monitoring visits. Should any findings occur, recipients will be required to correct the problem or else the ineligible expenditures will be disallowed and funds recaptured by the DCED.

(2) The DCED will require status reports for the status of the activities undertaken and the funds drawn. The state will then report to HUD using the online Disaster Recovery Grant Reporting system. Additional reporting requirements (i.e., annual audits, contractual obligations and other required reports) will be specified in the DCED's grant agreement.

Non-Duplication of Benefits

In general, section 312 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5155), as amended, prohibits any person, business concern, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster as to which he has received financial assistance under any other program or from insurance or any other source. In order to comply with this law, DCED must ensure that each activity provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery

need that has not been fully met. This will be done through the intake process for assistance under all categories and must be reviewed prior to release of funds.

Program Income

The Commonwealth will allow local governments as subrecipients to retain program income from CDBG-DR projects. Subrecipients will be required to use any program income prior to drawing additional CDBG-DR funds. All subrecipients will be required to report program income. Any program income generated prior to DCED's closeout of the CDBG-DR grant must be used to continue disaster-related activities subject to the requirements of the HUD's Federal Register Program Notice. After grant closeout, DCED will require subrecipients in non-entitlement areas (includes state Act 179 entitlement communities and non-entitlement communities) to report on program income to the Department. For any direct federal entitlement community that accumulates program income, DCED will require that those subrecipients report on program income from CDBG-DR activities to HUD directly. All program income after grant closeout will be treated as CDBG program income.

Processes to Detect Fraud, Abuse and Mismanagement

DCED will oversee all activities and expenditures of the CDBG-DR funds. DCED disaster recovery staff as well as contractors may be hired to aid in the administration of the recovery grants.

1. The use of the disaster funding is contingent upon certain requirements, and both the state and local governments will be expected to certify that these requirements will be met or carried out. The chief elected official, or designee authorized by the unit of general local government or other eligible entities applying for funds will be required to certify in writing that the grant will be carried out in accordance with applicable laws and regulations. In addition, local governments will be required to submit or maintain documentation that fully supports the application that is submitted to the DCED. Failure to document that the project is needed as a result of the disaster(s), or to mitigate the effects of future disasters, will result in an application being declared ineligible. If this discovery is made after an award of the contract, the contract with the local government may be terminated and the local government may have to repay any funds received to that point.

DCED will undertake administrative and monitoring activities to better assure compliance with information provided by applicants. This will include meeting the disaster threshold, eligibility, and national objective, duplication of benefits, fair housing, nondiscrimination, labor standards, environmental regulations and procurement regulations.

2. CDBG disaster projects will receive on-site monitoring to document local accountability and prevent inappropriate activities. Monitoring areas will include the standard CDBG programmatic areas including eligibility of activities, financial management, citizen participation, environmental, procurement, and review of contract provisions, acquisition, rehabilitation, clearance, and disposition of any properties. The areas will be expanded to include a "duplication

of benefits” analysis which will be completed for each grant. At the minimum each activity will be monitored at least once on site. DCED disaster staff will also check and verify reported outcomes during on-site monitoring visits. Should any findings occur, recipients will be required to correct the problem or else the ineligible expenditures will be disallowed and funds recaptured by the DCED.

DCED is working with a HUD Technical Assistance provider on updating its current monitoring guide to incorporate desk auditing into the process. Once the monitoring guide is finalized, a copy will be forwarded to the Philadelphia Regional Office.

DCED will maintain a high level of transparency and accountability by using a combination of risk analysis, desk reviews and site visits. It will take into account prior administration performance, audit findings, as well as the complexity of the project. DCED will use this information to determine the areas to be monitored, the number of monitoring visits and their frequency.

DCED will continue to follow all guidelines it uses to monitor projects funded under the regular CDBG program. All contracts will be monitored on-site within 15 – 24 months of the grant contract and via other methods more frequently.

3. The Commonwealth has several internal audit functions that will have oversight responsibilities for the use of CDBG-DR funds.
 - a. DCED has a Monitoring and Reporting Division within the Financial Management Center to provide fiscal monitoring of DCED’s subrecipients receiving federal funds and grantees receiving state funds. The Financial Monitoring Unit performs fiscal reviews of subrecipients or grantees in compliance with federal requirements. In addition, the Financial Management Center currently reviews DCED’s internal fiscal procedures and will oversee preparation of contracts to assure quality and identify any potential noncompliance, fraud, or abuse. The Center reports to the Secretary of DCED through the Deputy Secretary for Administration, not through the Deputy Secretary for Community Affairs and Development who oversees the programmatic administration of CDBG-DR funds.
 - b. The Governor’s Budget Office includes the Bureau of Audits, which serves as the internal audit function for Commonwealth agencies under the Governor’s jurisdiction. This unit has a responsibility to perform internal audits of DCED’s programs based on risk and has performed them previously for some of DCED’s federal programs. The unit reports independently to the Governor’s Office. See further description: www.comptrolleroperations.state.pa.us/portal/server.pt/community/audits/19489
 - c. The Pennsylvania Office of Inspector General was created to protect the interests of the Commonwealth and its citizens. The Office of Inspector General’s mission is to prevent, investigate, and eradicate fraud, waste, abuse, and misconduct in the programs, operations, and contracting of executive agencies under the Governor’s jurisdiction. The Inspector General is a cabinet-level official who is appointed by, and reports to, the Governor. The Office of Inspector General has investigated incidents of potential fraud in programs administered by DCED.

- d. The Auditor General of Pennsylvania is a statewide elected position independent of all other state government agencies and elected officials. The Auditor General is responsible for ensuring that all state money (including federal funds administered by the Commonwealth) is spent legally and properly. The Auditor General performs both financial and performance audits. Financial audits provide citizens and outside entities with traditional financial audits including the assurance concerning reliability of financial statements. The Auditor General's performance audits gauge whether government programs and activities are meeting stated goals and objectives, and if public dollars are being spent efficiently and effectively. The Auditor General performs these audits of DCED's federal and state programs.

Capacity to Administer CDBG-DR Program

Administration and Staffing

The Pennsylvania Department of Community and Economic Development (DCED) has been designated as the administrator of Pennsylvania's allocation of the Supplemental Appropriations Act, 2011. Further, the State of Pennsylvania CDBG Program, within the Center of Community Financing, will provide technical assistance to local government grant recipients and undertake administrative and monitoring activities to ensure compliance with applicable federal requirements.

As required by federal regulation, the state will contract with an independent auditor or auditors who will independently ensure that program requirements, including non-duplication of benefits, are met, and that continual quality assurance is achieved, and who will report directly to the Secretary, or, at a minimum, to the Deputy Secretary of the DCED.

Increasing Capacity at Local Level

The DCED will be contracting with a mix of county governments, community & economic development organizations (CDO) and others to administer the disaster funding. The DCED has been working with the Pennsylvania Entitlement subrecipients (also called state Act 179 entitlements) on CDBG administration for over 25 years and meet regularly through annual conferences and trainings. In addition, DCED has been working with the Entitlement Subrecipient staffs since the disaster to keep them updated on events and timelines. The Federal Entitlement Counties of Luzerne and Dauphin have participated in joint conference calls with HUD officials regarding how to implement HUD requirements, etc.

DCED will provide on-going training and technical assistance to the disaster affected Subrecipient counties, CDO, and Federal Entitlement Counties as the need arises. Training sessions will be held to train them on grant administration requirements. As additional funding comes through HUD for Action Plan activities, DCED will continue to meet with these disaster affected Subrecipient counties, CDO, and Federal Entitlement Counties in person, via telephone conference calls and in person meetings. All disaster affected Subrecipient counties, CDO, and Federal Entitlement Counties and others administering the funds will be invited to training specific for grant management professionals involved in the financial and administrative management of federal grant awards. The training will cover controlling regulations, budgeting, cash management, financial reporting, cost principals, cost classification, procurement and agreements, sub-recipient monitoring, match/leveraged resources, property and grant closeout.

Activities to be Funded with CDBG-DR Program (2013 Allocation)

DCED will allocate funds in the following categories under this Action Plan (2013 Allocation) if the need arises. The Plan will be amended as data from the needs assessment indicates.

- Housing
- Economic Development
- Infrastructure
- Planning and Services

The preliminary decisions to allocate funds below are based on the limitations contained in the Federal Register Notice and data available from HUD, FEMA, NFIP, and SBA that indicated which counties were hardest hit. This is the best information available at this time about housing needs. As work on the needs assessment progresses, the Department intends to adjust existing allocation amounts and any additional awards to meet actual demonstrated needs. Adjustments will be based on need as documented by the subrecipients' current commitments, plus additional need as evidenced by applications in hand. Adjustments to amounts already under contract, if needed, will be accomplished by making adjustments to allocations when subrecipients seek time extensions to contracts, or through mutual agreement between the Department and individual subrecipients.

All activities outlined in the following method of distribution are strongly encouraged to include such scope or methods that may reduce impacts, reduce recovery time, or increase the resiliency of structures and physical improvements in future disasters.

I. HOUSING

A. Housing repair/rehabilitation, and homebuyer assistance.

Owner-occupied homes and rental units not participating in the PEMA buyout program may receive assistance to make needed repairs and rehabilitation. Within this overall repair/rehabilitation program, different requirements will apply, depending upon the cost of the needed/requested repairs. The overall maximum for any assistance will be \$150,000, with special review for any assistance exceeding \$80,000. All housing improvements must primarily focus on making homes habitable and meeting the applicable building code (including improvements that make homes more resistant to future flood damage). The improvements beyond those required to meet property standards (building codes) may include modest amenities and aesthetic features that are in keeping with housing of similar type in the community and must avoid luxury improvements, such as airjet tubs, saunas, outdoor spas, and granite countertops, etc. Also no rehabilitation work will be allowed for second and/or vacation homes. Rental units are eligible for assistance.

It is also important to note that all lead-based paint requirements will apply to any housing repair/rehabilitation, regardless of the cost or level of rehabilitation.

DCED intends to require that all potential recipients/beneficiaries under this activity will apply for assistance through a central processing point either online, by mail or in person. The verification of eligibility, duplication of benefit and estimated calculation of unmet need will be conducted by program administrators.

FEMA Disaster recovery case management assistance is provided throughout the declared disaster area in Pennsylvania through a FEMA grant provided to the Pennsylvania Department of Public Welfare (DPW). DCED will work closely with DPW to coordinate case management efforts where possible. On a case-by-case basis, DCED may supplement the provision of case management as part of the housing repair/rehabilitation and homebuyer assistance activities.

Households, whose homes were destroyed or damaged beyond reasonable repair maybe be offered assistance on the down payment for replacement housing.

Number Served: Additional needs as the assessment and applications are received

1. Allocation for Activity: To be determined after the needs assessment and submittal of applications.
2. Beneficiaries/Direct Recipients: Homeowners: The people benefiting from this activity will include households at or below 120 percent of median income. This income group has been called low, moderate, and middle income (LMMI) households.
3. Program Priorities: Based upon preliminary data, the thirty-six eligible counties have been divided into three areas. Area 1 will have the highest priority, then Area 2 and finally the balance of eligible counties subject to funds available.

Area 1 counties: Luzerne, Dauphin, Columbia, Bradford, Wyoming, Lycoming, Lebanon, and Schuylkill

Area 2 counties: Montgomery, Lancaster, Northumberland, Bucks, York, Sullivan, and Philadelphia

Area 3 counties: Snyder, Susquehanna, Perry, Cumberland, Montour, Chester, Berks, Delaware, Union, Northampton, Monroe, Lehigh, Adams, Huntingdon, Bedford, Juniata, Lackawanna, Mifflin, Tioga, Wayne and Pike

4. Program Administration: DCED intends to enter a contract with a single, lead entity to manage the centralized intake of households and project delivery steps necessary to undertake the rehabilitation and repair work in all 36 eligible counties. These delivery steps include, but are not limited to, determining beneficiary eligibility, duplication of benefit, work write-ups, inspections, and contractor/property owner payments. The range of work to be performed will be accomplished through a combination of the contract with a lead entity and subcontracts with county governments to undertake many of the specific project delivery functions, if the county has the capacity to perform those functions. If a county government does not have such capacity, the lead entity will manage the functions.

B. Housing Buyouts –

Since the first allocations is providing funds for homes assisted with FEMA buyouts, DCED will also provide assistance in buyouts through the use of these disaster funds for homes who do not meet the FEMA standards but still received flood damage. These homes may not lie within the 100 year flood plain but do within the 500 year flood plain. They may not meet FEMA’s definition of substantially damaged but received enough damage to make them unlivable or too costly to repair. Or they may not meet FEMA’s cost benefit ratio. This activity will be administered by DCED or its consultant.

CDBG-DR funds will be used as match required for the FEMA home buyouts in flood prone areas when assistance for these homes are requested. DCED sees this portion of this activity as minimal, as most of

the buyouts meeting FEMA standards will occur with the 2012 allocation of disaster funds. This activity will be administered by PEMA with allocations that agency will award to local governments.

Number Served: The actual number of homes to be served will be identified when the unmet needs assessment is completed.

1. Allocation for Activity: \$8.5million

2. Eligible Applicants: Homes receiving significant damage during the designated flood events. The actual requirements for eligibility will be determined once the additional need is determined.

3a. Threshold criterion: Will be determined once the needs assessment is completed.

3b. Criterion for Selection: Projects will be funded through guidelines established by DCED once PEMA's projects are completed.

4. Grant Size limits: Will be determined based on need..

C. New Housing Production

This activity was funded with \$2 million in the 2012 allocation. Until a determination of need is identified, no additional funding is being allocated to it.

II. ECONOMIC DEVELOPMENT

D. Business Stimulus and Resiliency

Businesses of any size making physical improvements that mitigate or reduce the opportunity of future impacts from flooding including but not limited to elevating mechanical, electrical, installation of flood walls may receive loans up to \$200,000 toward the cost of making such improvements. DCED reserves the right to authorize loans greater than \$200,000 under special circumstances.

Small Business owners suffering physical damage or economic loss may receive loans up to \$50,000 to provide working capital to help ensure business survival. Small business is defined as employers of less than 100 employees.

Administrators of Business Stimulus and Resiliency funds may provide technical assistance and implementation support as part of the proposed project, subject to DCED prior approval, or as a separate application activity.

Number Served: to be determined once the needs assessment is finalized and applications begin to come in from the affected municipalities. Additional information will be added by amendment to this Plan

III. INFRASTRUCTURE

E. Infrastructure – FEMA Eligible

CDBG funds will be used as unmet need for infrastructure projects funded under the FEMA Public Assistance or Hazard Mitigation Programs that have alternate scope or are improved creating a need to

leverage additional funds in order to complete the project. Also, projects that could have qualified for FEMA Public Assistance but did not apply will not be eligible for CDBG-DR funding.

Estimated Number Served: to be determined once the needs assessment is finalized and applications begin to come in from the affected municipalities. Additional information will be added by amendment to this Plan

F. Infrastructure – Non-FEMA

This assistance is for either public or private projects that FEMA or other sources cannot fund, but which are nevertheless critical to recovery.

Examples include damaged water and sewer systems, storm drainage, levees, other flood control and protection devices, roads and bridges.

Estimated Number Served: to be determined once the needs assessment is finalized and applications begin to come in from the affected municipalities. Additional information will be added by amendment to this Plan

IV. PLANNING AND SERVICES

G. Allocation Contingency

This amount will be determined once the needs assessment is finalized and applications begin to come in from the affected municipalities. Additional information will be added by amendment to this Plan

H. Administration

Administration activities are limited to 5 percent of total grant amount noting that 42 U.S.C. 5306(d)(5) and (6) are waived and replaced with the alternative requirement that the aggregate total for administrative and technical assistance expenditures must not exceed 5 percent. States remain limited to spending a maximum of 20 percent of their total grant amount on a combination of planning and program administration costs.

At this time the Commonwealth of Pennsylvania is only requesting \$8,500,000 of this allocations funds, so DCED is requesting 5% of that amount. Additional funding will be requested once other activities are amended to the Plan.

Allocation for Activity: \$425,000

I. Planning

Planning costs subject to the 20 percent cap are those defined in 42 U.S.C. 5305(a)(12): activities necessary (A) to develop a comprehensive community development plan, and (B) to develop a policy-planning-management capacity so that the recipient of assistance under this chapter may more rationally and effectively (i) determine its needs, (ii) set long-term goals and short-term objectives, (iii) devise programs and activities to meet these goals and objectives, (iv) evaluate the progress of such programs in accomplishing these goals and objectives, and (v) carry out management, coordination, and monitoring of activities necessary for effective planning implementation.

DCED must comply with 24 CFR 570.208(d)(4) when funding disaster recovery-assisted planning-only grants, or directly administering planning activities that guide recovery in accordance with the Appropriations Act. In addition, the types of planning activities that States may fund or undertake are expanded to be consistent with those of entitlement communities identified at 24 CFR 570.205.

At this time there is no identified need for funding in this category because of the substantial allocation in the 2012 allocation. If a need arises during the course of the contract an amendment will be completed for the request.

Budget Amounts Being Requested by Activity

Based upon preliminary unmet need information, DCED will allocate funds to CDBG-DR activities under its 2013 allocation as outlined in the following Table. DCED set these allocations using the best available data as of the date of this Action Plan and will adjust them as DCED receives more detailed needs data and program demand information.

	% of Funds	Fund Amount	National Objective	LMI %, Estimate	LMI Amount, Estimated
Housing					
~Repair/Rehab/Down payment ~Buyout ~New Housing Production	95%	\$8,500,000	UN/LMI UN/LMI LMI Only	20%	\$1,700,000
Economic Development					
~Business Recovery & Mitigation			UN/LMI		
Infrastructure					
~FEMA Assisted Projects ~ Non-FEMA Public and Private			UN/LMI UN/LMI		
Planning and Services					
~Contingency ~Planning (includes LBP and Other Training) ~Administration	5%	\$425,000	LMI Only		
Total Allocated		\$8,925,000*		20%	

* The remaining \$21,055,000 that is currently unbudgeted from the CDBG-DR allocation will be publically announced through substantial amendments throughout the contract period. These amounts will be determined once the needs assessment is finalized and applications begin to come in from the affected municipalities.

Action Plan Amendments

A. Substantial Amendments

Any amendment to Action Plan which would change the priorities, the goal statements, or method of distribution of HUD funds will be considered a substantial amendment. DCED will provide notices and make substantial amendments available for comments as they do for the regular Action Plan.

B. All Other Amendments

If this Action plan is amended in any other way, DCED will publish a notice in the *Pennsylvania Bulletin* containing either the amendment or information about how to obtain a copy of the amendment.

Public Comment Period to the Plan

DCED made the draft Action Plan available on August 10, 2013 and accepted comments through August 19, 2013. The draft Action Plan was posted at the following website: <http://www.newpa.com/community/documents-publications/cdbg-dr> . Also, notice of about the draft document appeared in the *Pennsylvania Bulletin*. A notice about the availability of the final document was sent to the following individuals and organizations:

- Chief Elected Official in 36 disaster-declared counties
- CDBG administrators in federal entitlement counties and municipalities within 36 disaster-declared counties
- CDBG administrators in non-entitlement counties and municipalities statewide
- State associations of Counties, Cities & Municipalities, Boroughs, and Townships
- Local Development Districts & Economic Development Districts in 36 disaster-declared counties
- Members of PA Housing Advisory Committee and Regional Housing Advisory Committees
- Members of Community Development and Housing Practitioners Advisory Committee
- Representatives of Federal Emergency Management Agency and Pennsylvania Emergency Management Agency
- Pennsylvania Association of Housing and Redevelopment Agencies
- Pennsylvania Housing Alliance

Additionally, DCED submitted the document for translation into Spanish and posted that version on its website. DCED's website places documents on their websites that are accessible to persons with visual impairments to make the document available for transfer to electronic media that is readable for such individuals.

Written comments to this plan may be sent through the following means:

E-mail : Leigh Wintrode – lwintrode@pa.gov
John Guers – jguers@pa.gov
David Grey – dgrey@pa.gov

Mail : DCED
400 North St. 4th Floor
Keystone Building
Harrisburg, PA 17020

No citizen comments were received on this Action Plan as of August 29, 2013. Any received after the submission of this Plan to HUD will be discussed in future amendments.