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CDBG-MIT Citizen Participation Plan

County of Hawai‘i

Planning Department | Civil Defense Agency

Revised – May 2022

| VERSION | DATE | PAGE | DESCRIPTION |
|---------|------------|------|---|
| 1.0 | 10/23/2021 | N/A | N/A |
| 1.1 | 05/02/2022 | 5-9 | Provided additional detail in sections on Language Access and Individuals with Disabilities |

Version history is tracked in the table above, with notes regarding version changes. The date of each publication is also tracked in this table. The first version of this document is 1.0. Substantive changes within this document that reflect a policy change will result in the issuance of a new version 2.0, an increase in the primary version number. Future policy changes will result in additional revision and issuance of a new primary version number. Non-substantive changes within this document that do not affect the interpretation or applicability of the policy (such as minor editing or clarification of existing policy) will be included in minor version updates denoted by a sequential number increase after the primary version number. Such changes would result in a version number such as 2.1, 2.2, etc.

Overview

The U.S. Department of Housing and Urban Development (HUD) is granting the County of Hawai'i \$6.86 million in Community Development Block Grant-Mitigation (CDBG-MIT) funding. The amount and requirements, including applicable waivers and regulations, were outlined in a notice published in the Federal Register Notice (86 FR 561) on Jan. 6, 2021. To receive the funds, the County is required to submit an Action Plan to HUD that outlines how the grants will be used to increase “resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.”

Selected projects are based on the County's Multi-Hazard Mitigation Plan that was updated in 2020. As part of the update, County Civil Defense formed a working group and held four public meetings across the island to receive resident input.

The purpose of this Citizen Participation Plan (CPP) is to allow residents the opportunity to inform the CDBG-MIT Action Plan and projects that will be funded with this grant. The design of the CPP aligns with the requirements listed in the applicable Federal Register Notices allocating funds for hazard mitigation.

Goals

The goals of the CPP are to:

1. Provide for and encourage citizen participation, particularly of low- and moderate-income persons.
2. Ensure residents have reasonable and timely access to public meetings being held to receive input on the Action Plan, as well as clearly communicate to residents how to submit public comments on the Action Plan.
3. Ensure residents are notified of amendments to the Action Plan.
4. Provide residents with information about programs to be funded, how they meet national objectives, and local needs, in addition to how decisions were made.

Citizen Participation Process

To facilitate public engagement, the County will make the CPP and Action Plan available online. The Planning Department's website will be the primary repository for these and related

documents. This page also will direct viewers to the Multi-Hazard Mitigation Plan on the Civil Defense website for additional background information. Additionally, links to the CDBG-MIT webpage will be provided on the County's homepage and Civil Defense website to increase its visibility.

Materials and links that will be published to the website will include:

- Action Plan, Action Plan Amendments, and DRDR Action Plan
- Information on Projects and Programs Funded by CDBG-MIT
- Procurement Policies and Procedures
- Notice of Active Procurements
- Procured Contracts with CDBG-MIT Funds
- Citizen Participation Plan
- Program Policies and Procedures
- Public Meeting Notices
- Anti-Fraud, Waste and Abuse Policy
- Program Applications and Required Forms
- Program Guidelines
- Complaint and Appeals Policies.

Updates to the website will be made in conjunction with any new activity, associated with the CDBG-MIT program action plan. Further, any new document created in support of the CDBG-MIT program will be published to the website within 5 business days of the final approved publication date.

Notices for public comment will be published on Hawai'i Island's two daily newspapers – Hawai'i Tribune-Herald and West Hawai'i Today – in addition to press releases. The County's Communications staff will work with reporters to answer questions and coordinate regarding use of social media to promote opportunities for public involvement. Department staff also will coordinate with the County's nine Council members to distribute information to their constituents. This could include use of their email distribution lists, newsletters, websites, social media, etc.

Members of the public will be able to lodge complaints via an email link on the website, as well as through non-electronic means. The email address for complaints will be monitored daily. The County will respond promptly within 15 days of receipt of each complaint. An assigned Communications Specialist will monitor the email address, log all complaints, and coordinate to provide responses.

Public Meetings

The County will hold two public meetings, one prior to the publication of the Draft Initial Action Plan and one during the 45-day Public Comment Period for the Draft Initial Action Plan. At the time of this publication, meetings will be held virtually due to the COVID-19 pandemic. Recordings of the meetings with closed captioning will be posted on the County's website. Comments and questions received during the meetings will be documented and responded to. Notices and press releases for the meetings will be provided 14 calendar days ahead of time. In-person public meetings are expected to resume once the COVID-19 pandemic is no longer a risk to public health and safety. This protocol for a public meeting during a 45-day Public Comment period will be followed for any substantial amendments to the Action Plan.

Submitting Comments

Comments will be collected and responded to by the County's Planning Department. Outside of public meetings, comments will be accepted through:

- By email: cdbgmit@hawaiicounty.gov
- In-person, during office hours, at:
 - 101 Pauahi Street, Suite 3, Hilo, HI 96720
 - 74-5044 Ane Keohokalole Highway, Building E, 2nd Floor, Kailua-Kona, HI 96740
- By U.S. mail to 101 Pauahi Street, Suite 3, Hilo, HI 96720

All comments will be given the same consideration regardless of the method of submission. The County will consider all comments and views expressed by members of the public on the Action Plan and may make modifications to the Action Plan, if deemed appropriate.

Citizen Advisory Committee

Following acceptance of the Action Plan, the County will form a Citizen Advisory Committee that will meet in an open forum at least bi-annually, either virtually or in-person. The goal of the Citizen Advisory Committee is to serve as an ongoing public forum to inform CDBG-MIT projects and programs, leading to transparency. The Committee will serve as an ongoing public forum and to inform the public on CDBG-MIT projects and programs.

Low-to Moderate-Income

The County of Hawai‘i is separated into nine geographic districts: North and South Kona, North and South Kohala, Hāmākua, North and South Hilo, Puna, and Ka‘ū. According to American Community Survey data, in 14 of the 31 Census Tracts, the average household makes less than 80% of the County’s median household income. These tracts are located in four Districts – Puna, Ka‘ū, and North and South Hilo. These geographic areas will be reached through press releases and public service announcements in newspaper and radio, social media, and coordinating with area local and state elected officials.

Language Access

According to the 2013-2017 American Community Survey, 5-year Estimates (ACS), 74.2% of the population in the State of Hawai‘i speaks only English, and 25.8% speaks a primary language other than English. The County contains a slightly higher concentration of people who primarily speak English, with 80.5% of the County’s population speaking only English and 19.5% speaking a primary language other than English. The most prevalent languages spoken in the County following English are Asian and Pacific Island languages, which are spoken by 15.2% of the population (28,019 residents).

2013-2017 American Community Survey, 5-year Estimates for County of Hawai‘i

| Language Group | Number of Language Speakers | Number of LEP within Language Group | Percent LEP within Language Group | Percent Language Group in all LEP |
|--|-----------------------------|-------------------------------------|-----------------------------------|-----------------------------------|
| English | 148,210 | - | - | - |
| Spanish | 3,588 | 1,018 | 24.8% | 8.8% |
| French, Haitian, Cajun | 647 | 115 | 17.8% | 1.0% |
| German or Related Lang. | 318 | 76 | 23.9% | 0.7% |
| Russian, Polish, Slavic Lang | 591 | 185 | 31.3% | 1.6% |
| Other Indo-European Lang. | 711 | 120 | 16.9% | 1.0% |
| Korean | 1,236 | 554 | 44.8% | 4.8% |
| Mandarin and Cantonese | 831 | 358 | 43.1% | 3.1% |
| Vietnamese | 219 | 148 | 67.6% | 1.3% |
| Tagalog | 4,182 | 1,752 | 41.9% | 15.2% |
| Other Asian and Pacific Island Languages | 22,551 | 7,095 | 32.9% | 61.5% |
| Arabic | 136 | 0 | 0.0% | 0.0% |
| Other Languages | 1,995 | 111 | 5.6% | 1.0% |

The ACS estimates that 6.3% percent of County residents speak English less than “very well,” which represents the County’s Limited-English Proficient (LEP) population. Language for LEP persons can be a barrier to accessing important benefits or services, understanding, and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the County. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin.

In order to determine the level of access needed by LEP persons the County in its administration of CDBG-MIT funded activities considered four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the CDBG-MIT program; (2) the frequency with which LEP persons come in contact with the CDBG-MIT program; (3) the nature and importance of the program, activity, or service provided by the CDBG-MIT program to people’s lives; and (4) the resources available to the County and associated costs. Balancing these four factors will ensure meaningful access by LEP persons to critical services in a way that is consistent, appropriate, and meaningful. For each factor in its analysis, the County has assigned a value between one (1) and five (5), one being very low and five being very high.

Factor 1 – Number/Proportion of LEP Persons Eligible to be Served or Likely to be Encountered by the Program:

HUD requires that grantees ensure meaningful access for each LEP language group that constitutes 5% or more or 1,000 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered by the CDBG-MIT Program. Based on 2013-2017 data from the American Community Survey (see Table 2.6) three language groups meet this qualification countywide: Spanish (1,018 LEP speakers, or 0.6% of County population), Tagalog (1,752 LEP speakers, or 1.0% of County population), and Ilocano (1,543 LEP speakers, or 0.8% of County population). While all CDBG-MIT programs are for public infrastructure or planning studies and do not provide direct services to individuals or households, all County residents will be automatically served by three or more CDBG-MIT programs without requiring application or interaction with the Program or Program staff.

Factor 1 Conclusion: The number of LEP speakers of three languages is above the 1,000-person threshold and below the 5% threshold established by HUD. The County has assigned a value of four (4) in its analysis, as the count of individual LEP persons who will be served by the CDBG-MIT program is high, and the proportion of LEP persons as a percentage is low.

Factor 2 - Frequency with which LEP Persons Come in Contact with the Program:

Projects are all internal County-coordinated public infrastructure and planning projects and do not involve applications for or the provision of direct service. While projects will enhance community lifelines in times of disaster, County residents, including LEP persons, are highly unlikely to come into direct contact with the CDBG-MIT Program often, if at all. The two shelter retrofit projects will impact resident lives most directly, as this will involve closing the Hisaoka Gym and the Kea'au Armory temporarily during renovations.

In general, the need for language services even for County programs and services more directly and regularly accessed by County residents is typically low. According to a survey conducted by the County's Equal Opportunity Officer in 2021, the total number of requests made by LEP individuals to all County departments from March 2019 – March 2020 was 3,924 persons representing 19 languages, with 63% requesting services from the Immigration Information Office, 25% from Parks and Recreation, 7% from the Hilo Golf Course, and only 5% requesting services or information from other County departments.

Factor 2 Conclusion: The frequency with which LEP persons will come into contact with the CDBG-MIT Program is one (1), very low.

Factor 3 – Nature/Importance of the Program, Activity, or Service Provided by the Program to People's Lives:

Projects will ultimately impact the safety and security of individuals and property island wide. However, unlike housing buyouts or programs focused on direct service, aside from operational efficiencies noticed by emergency management staff, residents will not experience direct benefits of any one project in their day-to-day lives, until policies implemented as a result of zoning and flood studies impact where and how the County is further developed. In fact, most residents should not expect to experience recognizable project impacts within a year or more, pending frequency and intensity of emergency and disaster events. Benefits will become more apparent in the event of an emergency incident or disaster with improved emergency response times (ArcGIS, fire equipment and water storage tanks), power redundancy to continue the supply of potable water to neighborhoods, availability of safe shelter space, and any long-range outcomes catalyzed by planning assessments.

Factor 3 Conclusion: Due to the nature of the activities and the low level of importance in residents' day to day lives, the County has assigned value of two (2) to this Factor, or low.

Factor 4 - Resources Available to the County and Associated Costs:

The cost to translate 100+ page documents such as an Action Plan into another language can range from \$10 to \$100 per page, averaging \$25 per page, depending upon the language, font size, and technical complexity of the document. Using the \$25 average, this means that translation of key program documents (which in this case are the Action Plan, Policies and Procedures, and RFPs, as no program applications are involved) could cost the County as much as \$7,500 or more to translate a 100-page document into three languages, adding a strain to the County's already limited budget.

Because the percentage of LEP persons is 6.3% of the population island-wide, the number of individuals speaking each language represented within this population is low, and the County seldom receives requests for LEP services for the programs proposed in this CDBG-MIT Action Plan, the County does not translate larger documents for the variety of the County's LEP populations as a practice. Instead, the County provides public information to LEP persons by offering translated written notice in the primary language of LEP persons regarding the right to receive competent oral interpretation of any written materials at no cost. With respect to interpreter services, the County has a contract with LanguageLine Solutions to provide telephone interpretation services upon request.

Factor 4 Conclusion: Due to limited resources and high cost of translating key documents involved in CDBG-MIT programs, a score of one (1, very low) has been given to this Factor, for the low level of cost reasonableness in providing written translation.

Scoring and Conclusion:

Using the reasoning provided above and a County-devised scoring system to help assess level of access needed to written CDBG-MIT documents, the County has determined that the level of access needed is Low. The County is confident that its existing procedure for providing oral interpretation of written CDBG-MIT documents upon request provides fair and equal access to LEP individuals in the County.

Factor 1: 4

Factor 2: 1

Factor 3: 2

Factor 4: 1

Average Score = $8/4 = 2$ (Low)

Individuals with Disabilities

The County is committed to the full inclusion of all members of the public in community engagement and the implementation of CDBG-MIT projects without regard to disability or any other classification protected by state or federal law. As part of this commitment, the County will ensure that persons with disabilities are provided reasonable accommodations as it pertains to accessing information and participation in CDBG-MIT activities. Per Section 508 of the Rehabilitation Act of 1973, the County's Action Plan, and other program documents available on the CDBG-MIT website are made ADA-compliant using Adobe Acrobat Pro DC so that digital documents available to the public are readable by software utilized by blind and vision-impaired individuals. The County will continue to provide all uploaded documents in this format to ensure that individuals with disabilities have ready access to and use of information and data comparable to the access and use of information and data by individuals without disabilities, so long as this does not result in an undue burden on the County.

Relay Hawai'i, a service overseen by the Hawai'i Public Utilities Commission, provides full telephone accessibility to people in Hawai'i who are deaf, hard of hearing, deafblind or have a speech disability and is accessed by dialing 711. Sign language interpreters are able to be hired through our Equal Opportunities Officer (EOO) if needed for public events and individual interpretation, and assisted listening devices are available through the EOO for in-person use as well. Any member of the public can contact the Planning Department by phone at (808) 961-8288 (East Hawai'i) or 323-4770 (West Hawai'i), or by email at cdbgmit@hawaiicounty.gov, for support to access information and services provided by the County.

Action Plan Amendments

If the need arises, this Action Plan will be amended in accordance with the Federal Register and all related HUD requirements. The following modifications will constitute a substantial amendment to this Action Plan:

- A change in program benefit or eligibility criteria
- The allocation or re-allocation of 10% or more of the CDBG-MIT grant
- The addition or deletion of an activity

Prior to submitting a substantial amendment, the County will work with its HUD CPD representative to ensure the proposed change is consistent with the Federal Register and all other HUD requirements. The County will follow its Citizen Participation Plan in engaging with the public on this substantial amendment to the Action Plan. Once HUD approves this substantial amendment to the Action Plan associated changes to projects and budgets will be updated in DRGR and reflected in its accounting system. The approved amendment will be posted on the County's CDBG-MIT webpage. The County shall make those changes to its accounting system as well as DRGR in a timely manner.

For non-substantial amendments the CDBG-MIT Project Specialist will review the proposed change(s) to the Action Plan to determine if the change constitutes a non-substantial amendment. If the change requires a non-substantial amendment, the grantee will submit the non-substantial Amendment to HUD. After HUD approval, the County posts the non-substantial amendment to the County's CDBG-MIT website. The County shall make those changes to its accounting system as well as DRGR in a timely manner. A statement of why the change is necessary shall be submitted with the request for a budget revision.

Quarterly Performance Reports (QPR) will be prepared and submitted per HUD deadlines with the latest data in HUD's Disaster Recovery grant Reporting (DRGR) system.