

# RESTORE



## Louisiana Non- Federal Share Match Program

# Program Implementation

## How the program process works

### Eligibility:

- Eligible applicant must have FEMA obligated Project Worksheet (PW)
- If no PWs have been written by FEMA and obligated, the applicant must wait until there is an eligible PW to begin participation in program

### Participation in Program:

- OCD-DRU will send eligible applicants a **Program Participation Form**
- Applicant must complete **Program Participation Form** and return to OCD-DRU to begin project review process

# Program Implementation (Cont.)

## Project Review and Approval of each eligible PW:

- Specific project information will be obtained from LouisianaPA.com
  - Project Worksheet
  - Supporting Documents
  - File Notes
  
- OCD-DRU staff will review projects and document HUD specific requirements:
  - Environmental Review
  - National Objective
  - Eligible Activity
  - Duplication of Benefits

# Environmental Review

(24 CFR Part 58)

- An environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards.
- The environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users.
- Not every project is subject to a full environmental review (i.e., every project's environmental impact must be examined, but the extent of this examination varies), but every project must be in compliance with the [National Environmental Policy Act \(NEPA\)](#), and other related Federal and state environmental laws.

# Environmental Review

(24 CFR Part 58)

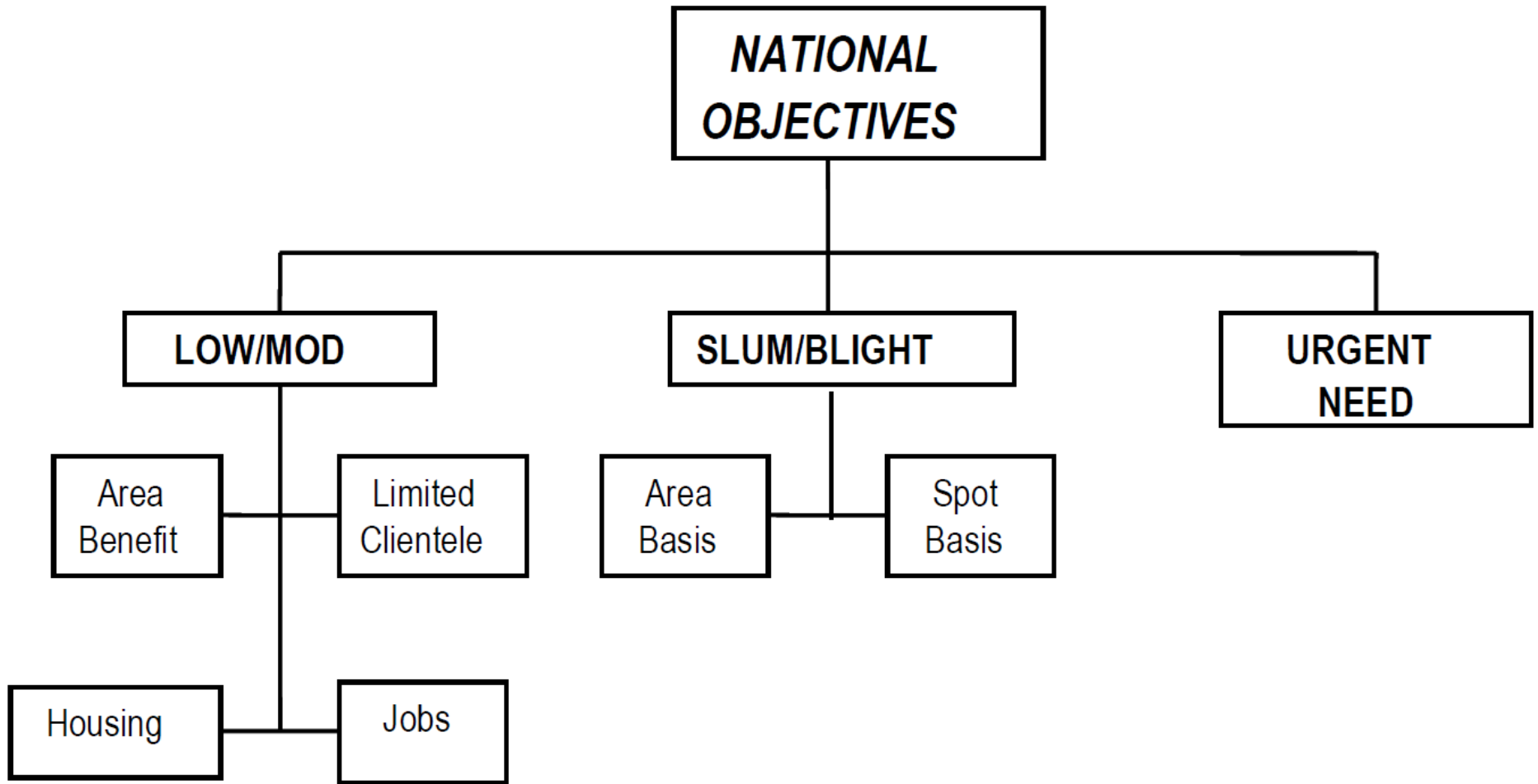
- Environmental review is completed by FEMA and will be adopted for use for the CDBG-DR match
  - The project scope of work completed must be exactly as described in the PW.
  - At this time, no match funds can be used for a project that includes additional scope of work not included in the approved PW

# National Objective

- OCD-DRU staff will document the required beneficiary information by service area for each eligible project work sheet as required by HUD
  - The PW may not clearly identify the target/project areas in order to determine the beneficiaries of the project
  - OCD-DRU will use census data to determine the low/mod persons being served by each individual PW
- Match Programs primarily use Urgent Need (UN), Low to Moderate Income(LMI), Slum and Blight

# Service Area Determination

- The determination of the area served by an activity is critical.
- The inclusion or exclusion of a particular portion of a community's jurisdiction can make the difference between whether or not the percentage of LMI residents in the service area is high enough to qualify under the LMI benefit national objective.
- The principal responsibility for determining the area served by an activity rests with the state. HUD will generally accept a state's determination unless the nature of the activity or its location raises serious doubts about the area claimed by the state.
- In making this determination, a state may use the HUD-provided data on percentage of LMI residents by census tract/block group, derived from the most recently available decennial Census/American Community Survey, together with the Section 8 income limits that would have applied at the time the income information was collected by the Census Bureau.





# L/M Income Area Benefit

For these purposes, an area benefit activity is an activity *that is available to benefit all the residents of an area* that is primarily residential. In order to qualify as addressing the national objective of benefit to L/M income persons on an area basis, an activity must meet the identified needs of L/M income persons residing in an area where at least 51 percent of the residents are L/M income persons. The benefits of this type of activity are available to all residents in the area regardless of income.

The requirement that an area benefit activity must qualify on the basis of the income levels of the persons who reside in the area served by the activity is statutory. (See HCDA Section 105(c)(2).) This means that the activity may not qualify as meeting the L/M income area benefit national objective on any other basis. For example, if the assisted activity is a park that *serves* an area having a L/M income concentration below 51 percent, the activity may not qualify even if there is reason to believe that the park will actually be *used* primarily by L/M income persons.

# ELIGIBLE ACTIVITY

## How Do FEMA Categories Align with HUD Eligible Activities

	FEMA Category	Category Description	DRGR Eligible Activity (can be UN or LMI)
Response Categories	A	Debris Removal	105(a)(4) - Clearance
	B	Emergency Protective Measures	105(a)(8) - Public Services
Recovery Categories	C	Roads & Bridges	105(a)(2) - Public Facilities
	D	Water Control Facilities	
	E	Buildings & Equipment	
	F	Utilities	
	G	Parks, Recreation, & Other	

# Duplication of Benefits

- The applicant must adopt and submit to OCD-DRU a Duplication of Benefits Policy.
- OCD-DRU staff will complete an analysis to ensure that there is no duplication within each project.
- A sample policy is provided in the Grantee Administrative Manual on the OCD-DRU website:

[http://www.doa.la.gov/OCDDRU%20AdminManual/Section\\_02/Exhibit%202-5%20-%20DOB%20Policy.pdf](http://www.doa.la.gov/OCDDRU%20AdminManual/Section_02/Exhibit%202-5%20-%20DOB%20Policy.pdf)

# Program Implementation (Cont.)

## Award/Commitment of Funding:

- An agreement between the applicant and OCD-DRU will be created identifying the list of eligible PWs
- If requested, OCD-DRU will issue an approval notice as a commitment of funds

## Construction Period:

- OCD-DRU staff will work with the applicant on relevant CDBG-DR requirements and perform reviews as the project progresses
- Technical assistance will be provided by infrastructure staff as well as an assigned outreach representative to help ensure applicant compliance.
- Documents are to be uploaded to LouisianaPA.com

# Program Implementation (Cont.)

## Payment at FEMA/GOHSEP Closeout:

- At PW closeout, GOHSEP will certify the procurement, supporting documents and the final project costs to establish the final matching funds required
- After receipt of the GOHSEP certification, OCD-DRU staff will prepare the request for payment (RFP) for each PW
- RFP will be sent to the applicant for review and approval
- Payment will be processed once executed RFP is received

# Procurement Ineligibility:

- GOHSEP will only certify eligible large PWs (above \$121,800) in which all procurement and documentation has been reviewed and approved
- OCD-DRU is discussing the ability to process and approve Small PWs (Under \$121,800) with HUD using the FEMA approval process or applicants will have to upload to LouisianaPA.com
- If an entity does not have invoices for work completed, a cost analysis is acceptable for FEMA but HUD requires complete procurement compliance with supporting documents. The use of this method of cost analysis for reasonableness will not be eligible for match funding.

# OCD-DRU Grantee Manual

- National Objective

[http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section\\_2/Section\\_2\\_v3.8.pdf](http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section_2/Section_2_v3.8.pdf)

- Beneficiary Data

[http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section\\_2/Section\\_2\\_v3.8.pdf](http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section_2/Section_2_v3.8.pdf)

- Section 3

[http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section\\_8/Section\\_8\\_v3.85.pdf](http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section_8/Section_8_v3.85.pdf)

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- Labor Compliance

[http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section\\_7/Section\\_7\\_v3.85.pdf](http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section_7/Section_7_v3.85.pdf)

- Civil Rights

[http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section\\_8/Section\\_8\\_v3.85.pdf](http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section_8/Section_8_v3.85.pdf)

- Procurement & Contracts

[http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section\\_6/Section\\_6\\_v3.86.pdf](http://www.doa.la.gov/OCDDRU/Administration%20Manual/Section_6/Section_6_v3.86.pdf)

- Duplication of Benefits

[http://www.doa.la.gov/OCDDRU%20AdminManual/Section\\_02/Exhibit%202-5%20-%20DOB%20Policy.pdf](http://www.doa.la.gov/OCDDRU%20AdminManual/Section_02/Exhibit%202-5%20-%20DOB%20Policy.pdf)

# Next steps:

- Complete the Program Participation Form received from OCD-DRU so that OCD-DRU can begin review of project to determine eligibility
- OCD-DRU will begin to send out the forms by the end of August.



# Contact Us

- For all questions please email us at [DRU.INFRASTRUCTURE@LA.GOV](mailto:DRU.INFRASTRUCTURE@LA.GOV)
- The Grantee policy manual can be found at: <http://www.doa.la.gov/Pages/ocd-dru/DRadminManual.aspx>