West Virginia Community Advancement and Development, Division of Economic Development

Citizen Participation Plan

Community Development Block Grant-Mitigation

(CDBG-MIT)

Amendment #2 - October 27, 2026

Change Log

Name	Date	Changes Made
Alexandria Phares	1/20/2022	Delete public hearings from substantial amendment requirements
Amy Clark	10/27/2026	Amendment #2: Update Substantial Amendment dollar/percentage thresholds to $10 million or 25% of program/activity budget to account for market inflation and competitive bid overruns; define cost-overrun exceptions; add 15-day public comment period for Citizen Participation Plan amendments.

Citizen Participation Plan

The State takes great value in meaningful citizen and stakeholder engagement. To ensure engagement, West Virginia developed a Citizen Participation Plan in compliance with 24 CFR 91.115 and applicable HUD requirements. This plan is intended to maximize the opportunity for citizen involvement in the planning, development, and implementation of the West Virginia CDBG-MIT program.

West Virginia intends to focus outreach efforts to facilitate participation from individuals of low to moderate income (LMI) and vulnerable populations. In addition, West Virginia encourages the participation of regional, state and federal entities.

West Virginia will consider any comments received in writing, via email, mail, or in person or virtually at official public hearings. West Virginia has prioritized a robust citizen participation process to ensure all citizens and stakeholders are provided the opportunity to contribute to and understand the mitigation efforts that will be undertaken by the State.

The State anticipates re-evaluating this plan annually to ensure the underlying demographics that have informed outlined strategies remain consistent with the plan.

Public Hearings

Public Hearing Process

Public hearings and stakeholder briefings are held both during Action Plan development, as well as during the official public comment period after the proposed Action Plan has been published.

West Virginia will consider any comments or view of citizens in writing or orally at the public hearings. Responses to those comments are incorporated into the final Action Plan in the

Appendix. Notice of Public Hearings will be announced on https://wvfloodrecovery.com/mitigation, in the local newspapers, and on social media.

The COVID-19 crisis has presented both challenges and opportunities for the state's public hearing process. In order to balance the safety of citizens and stakeholders and the obligation to actively engage with the public, hearings may be held virtually over webinar if it is determined to be in the best interest of public health and safety. For virtual public hearings, participants will be able to ask questions, provide comments, and received a response from a representative of West Virginia in real time. While in-person engagement is preferred, this virtual setting will allow citizens and stakeholders the opportunity to participate actively from the safety of their homes or offices. Additionally, recordings of the webinars will be publicly posted to https://wvfloodrecovery.com/mitigation

Special assistance will be provided by contacting the West Virginia Community Advancement and Development Office, West Virginia Flood Recovery Office by contacting the CDBG-MIT Program Manager at 304-558-2234 or CDBGMITIGATION@wv.gov five (5) days prior to the public hearing.

Overview of Public Hearing Efforts to Date

West Virginia held two public hearings during the Action Plan development to inform the public on the basics of CDBG-MIT funds, types of eligible activities, the methods and means by which assistance may be provided, and the general process and timeline. These public hearings provided the State the opportunity to collect input from citizens and stakeholders regarding mitigation priorities.

After this proposed Action Plan is published, West Virginia will hold four public hearings during the public comment period. These hearings will review the proposed programs and allocations, as well as method of distribution, and will allow for public comments and questions.

The Action Plan Public Hearings schedule is as follows:

Pre-Action Plan Publication Virtual Public Hearings

- Tuesday, June 23, 2020, 2:00 – 4:00pm ET
- Thursday, June 25, 2020, 6:00 – 8:00pm ET

Virtual Public Hearings during Public Comment Period

- Tuesday, September 1, 2020, 1:00 – 3:00pm ET
- Thursday, September 3, 2020, 6:00 – 8:00pm ET
- Tuesday, September 8, 2020, 6:00 – 8:00pm ET
- Thursday, September 10, 2020, 1:00 – 3:00pm ET

Summary of Pre-Action Plan Virtual Public Hearings

WVCAD held its first two public hearings prior to the release of its CDBG-MIT Action Plan to inform the public of the HUD funding allocations, the planning process, and garner input regarding potential mitigation priorities. The hearing was advertised publicly via newspaper ad, WVCAD CDBG-MIT website at https://wvfloodrecovery.com/mitigation, and social media. Additionally, WVCAD issued a notification to its 500+ member stakeholder list to solicit maximum participation. To ensure public safety during the COVID-19 pandemic, the hearing was held virtually via GoToWebinar. A recording of the hearing will be created and posted on the WVCAD CDBG-MIT website. A total of 23 attendees participated in the first hearing, and 14 attendees participated in the second hearing. Seven public comments or questions were received and are summarized below:

- **Eligible Activities:** The majority of questions received during the public hearing were related to potential eligible activities under CDBG-MIT funding. Participants inquired about economic development activities, green infrastructure, conservation easements, buyout activities, local match for other mitigation programs, and building and safety code development and adoption.
- **Stakeholder Participation:** The State received questions about how to remain engaged as a stakeholder and participate in future CDBG-MIT discussion or where to send additional data or information that could be incorporated into the development of the Action Plan. They were encouraged to email CDBGMitigation@wv.gov with all requests and additional information.

Public Notice and Comment Period

Notice of public comment period will be provided by publication on the West Virginia CAD CDBG-Mitigation website https://wvcad.org/infrastructure/mit West Virginia will open the citizen comment period for the following timeframes:

- Comment for the draft Action Plan will take place forty-five (45) days after the publication of the Action Plan
- Comment period for Substantial Amendments will take place for thirty (30) days after the publication of the Substantial Amendment
- Comment period for revisions to this Citizen Participation Plan will take place for fifteen(15) days after publication of the proposed revisions
- All public comments received during the official 45-day public comment period for the draft Action Plan will be incorporated into the final Action Plan for submission to HUD.

Stakeholder Consultation and Coordination

The planning and implementation of CDBG-MIT activities require coordination across multiple federal, state, and local stakeholders. WVDED is committed to engaging with these relevant stakeholders throughout the life of this grant.

During the development of this Action Plan, the State conducted consultation meetings with key regional stakeholders including other jurisdictions; the private sector; social service agencies and the Continuum of Care; and other government agencies, including State and local emergency management agencies that have primary responsibility for the administration of FEMA mitigation funds, including the State Mitigation Officer. These consultations were conducted to ensure consistency of the Action Plan with applicable regional development plans as well as local needs and priorities.

The State has conducted meetings with the Regional Planning Development Councils (RPDCs), units of local government, public representatives, and other State agencies including the State Resiliency Office and the State Hazard Mitigation Officer. West Virginia maintains a contact list of over 500+ stakeholders, which include members of the public, private and nonprofit sectors, and government entities, who regularly receive updates on the CDBG-MIT program and Action Plan Development. Feedback from these consultations has been considered and incorporated in programmatic design decisions.

The following stakeholder consultations took place in the month of July 2020:

- July 14, 2020 – Consultation with Regional Planning and Development Councils and HUD MID Counties and Cities
- July 14, 2020 – Consultation with Social Service Providers and the Continuum of Cares
- July 16, 2020 – Consultation with Federal Agencies and Emergency Management
- July 16, 2020 – Consultation with the State Resiliency Office
- July 21, 2020 – Consultation with State MID Counties and Cities and Public Housing Authorities
- July 29, 2020 – Consultation with State Hazard Mitigation Officer
- August 5, 2020 – Consultation with U.S. Army Corps of Engineers

Meeting notes from each of the stakeholder consultations can be found in Appendix A of the Action Plan.

Citizen Advisory Group for CDBG-MIT Activities

The FRN for the CDBG-MIT funds requires that following the CDBG-MIT Action Plan approval, the State of West Virginia is to form one or more citizen advisory committees that shall meet in an open forum not less than twice annually in order to provide increased transparency in the implementation of CDBG-MIT funds, to solicit and respond to public comment and input regarding the grantee's mitigation activities, and to serve as an ongoing public forum to continuously inform the grantee's CDBG-MIT projects and programs.

WVDED will work with the HUD and State MID counties to form the required Citizen Advisory Group(s). WVDED will use the CDBG-MIT website and outreach strategies to notify residents of the opportunity to participate. Once the group(s) are established, WVDED will post meeting times and places, agendas, and meeting minutes to the CDBG-MIT website.

Public Survey

WVDED conducted an online survey from June 5 – June 19, 2020 in an effort to gather feedback from impacted communities and stakeholders on their mitigation priorities. The survey was sent to the entire CDBG-MIT stakeholder list of over 500 contacts. The results of this survey are incorporated into the Action Plan's Mitigation Needs Assessment. Full results from the survey can be found in Appendix B of the Action Plan.

Public Website

West Virginia will maintain a comprehensive website dedicated to the CDBG-MIT program and related activities, including the final Action Plan, public comments, and Citizen Participation Plan. The WVCAD CDBG-Mitigation website can be found at the following address: https://wvcad.org/infrastructure/mit

Action Planning Process and Action Plan Updates

The Action Plan defines how West Virginia will effectively use all available funding to support a data-driven mitigation effort based on the calculation of need in the 12 impacted counties in West Virginia. The plan describes the State's proposed allocations by activity, outlines program design for each program activity, beginning and end dates for each mitigation activity, and performance and expenditure schedules.

During the development of the CDBG-MIT Action Plan, the State will seek public input on program design issues including the allocation amount to West Virginia expects to receive, the range of activities that may be undertaken, the estimated amount that will benefit persons of low-to-moderate (LMI) and plans to mitigate displacement.

A summary of all comments received will be included in the Final Action Plan submitted to the U.S. Department of Housing and Urban Development (HUD) for approval. The Final Action Plan will be posted to the WV CAD CDBG-Mitigation website:

https://wvcad.org/infrastructure/mit

Amendments to the Action Plan

Substantial Amendments

West Virginia will engage citizens throughout the program duration to maximize opportunities for input on proposed program changes that result in a Substantial Amendment. Program changes that constitute a Substantial Amendment include the following:

- An addition or deletion of any allowable activity described in the approved application
- The addition of a covered project
- An allocation or re-allocation of more than $10 million or 25% of an individual program/activity budget, whichever is greater
- A change in planned beneficiaries

Exclusion for Construction Cost Overruns and Market Inflation:

Funding adjustments, re-allocations, or budget increases exceeding the threshold that are executed solely to address documented competitive bid overruns, supply chain price increases, or construction market inflation for a previously approved project shall NOT constitute a Substantial Amendment, provided that the physical project scope, service area, and target beneficiaries remain unchanged. Such adjustments will be processed and handled as a technical (non-substantial) amendment, requiring five (5) days advance notification to HUD prior to incorporation into the Action Plan and posting on the public website, with no public comment period required.

Citizens will be provided with no less than thirty (30) days to review and provide comment on the proposed substantial changes. A summary of all comments received will be included in the final Substantial Amendment submitted to HUD for approval. Final Substantial Amendments approved by HUD will be posted to https://wvcad.org/infrastructure/mit

Non-Substantial Amendment

Non-substantial amendments are minor, administrative changes that do not materially alter activities or eligible beneficiaries. For other non-substantial amendments which do not meet the criteria listed above for substantial amendments, the State will notify HUD five days prior to incorporation into the comprehensive Action Plan; public comments are not required for non-substantial amendments.

Every amendment will be numbered sequentially and posted to https://wvcad.org/infrastructure/mit after HUD review period not replacing, but in addition to all previous versions of the Action Plan.

Amendments to the Citizen Participation Plan

The State will provide citizens with a fifteen (15) day public comment period to review and comment on proposed revisions or updates to this Citizen Participation Plan prior to submission to HUD, ensuring reasonable public notice and opportunity to participate. Public comments received will be reviewed and incorporated into the final plan submitted to HUD.

Performance Reporting

West Virginia will submit a Quarterly Performance Report (QPR) in the HUD Disaster Recovery Grant Reporting (DRGR) system no later than thirty (30) days following the end of each calendar quarter. QPRs will be posted on a quarterly basis upon approval by HUD until all CDBG-MIT funds have been expended and all expenditures reported.

Limited English Proficiency

West Virginia is mindful that vulnerable populations could include elderly, disabled, low- to moderate-income, or those with limited English proficiency. In order to identify these populations, the State will follow its Limited English Proficiency Plan (LEP) as amended to include the CDBG-MIT program by conducting a four-factor analysis. The State follows HUD regulation 24 CFR Part 1 "Nondiscrimination in Federally Assisted Programs of the Department of Housing and Urban Development-Effectuation of Title VI of the Civil Rights Act of 1964," which requires all recipients of federal financial assistance from HUD to provide meaningful access to LEP persons. Based on the four-factor analysis, the State is falls under the safe harbor provision therefore, not requiring written translations of vital documents. However, the State of West Virginia will make all reasonable attempts to accommodate language access for residents requesting written and/or oral translations during the implementation of the CDBG-MIT grant.

As a result of LEP and the four-factor analysis, the State will post the Language Assistance Plan to outline the services provided to Limited English Proficiency during the development of the CDBG-MIT Action Plan and subsequent amendments.

Technical Assistance

Upon request, technical assistance will be provided by CDBG-MIT program staff. Requests should be made in a timely manner within the time parameters of the program design.

Citizen Complaint Procedures

The State of West Virginia will handle citizen complaints through a Constituent Services Team. All complaints received by the State, its CDBG-MIT contractors, vendors and/or other program sources, will be reviewed by the Constituent Services Team for investigation as necessary The Constituent Services Team will ensure complaints are resolved, escalated to appropriate personnel if needed, and any necessary follow-up actions are completed.

It will remain the goal of the State to always attempt to resolve complaints in a manner that is both sensitive to the complainant's concerns and that achieves a fair result.

The goal of the State and its Constituent Services Team is to provide an opportunity to resolve complaints in a timely manner. The State will provide a timely written response (by letter or email) within 15 days of the receipt of the compliant. If it is not practicable to provide a response within this time period, then the complainant shall be notified of the reason for the delay and the expected time period for a response. It shall be the right of any party filing a complaint to participate in the process and appeal a decision reached by the State. A log of all complaints and responses shall be maintained by the West Virginia Department of Economic Development.

Citizens may file a written complaint or appeal through the Department of Commerce at Amy.D.Clark@wv.gov, or submit by postal mail to the following address:

West Virginia Department of Economic Development
1900 Kanawha Blvd., East
Capitol Complex, Building 3 Room 700
Charleston, WV 25305-0311

Additionally, complaints may be made directly to HUD Office of Inspector General or to the Fair Housing and Equal Opportunity Office (FHEO) at the following locations:

Attention: HUD OIG Hotline
451 7th Street SW
Washington D.C. 20410
Email: hotline@hudoig.gov

FHEO Complaints may be filed online at the following address:
https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint