

**The State of West Virginia
Community Development Block Grant
Mitigation (CDBG-MIT) Training**





west virginia
CAD

Virtual Training Norms

Today's webinar will be recorded and posted for future reference.

- ❑ All participants will be muted by default.
- ❑ We encourage participation in the following ways:
 - ❑ Use the “Questions” function to ask questions. This will allow WV CAD to have a written record of all questions.
 - ❑ Use “raise hand” button and WV CAD will unmute one participant at a time.
- ❑ Following the meeting, any questions or comments can be emailed to CDBGmitigation@wv.gov
- ❑ **Register!** Presentation slides will be emailed to participants who registered for the hearing.
 - ❑ Joined the webinar with a group? If you're sharing a computer or logging in with a group, we only have 1 person's contact info. Please provide us with the names and emails of others so they can continue to receive updates.

CDBG-MIT Team

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Introduction

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Getting Started

- Ground Rules
- Agenda Overview
- Review Audience Objectives / Greatest Concerns



Agenda

- I. Public Facilities and Public Improvements
- II. National Objectives for Public Facilities and Public Improvement Activities
- III. Low-Mod Area National Objective: Determining LMA Service Areas
- IV. Low-Mod Clientele National Objective
- V. Urgent Need Mitigation National Objective
- VI. Questions

Public Facilities and CDBG-MIT

Neither the Housing and Community Development Act nor the regulations define the terms “public facilities” or “public improvement”

These terms are broadly interpreted to include all improvements and facilities that are either publicly owned or that are traditionally provided by the government

It also includes improvements and facilities owned by a nonprofit and operated so as to be open to the general public

What are Public Facilities and Improvements?

Public Facilities Include

- Firehouses
- Public Schools
- Libraries and
- Housing shelters

Public Improvements Include:

- Streets, sidewalks, curbs and gutters
- Parks, playgrounds
- Water and sewer lines
- Flood and drainage improvements
- Parking lots
- Utility lines and
- Aesthetic amenities on public property such as trees, sculptures, pools of water and fountains, and other works of art.

Public Facilities, Public Improvements and National Objectives

Public Facilities and
Public Improvement
Activities tend to meet
one of the following:

- **Low-Mod Area (LMA) National Objective**
- To meet this National Objective, the service area for the activity must be:
 - Clearly identified in advance
 - Primarily residential
 - At least 51 percent low-mod
 - Examples:
 - Parks, Playgrounds, Stormwater Management, Water/Sewer Facility Hardening
- **Low-Mod Income Limited Clientele (LMC) National Objective**
 - Examples:
 - Senior Centers, Homeless Shelters, Medical Centers that have income requirements for service
- **Urgent Need Mitigation**
 - If you can't make it fit in one of the two above

Low-Mod Area (LMA) National Objective

- ❑ To qualify under LMA, the activity must benefit all residents of an area
- ❑ The area must be primarily residential and at least 51% low-to-moderate-income according to census or survey data
- ❑ Before implementing the activity, the subrecipient must define the service area of the activity—the area the activity is expected to serve
- ❑ LMA eligibility is based on where the beneficiaries live, NOT where the activity will be located

How Do I Identify the Service Area?

Some activity types come with a Service Area already identified

- Police Precincts
- Fire stations
- Schools

For other activities Grantees must identify the Service Area

- The grantee's determination of the area served will usually be accepted by HUD **EXCEPT**:
- **WHEN** there are indications that the grantee-defined area is **clearly** too small or too large.

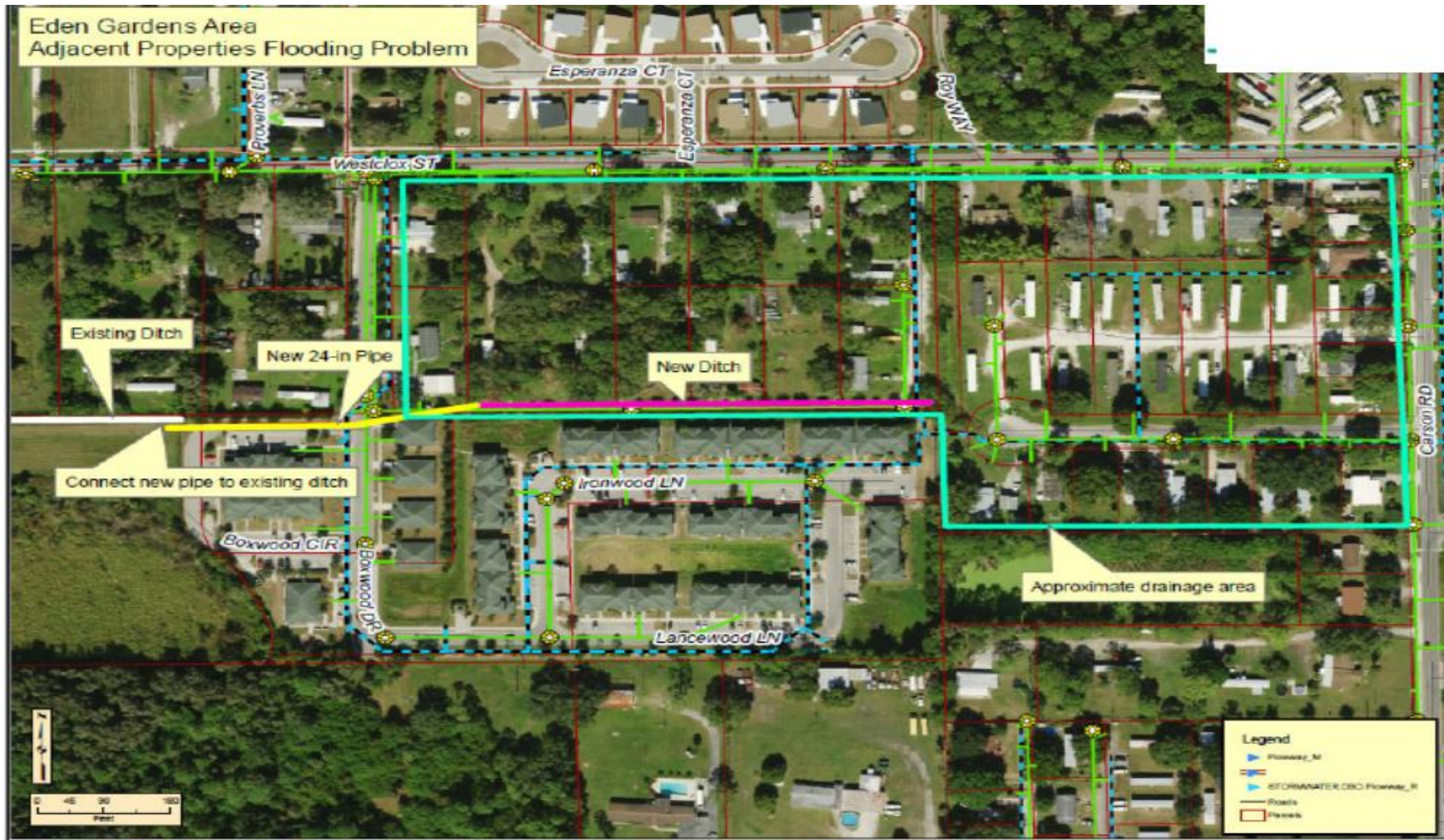
Factors to be considered when identifying a Service Area:

- The nature of the activity;
- The location of the activity;
- Accessibility to LMI persons compared to non-LMI persons; and
- The availability of comparable activities nearby.

Let's Look at Some Examples

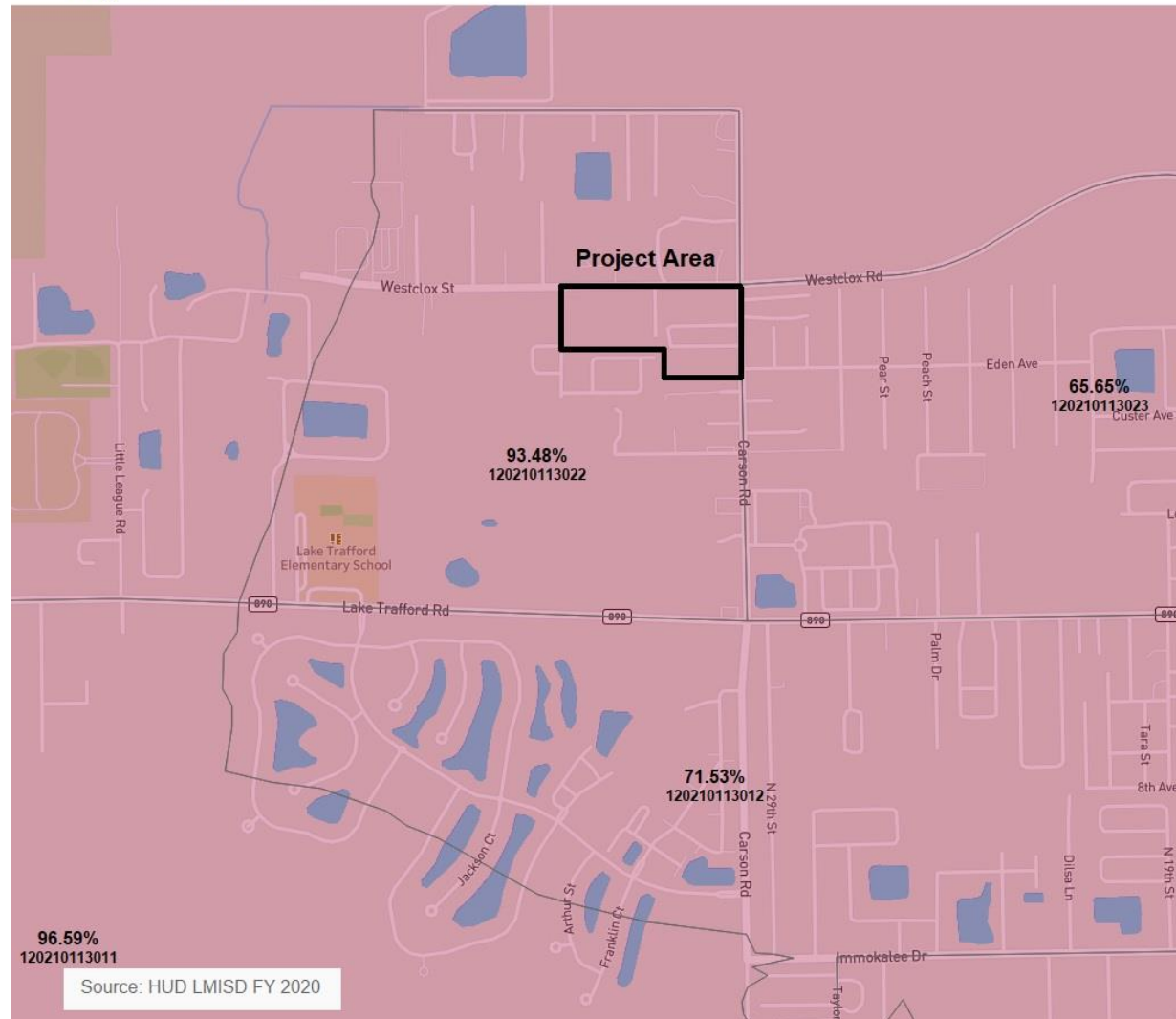
- ❑ **Issue:** Stormwater accumulates and floods structures in a specific neighborhood.
- ❑ **Background Data:**
 - ❑ Ground elevation information identifies that the area generally north and northeast of an existing subdivision and existing road is lower in elevation than the surrounding areas.
 - ❑ This area lacks a stormwater conveyance system to move flows westward to the existing ditch. Stormwater is trapped in this area and floods structures during moderate to heavy rains.
- ❑ **Proposed Project:**
 - ❑ Construct a new ditch along the northern boundary of the existing subdivision.
 - ❑ Install a 24" pipe under the road to tie into the existing ditch along the northwest boundary of the existing subdivision to convey flows further west into the existing drainage retention area.

Stormwater Project Service Area Map



Use Census Geography To Determine Percent Low-Mod

Project Area LMI Status



Source: HUD LMISD FY 2020

Stormwater Improvements at a School

- ❑ **Issue:** Stormwater accumulation in the parking lot and recreation fields at Low Valley High School in the Greentop School District. The Village of Greentop wants to install a stormwater detention/filtration system at the school.
- ❑ **LMI Data:** Greentop School District is 61% LMI. The high school is just within the boundary of a census tract that is 52% LMI, adjacent to a CT that is 37% LMI. Combined, the LMI population of the two tracts is 45% LMI
- ❑ **Considerations for determining the Service Area:**
 - The entire school district is at least 51% LMI but includes many families that are not impacted by the flooding at Low Valley High School.
 - The school is physically located in a CDBG-eligible census tract but serves a student body that includes a neighboring, higher income Census tract

X The Service Area is not Low-Mod

REMINDER: It is the Service Area That Matters; Not the Location of the Project

Construction of a Recreation Area in a Floodplain

- ❑ **Issue:** A portion of Fawcett Avenue borders a creek and floods repeatedly. The County plans to acquire and demolish the flood-damaged houses and construct a recreation area with biking and walking trails. The area is in a 100-year floodplain.
- ❑ **LMI Data:** The proposed recreation area is located in Soggy Bottom, a Census Designated Place with a population of 25,000 – 80% LMI. The entire County has a population of 400,000 – 38% LMI.
- ❑ **Considerations for determining Service Area:**
 - The nature of the activity – Recreation (eligible under CDBG regulations)
 - The location of the activity – In a majority-LMI Census Designated Place
 - LMI Accessibility – Agricultural area, 45-minute drive from higher density areas. The trails will be accessible to Soggy Bottom residents, relatively inaccessible to other areas
 - Availability of comparable activities – There are 11 other community parks with trails in the County which has a total population of about 400,000

✓ **Low-Mod Service Area**



Low-Moderate Income Summary Data for CDBG, NSP, and CDBG-DR Area-Benefit Activities (based on the 2011-2015 ACS)

Web Mapping Application by Robert.C.Peterson@hud.gov_HUD

Created: Feb 15, 2019 Updated: Aug 26, 2020 View Count: 70,842

View Application

Description

TRAINING VIDEO: General Overview of CDBG Area Benefit, the LMISD Data, and Surveys.

These low- and moderate-income summary data (LMISD) are based on special tabulations of the American Community Survey 2011-2015 5-year estimates (2015 ACS). These data will replace the prior LMISD based on the American Community Survey 2006-2010 5-year estimates (2010 ACS) for the purposes of demonstrating compliance with the CDBG National Objective of providing benefit to low- and moderate-income persons on an area basis ("Area Benefit" or LMA) and other purposes discussed in CPD Notice 19-02

These data provide estimated counts of persons based on their family income as either:

- Low: at or below 50% of the area median income AMI,
LowMod: at or below 80% of AMI, and
LMMI: at or below 120% of AMI (just for the NSP program)

Details

Size: 62 KB
API: JavaScript
Purpose: Ready To Use



Share



Owner



https://hud.maps.arcgis.com/home/item.html?id=ffd0597e8af24f88b501b7e7f326bedd



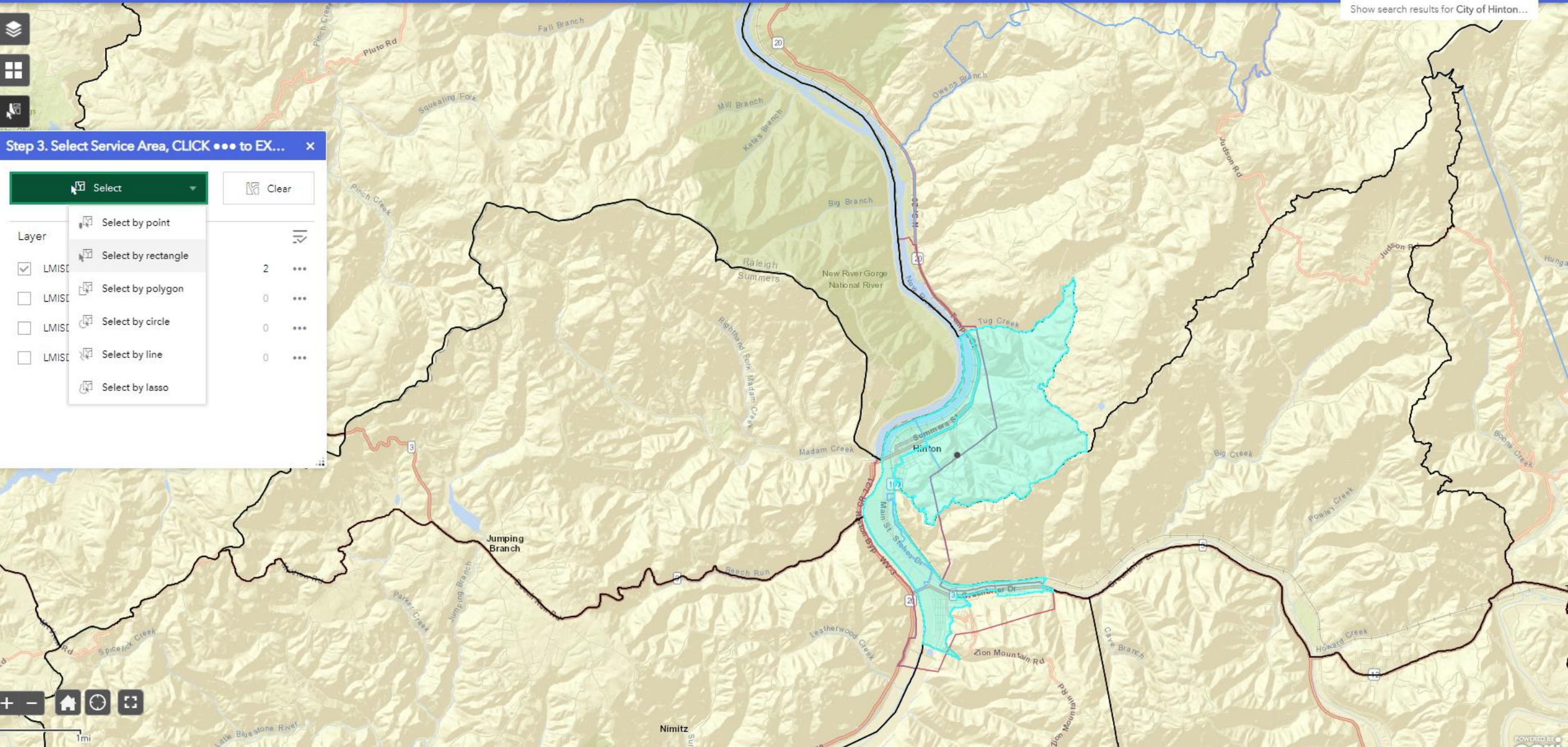
Show search results for City of Hinton...

(1 of 5)

LMISD by Place: Hinton city

GEOID	5437636
NAME	Hinton city
PLACE_TYPE	Incorporated City/Town
STATE	54
STUSAB	WV
LOW	745.00
LOWMOD	1,340.00
LMMI	1,620.00
LOWMODUNIV	2,550.00
LOWMOD_PCT	52.55
UCLOWMOD	
UCLOWMOD_P	0.00

[Zoom to](#)



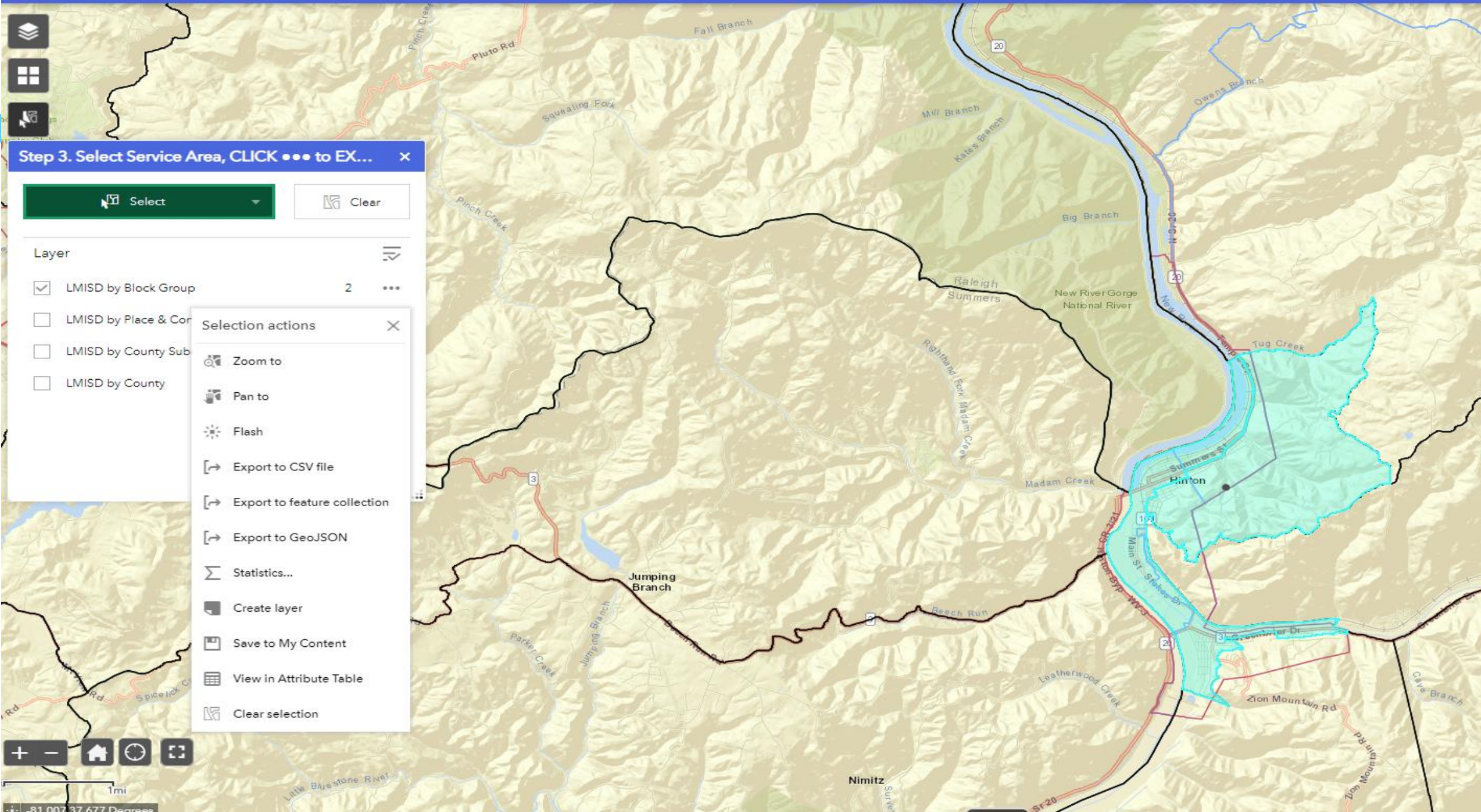
Step 3. Select Service Area, CLICK ●●● to EX...

Select Clear

Layer

<input checked="" type="checkbox"/>	LMISE	2	...
<input type="checkbox"/>	LMISE	0	...
<input type="checkbox"/>	LMISE	0	...
<input type="checkbox"/>	LMISE	0	...

- Select by point
- Select by rectangle
- Select by polygon
- Select by circle
- Select by line
- Select by lasso



Step 3. Select Service Area, CLICK ●●● to EX...

Select Clear

- Layer
- LMISD by Block Group 2
 - LMISD by Place & Cor
 - LMISD by County Sub
 - LMISD by County

Selection actions

- Zoom to
- Pan to
- Flash
- Export to CSV file
- Export to feature collection
- Export to GeoJSON
- Statistics...
- Create layer
- Save to My Content
- View in Attribute Table
- Clear selection

Map navigation controls: zoom in (+), zoom out (-), home, refresh, and full screen icons.

Using a Survey to Determine Service Area LMI

- ❑ Select Survey Type
 - ❑ Telephone
 - ❑ Door-to-Door
 - ❑ Mail
 - ❑ Web-Based
- ❑ Participants for the survey must be selected through a random sampling process

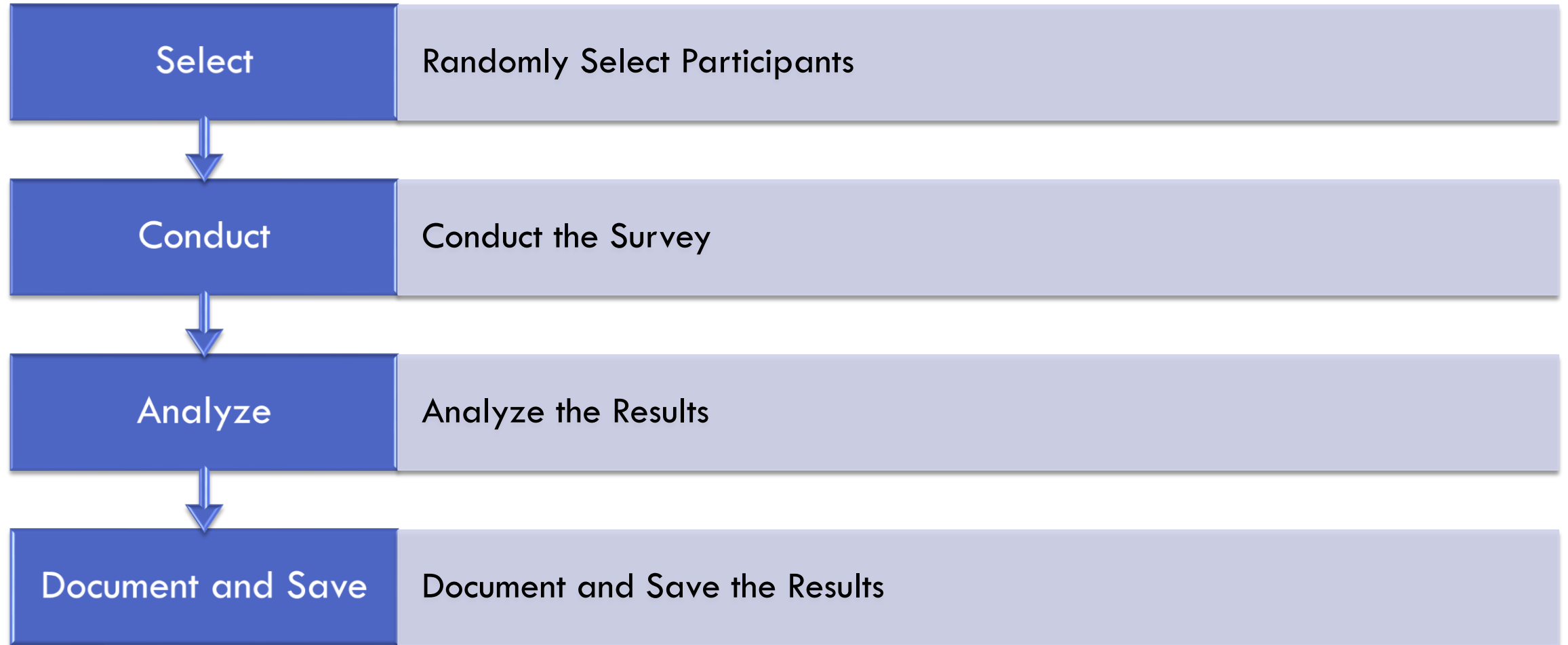
Develop the Survey

- HUD recommends keeping it short and simple:
 - How many families reside at this address?
 - How many persons are in your family including yourself
 - If applicable, how many are in each of the other families
 - Is the current, combined income of all family members above or below the amount listed for your family size

Determine Sample Size

- Determine Population of Service Area
- Develop method for identifying families in area so you can interview them
- HUD recommends using Sample Size Calculator (SSC) (<http://surveysystem.com/sscalc.htm>) to determine sample size
- HUD recommends confidence level of 95% and confidence interval (Margin of Error) of 5%

Implement the Survey



Low-Mod Clientele (LMC) National Objective

- ❑ LMC activities benefit a group of individuals, rather than all the individuals in an area
- ❑ At least 51% of the individuals served by an LMC activity must be low-to-moderate-income
- ❑ The following groups are currently presumed by HUD to be comprised principally of LMI persons: Abused children, elderly persons, battered spouses, homeless persons, adults meeting Bureau of Census' definition of severely disabled adults, illiterate adults, persons living with AIDS, and migrant farm workers.

Urgent Need Mitigation (UNM) National Objective

- ❑ Should only be used if an activity is not eligible under LMA or LMC
- ❑ Similar to Urgent Need in standard CDBG program, but certification requirements at 24 CFR § 570.483(d) are waived per FRN V.A.13.c:
 - ❑ UGLG not required to certify that the activity is designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community which are of recent origin or which recently became urgent, that the unit of general local government is unable to finance the activity on its own, and that other sources of funding are not available.

Additional Criteria for Urgent Need MIT (FRN V.A.13.c)

To qualify under the Urgent Need Mitigation (UNM) National Objective, a project must:

- Address the current and future risks as identified in the grantee's Mitigation Needs Assessment of most impacted and distressed areas; and
- Result in a measurable and verifiable reduction in the risk of loss of life and property.

“Measurable and Verifiable Reduction in Risk” (*FRN V.A.13.c.*)

- Urgent Need Mitigation (UNM) National Objective activities must result in a “measurable and verifiable reduction” in the risks identified in the Mitigation Needs Assessment (flood, winter weather, severe storms, and landslides) in the Action Plan
- Documentation of risk reduction must be maintained in project files

Questions?



Thank You!