

County of Kaua'i  
**ACTION PLAN for DISASTER RECOVERY**



Prepared by the Kaua'i County Housing Agency

September 2020

Submitted to the U.S. Department of Housing and Urban Development (HUD) in response to the April 2018 Flooding Disaster (FEMA DR-4365-HI) to fulfill requirements related to Community Development Block Grant for Disaster Recovery (CDBG-DR) Funds.



Alternate Formats are Available upon Request



County of Kaua'i 2018 CDBG-DR Action Plan  
Kaua'i County Housing Agency

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## I. EXECUTIVE SUMMARY

### Federal Disaster Funding

In response to Presidentially-declared disasters, Congress may appropriate funding for the Community Development Block Grant (CDBG) Program as Disaster Recovery grants to rebuild the affected areas and start the recovery process. Public Law 116-20 appropriated \$2,431,000,000 through the Community Development Block Grant disaster recovery (CDBG-DR) program for necessary expenses for activities authorized under Title I of the [Housing and Community Development Act](#) of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief and long-term recovery from a major disaster that occurred in 2018 or 2019.<sup>1</sup>

In January 2020, the U.S. Department of Housing and Urban Development (HUD) announced the County of Kaua'i (CoK) will receive a \$9,176,000 allocation of CDBG-DR funds appropriated under Public Law 116-20 to address unmet needs and long-term recovery efforts following severe flooding, landslides, and mudslides resulting from record rainfall that occurred in April 2018.

CDBG-DR funds are allocated to both states and local units of government. The CDBG-DR funds under Public Law 116-20 are allocated directly to the CoK. Kaua'i County Housing Agency (KCHA) is the assigned grantee. As with the annual funding received from the HUD CDBG program, also administered by KCHA, use of funds are intended to benefit low- and moderate-income households and is limited to eligible activities of:

- Immediate disaster relief
- Long-term recovery
- Restoration of infrastructure and housing
- Economic revitalization
- Hazard mitigation

The methodology for determining unmet needs and calculating funding allocations per Federal Register Notices is based on home inspection data for FEMA's individual assistance program and the Small Business Administration (SBA) disaster loan program. HUD calculates unmet housing needs as the number of housing units with unmet needs times the estimated cost to repair those units less repair funds already provided by FEMA and SBA.<sup>2</sup>

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<sup>1</sup> Federal Register Notice 85 FR 4869 Department of Housing and Urban Development, January 27, 2020 (pg. 1). [85 FR 4689](#)

<sup>2</sup> Federal Register Notice 85 FR 4869 Department of Housing and Urban Development, January 27, 2020 (pg. 1). [85 FR 4689](#)

## National Record Rainfall

Overnight from April 14 to April 15, 2018, Wainiha set a new national record with 49.69 inches of rain, which was last set in 1979 when Alvin, Texas had 43 inches of rain within a 24-hour period. The April storm followed an upward trend in rainfall making for the wettest February across the island chain in a decade, according to the National Weather Service. The Hanalei River flooded and landslides occurred between Wainiha and Lumaha'i closing Kūhiō Highway on several occasions starting in late February 2018.

During the mid-April storm, flash flooding put parts of Kūhiō Highway 5 to 8 feet underwater as the Hanalei River and nearby Waioli Stream overflowed. The Wainiha River and Kīlauea Stream also flooded. Dozens of homes collapsed into rising waters on Kaua'i, taro fields were wiped out, portions of the state highway were destroyed by landslides, businesses were inundated with water and Black Pot Beach Park virtually disappeared underwater. The storm moved Southeast across Kaua'i flooding Kapa'a Stream and Anahola Stream and triggered flooding in Kōloa and Kalāheo destroying properties and threatening homes.<sup>3</sup>

## Federal and Local Response

An Emergency Proclamation was issued by Mayor Bernard P. Carvalho, Jr. on April 14, 2018, which was followed by Governor David Ige's Emergency Proclamation on April 15, 2018. Community members worked in partnership with Kaua'i Emergency Management Agency, CoK first responders, the National Guard, the Red Cross, and local North Shore volunteers to open emergency shelters in Hanalei, Princeville, and Kōloa, and coordinated food and water deliveries for immediate relief.

The local emergency proclamations were followed by a Presidential disaster declaration on May 8, 2018 approving FEMA public assistance for Kaua'i and O'ahu, where the storm also had impact. Approval for individual assistance from FEMA occurred on June 27, 2018 after an earlier denial of requested individual assistance on May 2, 2018 that was subsequently appealed by Governor Ige on June 13, 2018. FEMA officials denied the first request in early May because the number of homes reported as being damaged in the flooding was about 60 below the minimum threshold for individual assistance. The unofficial minimum requirement for individual assistance is 175 homes.

## Impact of Disaster

The updated information provided in Governor Ige's appeal found that at least 760 homes were affected by torrential storms and flooding on Kaua'i and O'ahu, including 187 that were "destroyed" or "suffered major damage." According to the request, more

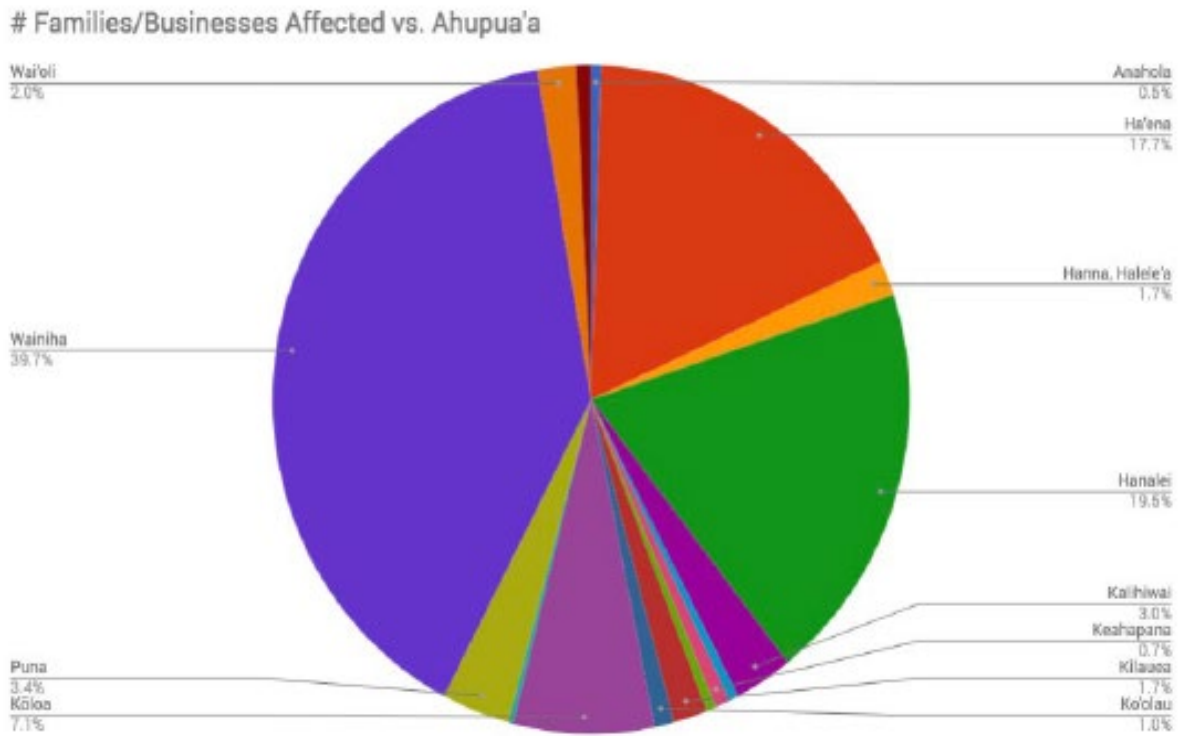
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<sup>3</sup> Else, Jessica "The Flood-one year later." *The Garden Island*, April 14, 2019. ["The Flood-one year later"](#)

than 33 percent of Wainiha's housing stock either suffered major damage or was completely destroyed. And in Hanalei, over 63 percent of occupied single-family homes were damaged by severe flooding.<sup>4</sup> Overall the heavy rainfall damaged or flooded dozens of homes in Hanalei, Wainiha, and Hā'ena. As the storm moved to the Southeast, further damage was caused to homes in Anahola, Kapa'a, Lāwa'i, and Kōloa.

Hale Halawai, a Hanalei nonprofit assisting with relief and recovery, gathered information immediately following the storm by sending a questionnaire to summarize damage and assess the help needed in the impacted communities. The chart below reflects the number of homes and businesses affected in each community on Kaua'i.

**Figure 1: Homes and Businesses Affected in each Ahupua'a (Community)**



<sup>4</sup> Peterkin, Olivia "State appeals FEMA's denial of individual assistance to Kaua'i, O'ahu flood victims." *Hawai'i News Now*, June 13, 2018. ["State appeals FEMA denial of individual assistance"](#)

### Immediate Disaster Relief

The impact of the disaster spread across Honolulu and Kaua'i Counties resulting in 252 approved applications for individual assistance, 197 of which involved homes with FEMA-verified loss on Kaua'i. The preliminary damage assessment by FEMA titled *Hawai'i – Severe Storms, Flooding, Landslides, and Mudslides FEMA-4365-DR* estimates the amount of individual assistance at \$2.7 million across both Kaua'i and O'ahu. The amount of individual assistance actually provided by FEMA was \$1.6 million. The estimated amount of public assistance stated in the initial damage assessment was \$19.7 million. The amount of public assistance provided by FEMA was just over \$10 million. The Small Business Administration provided \$4.8 million in low-interest disaster loans to help homeowners recover and another \$1.2 million to business owners.

FEMA also reported the percentage of insured residences affected on Kaua'i as being 50%.<sup>5</sup> The State of Hawai'i Department of Commerce and Consumer Affairs *2019 Annual Report of The Insurance Commissioner of Hawai'i* indicates a \$1,125% increase over the prior year in federal flood losses, claims, and benefits for 2018. The total of federal flood losses, claims, and benefits increased from \$2,200 in 2017 to \$28,000 in 2018. KCHA reached out to DCCA to confirm the amounts for Kaua'i specifically, if possible. The April 2018 flooding combined with Hurricane Lane which occurred in August of 2018 attributed to the statewide increase. FEMA provided the most recent data for National Flood Insurance Program for claims related to the April 2018 disaster, as seen below.

**Figure 2: National Flood Insurance Program information reported by FEMA**

Total Claims	Closed with Pay	Closed without Pay	Total Amount Paid	Average Payment
196	164	32	\$7,601,375	\$46,856

Hawai'i Emergency Management Agency (HIEMA) worked in tandem with FEMA and KEMA to coordinate the Volunteer Organizations Active in Disaster (VOAD) working locally on Kaua'i and at the national level to assist the impacted communities with donations of money, services, and necessities such as food, water, medication, and cleaning supplies.

Appendix A: The Hawai'i VOAD *Situation Report* for April 18, 2018 lists the organizations available to support immediate disaster relief and the type of support and services offered. The Hawai'i Community Foundation provided grants to local organizations providing disaster relief as outlined in Appendix B: *Kaua'i Relief and*

<sup>5</sup> By law, federal disaster assistance cannot duplicate insurance coverage. 42 U.S.C. § 5155 and 44 C.F.R. § 206.48(b)(5).

*Recovery Fund Grantees.* Monetary donations from over 300 donors from Hawai'i and abroad totaled over \$1.5 million.

### Long-Term Recovery Efforts

Kaua'i's North Shore communities worked for 14 months to clear debris, repair roadways, and rebuild damaged homes, businesses, facilities, and infrastructure before reopening the area to the public. During much of this recovery period the North Shore communities of Wainiha and Hā'ena were inaccessible by vehicle, or later accessible only at specific hours by scheduled convoys.

Continuing the long-term recovery effort, this Action Plan will further detail the federal and local response to supporting recovery from the April 2018 disaster. Development of the plan involves gathering data regarding the impact of the disaster along with resources applied to recovery efforts in order to establish the remaining unmet needs as it relates to housing, infrastructure, and economic revitalization. The determination of unmet needs is the basis for proposing a use for CDBG-DR funds. Recognizing the requirement included in the Federal Register Notices to address housing needs first, KCHA is primarily considering expanding affordable housing options for owners and renters in Kaua'i's North Shore community.<sup>6</sup>

The Action Plan will include details on applicable federal laws and HUD regulations pertaining to the CDBG-DR program including National Program Objectives, detailed requirements of grantees, eligible use of funds, and guidance for specific disaster recovery program options. The plan outlines engagement with local stakeholders and affected community members as one component of a required Citizen Participation Plan. Additional information will be provided on how the CoK is incorporating disaster mitigation and community resiliency planning as a priority to minimize the impact of future disasters on Kaua'i, particularly for the secluded North Shore communities.

## II. CITIZEN PARTICIPATION AND COMMUNITY ENGAGEMENT

The requirements of a Citizen Participation Plan (CPP) are outlined further in the Applicable Laws and Regulations Section. At a minimum, the CPP requires KCHA to publish the CDBG-DR Action Plan, and any substantial amendments to the plan, on the KCHA website for the purpose of gaining input from the public about the plan. A public notice was published in the Garden Isle Newspaper on June 30, 2020 announcing that the action plan would be posted for on the KCHA disaster recovery webpage from July

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<sup>6</sup> Federal Register Notice 83 FR 5846 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [83 FR 5846](#), Federal Register Notice 83 FR 40314 Department of Housing and Urban Development, August 14, 2018 (pg. 1). [83 FR 40314](#), Federal Register Notice 85 FR 4682 Department of Housing and Urban Development, January 27, 2020 (pg. 1). [85 FR 4682](#)



1, 2020 – July 31, 2020. No comments were received regarding the plan during the public comment period.

KCHA has consulted with other CoK departments, community members and stakeholders throughout the process of developing the Action Plan to obtain information regarding the disaster, the impact to affected communities, specific efforts taken during recovery and the status of remaining unmet needs. The list below includes the organizations KCHA called upon to assist with needed information and input during the development of the Action Plan and will continue to coordinate with throughout the planning and implementation processes.

**Figure 3: County of Kaua'i Partners in Disaster Recovery and Community Stakeholders**

Kaua'i Emergency Management Agency	CoK Office of Human Concerns
Hawai'i Emergency Management Agency	CoK Office of Economic Development
CoK Office of the Mayor	Kaua'i Fire and Police-First Responders
CoK County Attorney	Hale Halawai
CoK Department of Public Works	Kōkua North Shore
CoK Department of Finance	Team Rubicon

To further encourage community participation, KCHA will collaborate with the organizations listed below to obtain updates as to the status of recovery and to obtain feedback on the Action Plan. All input will be reviewed by KCHA and factored into the planning process while considering projects to be selected for CDBG-DR funding.

**Figure 4: Expanded Community Participation List for Disaster Recovery**

Hale Halawai 'Ohana O Hanalei	Kaua'i Independent & Hawai'i Foodbanks
Mālama Kaua'i	Kaua'i CERT
Kōkua North Shore	Team Rubicon
Catholic Charities Hawai'i	Waipā Foundation
Hanalei Hawai'ian Civic Group	National Tropical Botanical Garden
Hanalei Business Association	'Āina Ho'okupu o Kīlauea
Kīlauea Neighborhood Association	Hanalei Watershed Hui
Kaua'i North Shore Food Pantry	Habitat for Humanity

### III. DISASTER IMPACT AND UNMET RECOVERY NEEDS

The impact of the April 2018 flooding, landslides, and mudslides included damage to 760 homes across Kaua'i and part of O'ahu. Of those homes affected, 187 were completely destroyed. Wainiha was reported to have lost 33% of the housing stock within the community. Businesses and public facilities were severely damaged. The businesses that did not suffer physical damage from the storm incurred severe loss from having Kūhiō Highway closed for approximately 14 months for needed disaster-related landslide clearing, roadway rebuilding, and mitigation work. Kūhiō Highway, the only route of access to the North Shore communities, was closed to the public and residents had very limited access. The Mayor's Emergency Rules for the disaster included prohibiting vacation rentals in the isolated communities, limiting visitor access while work was ongoing to restore infrastructure and repair roadways.

*Appendix C: Kōkua Questionnaire: Results Summary Damage and Help Assessment Form 2018 Kaua'i Flood*, compiled by Hale Halawai, a community service organization central to the relief and recovery effort in Hanalei, provides further insight regarding community impacts including survivor demographics, damages incurred, and services needed.

To fulfill the requirements of the allocation of CDBG-DR funding appropriated through Public Law 116-20, KCHA is required to submit an Action Plan for Disaster Recovery to HUD that includes an assessment of impact and unmet needs to quantify the funding needed for recovery from the disaster. The assessment must evaluate all aspects of recovery, with an emphasis on housing, infrastructure, and economic revitalization.

Since CDBG-DR funds are meant to contribute to long-term recovery and resilience, the unmet needs assessment reflects the costs of mitigation and resilience measures that can reduce the impact of future natural disasters. To ensure that CDBG-DR funds go towards needs that are not likely to be addressed by other funding sources, the assessment accounts for the various forms of assistance available to the affected communities and individuals using the most current and available data.

HUD defines unmet needs as the financial resources necessary to recover from a disaster that are not likely to be addressed by other public or private sources of funds, including, but not limited to, FEMA Individual Assistance, FEMA Public Assistance, FHWA Emergency Relief Program, SBA Disaster Loans, and private insurance.

#### Federal Disaster Assistance

As required by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121-5207), as amended, data regarding applicant information, damage assessments, and monetary assistance provided in connection with the disaster declaration FEMA-DR-4365 and SBA 15578-15579 (HI-00045) was requested by

KCHA. Requested data was received from SBA and FEMA. Data provided by FEMA includes detailed damage assessments and monetary disaster assistance provided through public and individual assistance programs. Data provided by SBA includes monetary assistance through low-interest disaster loans made to individual applicants and small businesses. The information contained in the data allows KCHA to perform an analysis of impact and unmet needs, a basis for determining use of CDBG-DR funds. The information contained in the data received will be used by KCHA to prevent duplication of benefits, as needed. The data received thus far is reflected below by source.

#### A. Federal Emergency Management Agency

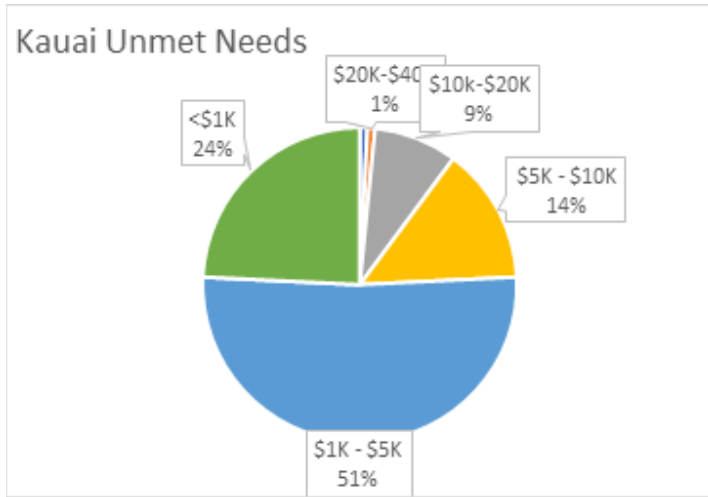
The six Individual Assistance Declaration Factors are defined in 44 C.F.R. Part 206, [Subpart B](#) *Factors considered when evaluating a Governor's request for a major disaster declaration*:

- State Fiscal Capacity and Resource Availability
- Uninsured Home and Personal Property Losses
- Disaster Impacted Population Profile
- Impact to Community Infrastructure
- Casualties
- Disaster Related Unemployment

FEMA declaration DR-4365 involved extensive damage to homes, roadways, public facilities, and infrastructure due to severe rainfall resulting in flooding in several areas on Kaua'i and O'ahu. A total of 252 Individual Assistance Applications were approved resulting in \$1.6 million of assistance provided. Public Assistance grants provided totaled just over \$10 million.

FEMA defines an unmet need as being a deficit between verified disaster-caused damages and obtainable disaster aid, including insurance assistance, federal and state assistance, and personal resources. FEMA reported 197 households on Kaua'i with a loss verified by inspectors; 128 of these had an unmet need. Three quarters of these had a gap less than \$5,000. The remaining quarter, representing 31 applicants, had a more significant gap of greater than \$5,000. Current and available data for unmet needs based on verified loss and individual assistance provided by FEMA is reflected Figure 5.

**Figure 5: Percent of Applicants by Unmet Need Amount Category**



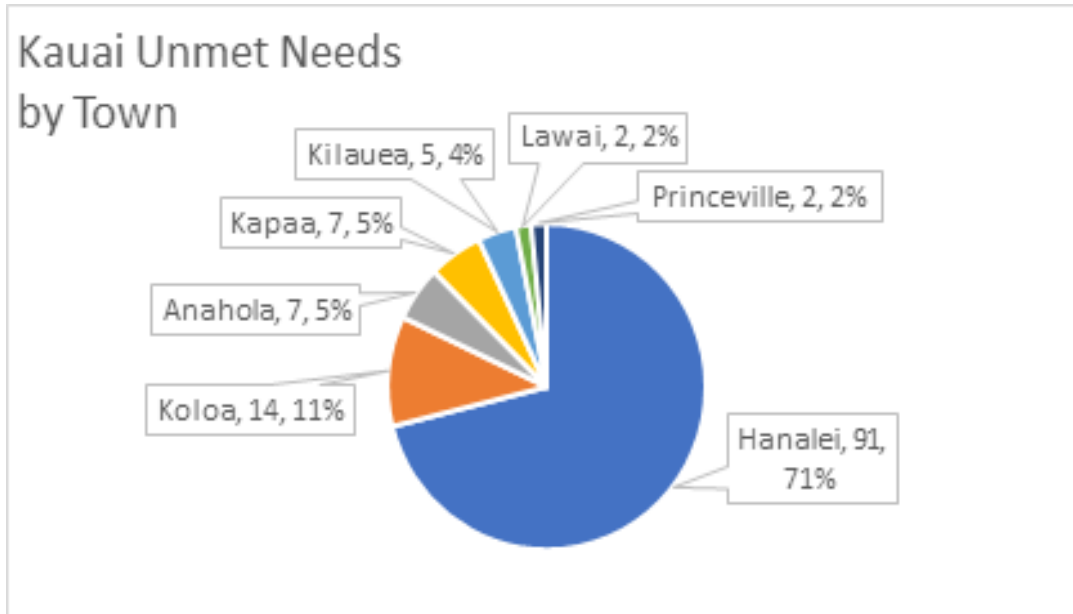
**Figure 6: Total Number of Applicants by Unmet Need Category**

<b>Total # Applicants with Unmet Need<sup>7</sup></b>	<b>128</b>
>\$40K	1
\$20K - \$40K	1
\$10K - \$20K	11
\$5K - \$10K	18
\$1K - \$5K	66
<\$1K	31
<b>Applicants with Unmet Need &gt;\$5k</b>	<b>31</b>
>\$5K Unmet Need-Insured	16
>\$5K Unmet Need-Uninsured	15
>\$5K Unmet Need-Owners	22
>\$5K Unmet Need-Renters	9

The chart in Figure 7 reflects the total number and percent of applicants with unmet need by town. Applicants with unmet need from Wainiha and Hā'ena are represented in the Hanalei area of the pie chart.

<sup>7</sup> Defined by finding the gap between the FEMA-verified loss and the FEMA award amount.

**Figure 7: Total Number and Percent of Applicants with Unmet Need by Town**



**B. Small Business Administration**

There were 31 applicants reported by FEMA with unmet need greater than \$5,000. Each of those 31 applicants was referred to the SBA for a low-interest disaster loan. The figure below reflects the most recent and available data from SBA reflecting the outcome of those referrals:

**Figure 8: SBA Referral Outcomes**

<b>Total SBA Referrals</b>	<b>31</b>
Applicants Approved	4
Applicants Denied <sup>8</sup>	1
Applicants Canceled/Withdrawn	4
Application not submitted to SBA	22

The information below shows the overall totals for low interest disaster loan applications received by SBA for the Home and Personal Property Loan program and the Economic Injury Disaster Loan and Advance program.

<sup>8</sup> SBA Disaster Loans are often denied due to inability to repay or credit issues.

**Figure 9: SBA Total Individual Disaster Loans**

<b>Individual Loan Applications:</b>	
Issued	389
Approved	51
Declined	32
Withdrawn	22
Not Returned	284
Total Amount of Loans Issued	\$4.8 million

**Figure 10: SBA Total Business Disaster Loans**

<b>Business Loan Applications:</b>	
Issued	269
Approved	15
Declined	36
Withdrawn	13
Not Returned	205
Total Amount of Loans Issued	\$1.2 million

**Figure 11: FEMA Preliminary Damage Assessment vs. Total Individual Assistance provided**

<b>Individual Assistance Cost Estimate</b>	<b>Individual Assistance Funding</b>
\$2,721,659 Total includes Kaua'i and O'ahu	FEMA \$1.2m, SBA \$4.8m \$6.4m total for Kaua'i only

### C. Federal Highway Administration

Total cost for Kūhiō Highway emergency repairs from the April 2018 flood is estimated at \$77 million. Approximately 90 percent of the repair cost was covered through the Federal Highway Administration's (FHWA) Emergency Relief program, which assists states with repair and/or reconstruction costs from extraordinary damage due to natural disasters.<sup>9</sup> As of February 6, 2019 an Emergency Relief Program Allocation of \$61 million was set aside for Kaua'i County's repair needs, according to the FHWA.<sup>10</sup>

<sup>9</sup> Hawai'i Department of Transportation-Highways "Kūhiō Highway Emergency Repair Update" January 9, 2019. [Kūhiō Highway Repairs](#)

<sup>10</sup> Federal Highway Administration "Allocation of Emergency Relief (ER) Funds, Fiscal Year (FY) 2019 Obligation Needs" February 6, 2019. [FHWA Emergency Repair Allocation](#)

## State and Local Disaster Response

Within three days of the storm, Hawai'i House and Senate lawmakers agreed to set aside \$100 million to help finance the Kaua'i flood recovery effort and \$25 million to speed the O'ahu recovery. Governor David Ige made \$500,000 available immediately to finance emergency activities in response to the flooding, and \$10 million to cover the 10% gap in funding from FHWA to open roadways.<sup>11</sup> On May 10, 2018 Governor Ige signed [SB 192](#) (Act 12), otherwise known as The Kaua'i and O'ahu Flood Recovery Bill.

Below is a summary from CoK Department of Public Works of the immediate relief and emergency repair projects and budget amounts covered with Act 12 funds (county and federal match on certain projects), including significant debris removal and repairs to infrastructure and public facilities. Updates to the report will be provided to KCHA upon request to coordinate ongoing recovery efforts.

**Figure 12: Act 12 Funding for Emergency Repairs and Recovery Projects**

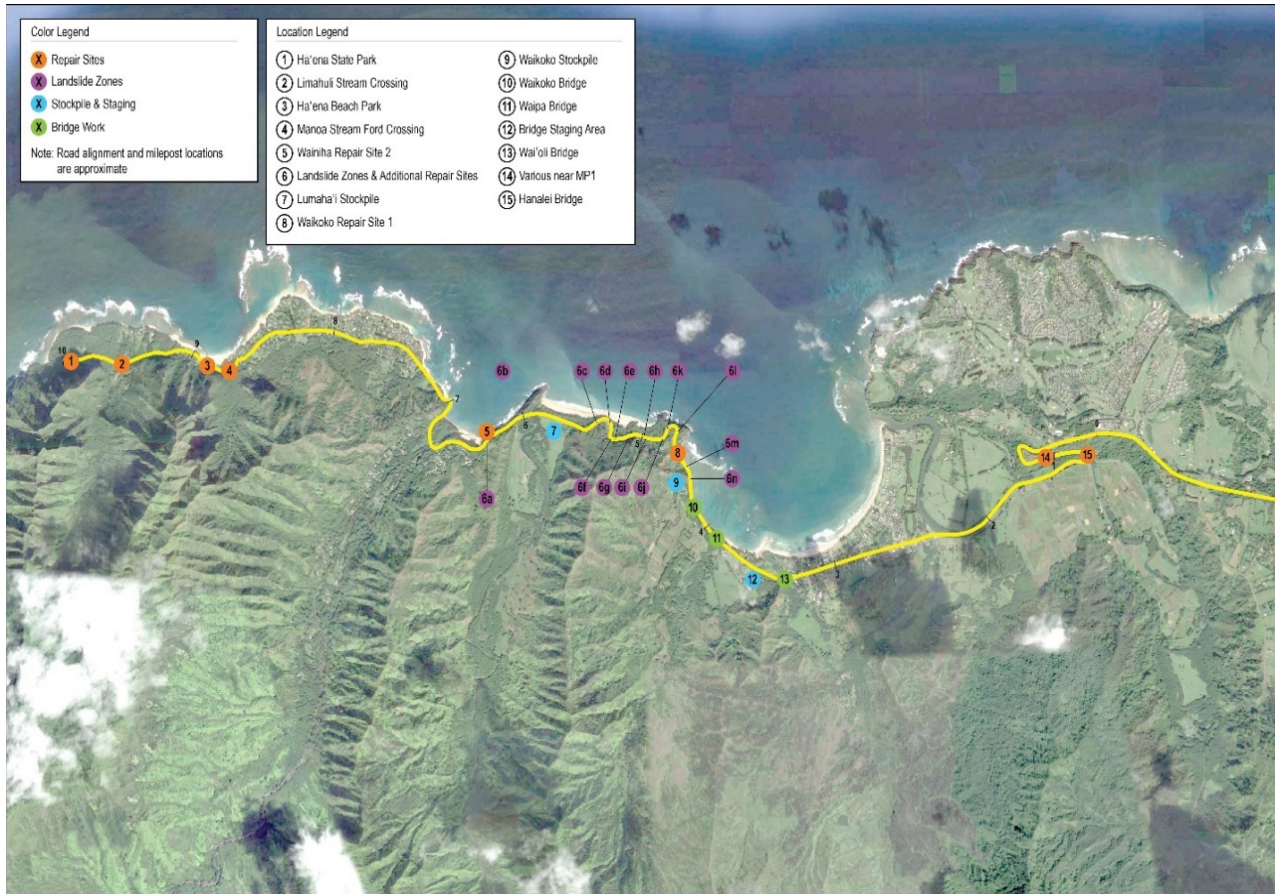
Emergency Response	\$2.5 million
Debris Removal	\$3 million
Infrastructure Repairs	\$9.7 million
Public Facilities	\$6.5 million
Public Services	\$2.4 million
Professional Services	\$1.75 million

Reopening of Kūhiō Highway was possible 14 months after the storm. Several severe weather setbacks delayed scheduled completion of the repairs. Hawai'i Department of Transportation's website contains specific [details of Kūhiō Highway repair projects](#). The image below indicates the emergency repair locations along Kūhiō Highway from Hanalei to Hā'ena including over a dozen landslides blocking access.

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<sup>11</sup> Dayton, Kevin "Lawmakers set aside \$125 million for Kaua'i, O'ahu flood recovery." *Star Advertiser*, April 18, 2018. [Lawmakers set aside \\$125 million for Kaua'i, O'ahu flood recovery](#)

Figure 13: Kūhiō Highway Emergency Repair Locations from Hanalei to Hā'ena



Erosion of approximately 340 linear feet of Weke Road and the Black Pot Beach Park lands and parking area and destruction of the comfort station required extensive reconstruction. All three projects incorporate mitigation design strategies and technologies to prevent or reduce future disaster losses serving the broader goal of long-term community sustainability. Kaua'i Emergency Management Agency's webpage has more detailed information regarding [Mitigation Measures for Black Pot Beach and Weke Road Repairs](#).

Furthering mitigation measures, CoK Department of Public Works has proposed to install one new culvert and upsize five existing culverts along Powerhouse Road in Wainiha. These larger culverts will carry greater water volumes and enhance the life of the roadway and drain system.

On Kahiliholo Road, a concrete box culvert was installed to replace the 96" diameter corrugated metal pipe that was destroyed in the April Flooding. A project in partnership with United States Department of Agriculture's (USDA) Natural Resources Conservation Service to restore the Upper Kapahi river embankment along Kahuna Road was



completed. On Weke Road, an MSE wall system was placed to support the structure of the road. Portland Concrete was used instead of Asphalt concrete. The Portland Concrete product will harden the roadway against scouring and undermining of the roadway.

Hā'ena State Park, the adjacent Nāpali Coast State Wilderness Park, and the Kalalau Trail closed after the flooding severely damaged park infrastructure at Hā'ena and caused significant impacts along the Kalalau Trail. At Hā'ena, the concrete stream crossing at the park entrance had an 8-foot wide section washed out along with the waterline servicing the park comfort station, showers and drinking fountains. The parking area washed away. The end of the highway at Kē'ē Beach, supporting the county lifeguard stand, was undermined and partially collapsed. Large sections of the beach were washed out and some large trees had their root systems affected. While the park restrooms were not damaged, the septic system and constructed wetland did sustain damage. Repairs were coordinated by the DLNR State Parks Division.

Consultation with CoK's Department of Public Works confirmed the storm had no impact on fixed assets of the Kaua'i Fire Department or the Kaua'i Police Department. The same response was provided for county-owned residential property and public housing facilities, including 12 units of public housing for persons who are elderly located in Kīlauea owned by Hawai'i Public Housing Authority and 44 units of workforce housing in Princeville owned by AHE Group.

The information below compares the total public assistance cost estimate for Kaua'i and O'ahu from FEMA's preliminary damage assessment and total assistance provided from all sources for Kaua'i only.

**Figure 14: FEMA Preliminary Damage Assessment vs. Public Assistance provided**

<b>Public Assistance Cost Estimate</b>	<b>Public Assistance Funding</b>
\$19,792,871	\$36,350,000 (FEMA \$10m, Act 12 \$26m)

### Economic Impact and Recovery

Tourism across Kaua'i supports about one-third of the island's economy and employs approximately 38% of the island's workforce.<sup>12</sup> The accommodation and food service industry makes up more than a quarter of all non-farm jobs on Kaua'i. The North Shore community welcomed over 3,000 visitors daily prior to the storm and only 750 permanent residents remained after. During the year-long period that the 2-mile stretch

<sup>12</sup> <sup>13</sup> Kaua'i Tourism Strategic Plan 2019-2021 "Refocusing Tourism to Find Balance." August 2018. [County of Kaua'i Tourism Strategic Plan 2019-2021](#)

of Kūhiō Highway was closed, many of the North Shore community businesses struggled to remain open. Vacation rentals in the Hā'ena and Wainiha areas were unable to accommodate guests during the approximately one year the road was closed impacting the income stream to owners, work opportunities of staff and contractors who operate and maintain the rentals, and revenue generated from the 10.25% transient accommodation tax.

In 2018, both visitor spending (+10.2% to \$2 billion) and visitor arrivals (+7.6% to \$1,377,777) increased versus 2017 across Kaua'i's communities not affected by the storm or the three hurricanes that later threatened Kaua'i in 2018 — Hurricanes Lane, Olivia and Norman — none of which made landfall.<sup>13</sup>

[Unemployment claims data](#) reported by the Hawai'i State Department of Labor and Industrial Relations and Hawai'i State Department of Business, Economic Development & Tourism shows an average 56% increase from 2017 in claims during the period following the April 2018 flood, reversing a decreasing trend reported during the first quarter of 2018. Final unemployment rates reported for 2018 show an overall increase of 3.7%. The accommodations and food service industry claims spiked an average 30% following the storm.

*The County of Kaua'i 2018 Economic Outlook Summary* prepared shortly after the flood stated that recent historic flooding had introduced considerable near-term uncertainty. Apart from direct damage, news about the flooding was keeping people away from Hanalei, and there were reports of vacation bookings being canceled across the island. News of the Big Island volcanic eruptions was anticipated to have an impact on Kaua'i, where the industry was fielding phone calls from mainland travelers unfamiliar with Hawai'i's geography.<sup>14</sup>

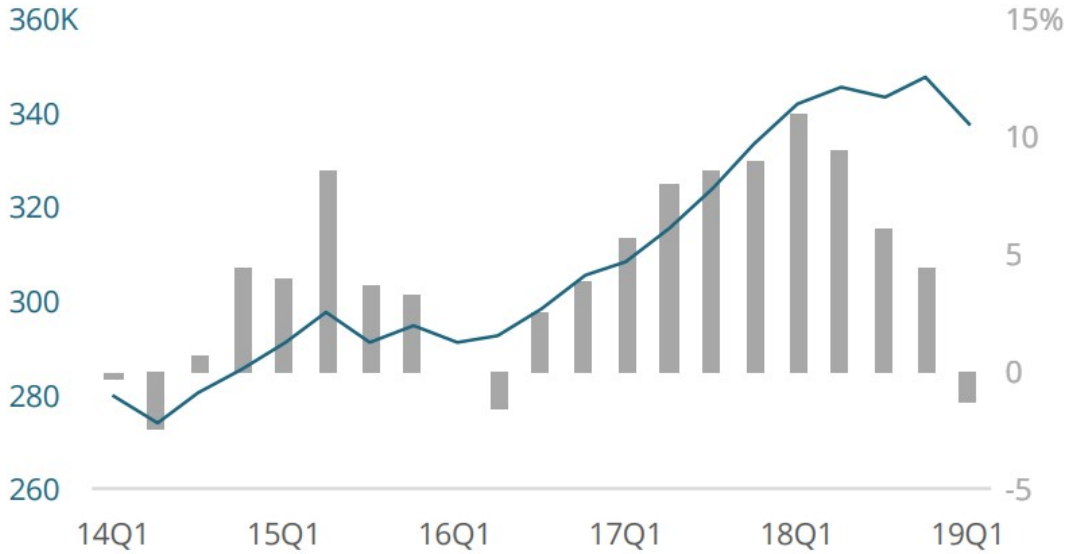
The CoK 2019 Economic Forecast prepared one year after the storm reports that the sharp surge in visitors at the start of 2018, facilitated by a massive increase in direct airlift that began in 2017 had ended by early summer, and arrivals had pulled back in 2019. The outlook for Kaua'i tourism had shifted to anticipating smaller incremental gains than experienced in recent years. The 2018 North Shore flooding, while not having a discernible impact on aggregate visitor numbers, dealt a heavy blow to the affected communities.<sup>15</sup>

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<sup>14</sup> Kaua'i Economic Outlook Summary 2018, "Economy Keeps Rising, And So Do Growth Concerns." The Economic Research Organization at University of Hawai'i. June 6, 2018. [2018 Economic Outlook Summary](#)

<sup>15</sup> Kaua'i Economic Outlook Summary 2019, "Kaua'i Downshifting, But Growth Pressures Remain." The Economic Research Organization at University of Hawai'i. June 14, 2019. [2019 Economic Outlook Summary](#)

**Figure 15: Visitor Arrival Trends 2014-2019**



Hawai'i's Department of Business, Economic Development & Tourism (DBEDT) reported a [plateau in monthly visitor totals](#) for Kaua'i throughout 2019 with only a slight increase during the summer months. January 2020 visitor arrival totals reflects a 7.3% increase over 2019, up only 3.5% from 2018 and 12% from 2017.

Kūhiō Highway reopened in June of 2019, 14 months after the storm, along with visitors' most frequented destinations on the North Shore-Hā'ena State Park featuring both Ke'e and Tunnels beaches and the trailhead for the Kalalau Trail, areas of cultural and ecological significance. To address mounting concerns of the impact, the State of Hawai'i adopted the [Hā'ena State Park Master Plan](#), limiting the number of visitors permitted to enter the park on a daily basis to 900; it had previously received an estimated 3,000 people per day before the highway closed. The reopening of the highway allowed businesses and vacation rentals to resume operations.

County of Kaua'i's Office of Economic Development shared final grant reports from local community providers for the purpose of addressing immediate relief needs in the communities from Hanalei to Hā'ena. The grantee organizations provided food, water, supplies for recovery, case management, counseling, and restoration of public areas.

The reports demonstrated how these grants accelerated recovery of the local economy by allowing CoK personnel dedicated to disaster recovery to switch focus from immediate need provisioning to restoration of infrastructure. Regaining economic momentum was contingent on reopening Kūhiō Highway, the only route of access to the North Shore communities and the attractions drawing visitors.

**Figure 16: Economic Losses compared to SBA business loans and Act 12 Grants**

Verified Business Loss-SBA	Total SBA Business Loans + Act 12 Grants
\$940,000	\$2,200,000 (SBA \$1.2m, Act 12 Grants \$1m)

### Impact to Public Services

State and federal agencies collaborated to provide emergency services immediately after the disaster. FEMA provided immediate public assistance, debris removal and emergency protective measures, soon followed by Individual Assistance. The County Emergency Operations Center was activated to support emergency management coordination and mutual aid requests for impacted communities. First responders, volunteers, and community members provided critical services immediately evacuating households, coordinating shelters and supplies, and getting information to displaced residents. The Hawai'i Community Foundation allocated over \$1.5 million in grants to [service providers](#) to address the areas of legal counseling, job training, mental health, and general health services.

Given the current status and the timing between the flooding event and the appropriated CDBG-DR funds, the only area of identified remaining public service need may be housing counseling for a small number of households with unmet housing needs defined by a deficit in disaster assistance to cover assessed damage to homes and property. Currently the housing case management is supported by Catholic Charities in coordination with Hawai'i Emergency Management Agency. KCHA will continue to monitor the needs of the households identified and is exploring the idea of establishing occupancy preferences for individuals residing and/or working in the communities affected by the disaster. Any housing counseling provided in connection with CDBG-DR-funded activities will follow requirements of the Housing Counseling Program Final Rule at 24 CFR 214. The housing counseling agencies on Kaua'i that have been certified by HUD include Hawaiian Community Assets, Hawaii Homeownership Center, and Legal Aid Society of Hawai'i.

### Housing related Impact and Need

The disaster impacted 760 homes across Kaua'i and O'ahu. Of the 350 homes impacted on Kaua'i, 187 homes were rendered uninhabitable as defined by Major and Destroyed damage categories.

- Destroyed – 11
- Major – 72
- Minor – 115
- Affected – 152

Of the homes destroyed, 109 were owner-occupied. The impact to Wainiha resulted in 33% of homes sustaining major damage or being destroyed.

[The Hawai'i Housing Planning Study, 2019](#) estimated approximately 4,281 new units are needed to meet overall housing demand through year 2025, with about 54% of units needed for the rental market. This estimate includes existing “pent up” demand for housing and the anticipated demand based on the formation of new households. The needs estimate is based on a Housing Supply/Demand Model formulated as part of the housing study. The model shows a 57% demand for new units for households below 80% of median income, where Kaua'i's housing need is greatest among the lower end of the market. In a high-cost housing market like Kaua'i, which is recognized to be one of the highest in America, both in terms of home prices and rents, it is not at all surprising that the largest gaps in demand and supply estimates are disproportionately greater at the bottom of the economic ladder.

Contributing to the need for more affordable housing units, beyond population growth exceeding housing unit supply growth, are the number of households whose shelter-to-income ratio reflects housing costs that exceed 30% of their income. The housing study demonstrates a concerning rate of 40% of the total number of households on Kaua'i as cost-burdened, or paying more than 30% of their income toward shelter expenses (rent or mortgage). Of the total households who are cost-burdened, 40% are homeowners and 55% are renters.

Low-income families are defined as families whose incomes do not exceed 80 percent of the area median income (AMI). Very low-income families are defined as families whose incomes do not exceed 50 percent of the AMI. Extremely Low-Income families are defined as very low-income families whose incomes do not exceed the greater of 30 percent of the AMI or the federal poverty guidelines as published by the Department of Health and Human Services. The table below reflects the 2020 annual Income Limits for CoK.

**Figure 17: 2020 Income Limits for County of Kaua'i**

Household Size:	1	2	3	4	5	6	7	8
<b>HUD Income Limits*:</b>								
30% Limits (Extremely Low)	20,450	23,350	26,250	30,130	35,280	40,430	45,580	50,730
50% Limits (Very Low)	34,000	38,850	43,700	48,550	52,450	56,350	60,250	64,100
60% Limits	40,850	46,620	52,450	58,300	63,000	67,650	72,300	76,900
80% Limits (Low)	54,400	62,200	69,950	77,700	83,950	90,150	96,350	102,600

The table in Figure 18 shows the number of projected units needed on Kaua'i for 2020-2025 was calculated at 4,281. These numbers include those units needed to house new households (as specified in DBEDT's Housing Demand Projection), as well as to

address unmet demand and to accommodate current homeless households that will be entering the housing market. More than half (57%) of the need for housing units on Kaua'i is to serve households earning below 80% of the AMI, 47% for households earning below 60% of the AMI and 25% for households earning less than 30% of the AMI.

**Figure 18: Hawai'i Housing Demand Projections 2020-2025**

	Total Units Needed, 2020 through 2025								
	HUD Income Classification								Total
	LT 30	30 to 50	50 to 60	60 to 80	80 to 120	120 to 140	140 to 180	180+	
State of Hawaii	10,457	5,730	3,141	6,910	6,055	4,011	5,854	7,997	50,156
Honolulu	4,200	2,923	1,979	2,944	3,037	1,710	2,405	2,970	22,168
Maui	1,721	777	492	1,272	740	647	1,800	2,955	10,404
Hawaii	3,475	1,356	373	2,285	2,143	1,163	1,198	1,309	13,303
Kauai	1,060	674	297	408	136	492	451	763	4,281
	Total Units Needed, 2020 through 2025								
	Income Classification								Total
	Less than \$30k	\$30k to \$45k	\$45k to \$60k	\$60k to \$75k	\$75k to \$100k	\$100k to \$150k	More than \$150k		
State of Hawaii		10,123	5,679	5,591	5,730	7,191	8,762	7,080	50,156
Honolulu		3,979	2,539	2,241	2,368	3,439	4,077	3,526	22,168
Maui		2,039	1,174	1,279	1,143	1,734	1,822	1,213	10,404
Hawaii		3,904	1,497	2,285	1,982	943	1,774	918	13,303
Kauai		1,367	385	204	613	494	630	588	4,281

Source: Housing Demand Survey and Hawai'i Housing Model, 2019

The Comprehensive Housing Affordability Strategy (CHAS) consists of custom tabulations of American Community Survey (ACS) data from the U.S. Census Bureau and is used by HUD and local governments to distribute grants and plan spending of grant funds. The CHAS defines four housing problems as:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Household is overcrowded
- Household is cost burdened

A household is said to have a housing problem if they have any 1 or more of these 4 problems. According to the data for Hanalei CCD, an average of 22% of respondents reported having a housing problem. Among the respondents who reported housing problems, 58% were owners and 43% were renters.

Though many of the homes affected by the storm have been rebuilt or repaired, the preexisting housing crisis coupled with loss from the 2018 disaster highlights the impact of KCHA's intent to use CDBG-DR funds to expand the number of affordable housing units in the North Shore communities.

The information in Figure 19 reflects the overall status of recovery and unmet need by recovery category clearly illustrating the preexisting demand for housing units which was exacerbated by the flooding disaster.

**Figure 19: Status of Recovery and Unmet Need by Category**

Recovery Category	Recovery Costs	Other Funding Provided	Unmet Need	CDBG-DR Allocation
Emergency Repairs	\$11m	\$4.25m FEMA \$6.25m Act 12 Funds	All emergency repairs completed	\$0
Infrastructure Repairs	\$13m	\$3.75m FEMA PA \$9.7m Act 12 Funds	Infrastructure repairs covered with Act 12 funds are sufficient for recovery.	\$0
Public Facilities	\$8.5m	\$2m FEMA PA \$6.5m Act 12 Funds	No further repairs needed.	\$0
Public Services	\$2m	\$2.4m Act 12 funds	Fully funded w/ Act 12	\$0
Single Family Housing Restoration	\$14.5	\$1.2m FEMA \$4.8m SBA \$7.6m Insurance	\$863K	\$0
Multi-Family	\$1.2B 2,575 Units Needed <sup>16</sup>	\$2.25m HOME \$1.4m HTF \$700k CDBG LIHTC funds	\$1.2B	\$7.3m
Economic Revitalization	\$940,000	\$1.2m SBA \$1m Act 12 Grants	Fully funded w/ Act 12 grants. Further economic loss covered with SBA loan.	\$0

<sup>16</sup> Total housing units needed by 2025 for households earning less than 120% AMI from Hawai'i Housing Planning Study, 2019.

## Vulnerable Populations

As a CDBG-DR grantee, a description of how KCHA's programs will promote housing opportunities for vulnerable populations is required under Federal Register Notice 83 5849.<sup>17</sup> KCHA is committed to fair and equitable treatment of Kaua'i's vulnerable populations during disaster recovery. Determination of the most impacted and distressed communities using FEMA and SBA damage assessments followed by an analysis of population characteristics that may impact one's ability to evacuate and/or recover from a disaster is the method KCHA is using to prioritize CDBG-DR funding to benefit the low- and moderate-income groups, address specific housing needs of vulnerable populations, and affirmatively further fair housing and equality.

KCHA provides housing programs to serve the needs of Kaua'i's vulnerable populations, defined by HUD as:

- Persons experiencing homelessness or at risk of homelessness
- Persons with a disability or special needs
- Persons who are elderly
- Families with children, especially those with incomes below 30 percent of the area median income
- Persons and their families who require supportive housing such as persons with disabilities, alcohol or other drug addiction, and persons with HIV/AIDS.

[The Hawai'i Housing Planning Study, 2019](#) (HHPS) examines housing-related issues among persons belonging to special needs groups expanding the aforementioned vulnerable subpopulations to include:

- Persons with severe mental illness
- Victims of domestic violence
- Emancipated foster youth
- Exiting offenders

The HHPS identifies three types of housing solutions to support vulnerable populations as: (1) persons who are living in existing households and receiving care from other household members, (2) persons who receive public assistance or services to enable them to live in permanent housing and, (3) persons who need residential programs with supportive services delivered onsite. A person who requires any of the three types of supportive housing may experience challenges in obtaining or retaining housing. Low income, the need for supportive services in or near their homes, and the temporary nature of some special needs services can keep them from securing adequate and affordable housing.

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<sup>17</sup> Federal Register Notice 83 FR 5849 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [FR 83 5849](#)



Economic barriers to accessing housing faced by persons with special needs include a low rate of employment often caused by frequent health challenges, the need for substance use treatment, or for survivors of domestic violence requiring shelter, counseling, and services for employment and housing. Difficulty with attendance or fulfilling other job requirements may lead to sporadic employment and unstable job history resulting in lower incomes and the inability to afford market rents. A lack of job training or education, reintegration counseling for exiting offenders, substance use treatment, and supportive services for transitional-aged foster youth are circumstances keeping people who need services onsite or near their residence from securing adequate and affordable housing. Although public housing, Section 8, and other similar housing support programs help to mitigate the economic barriers to accessing housing, many special needs persons may need access to support or treatment services delivered at or near their residence.

The HHPS examines the types of supportive housing available statewide. Of the eight facilities that offer temporary shelter for survivors of domestic violence, 1 is located on Kaua'i. A "Special Treatment Facility" (STP) is a facility that provides a therapeutic residential program for care, diagnosis, treatment, or rehabilitation for socially or emotionally distressed persons, mentally ill persons, persons suffering from substance abuse, and developmentally disabled persons. The twenty-four STP's statewide do not include a location on Kaua'i. "Therapeutic Living Programs" (TLPs) are long term (up to 6 months) residential programs for adults with severe and persistent mental illness who do not need the care of a specialized treatment facility. There are nine TLP's statewide with no locations on Kaua'i. "Developmental Disabilities Domiciliary Homes" are described under *Chapter 333F of Hawaii's Revised Statutes-Services for Persons with Developmental Disabilities or Mental Retardation*. They provide 24-hour supervision or care, excluding licensed nursing care, for a fee, to not more than five adults with mental retardation or developmental disabilities. There are 45 of these facilities statewide, none of which are located on Kaua'i. "Community Care Foster Families" (CCFF) serve the aged and disabled persons by providing housing, supervision, direct care, and management of resident's non-medical and medical service needs. 22 of the 1,166 CCFF's statewide are located on Kaua'i. Assisted Living Facilities (ALF) provide a combination of housing, meal services, health care services, and personalized support services designed to respond to individual needs. Of the 14 facilities statewide, Kaua'i is home to one ALF with 100 beds. Kaua'i has 5 Skilled Nursing facilities with 333 beds.

The HHPS identified three types of housing needed to support vulnerable populations: (1) units in care homes with appropriate services, (2) temporary units in transitional programs, and (3) housing units for people exiting programs. The need for units in care homes with appropriate services is highlighted by an anticipated 14% increase in the population projected to be over the age of 65 by 2045. The special needs groups seeking residential shelters/clinics (a form of transitional housing) are domestic violence survivors, persons with foster care, and perhaps persons with HIV/AIDS. Assuming identified need increases at the rate of population, an additional 15 to 20 domestic violence shelter units statewide will be required at a minimum by 2025. There are 4,922

Substance Abuse offenders in treatment programs across Hawai'i. Some of these programs are residential treatment facilities. If the number of offenders increases at the same rate as the population, there will be 5,080 offenders seeking treatment in 2025. Likewise, current residential treatment programs will have to increase their availability accordingly. The Hawai'i Paroling Authority identified 852 parolees and exiting offenders in one year. Ideally, most of them will have spent time in transitional housing prior to leaving the facility to provide them the resources and skills they will need to acclimate to community living. Each year approximately 66 youth age out of the Foster Care system. There is a need for a transitional-type group setting for them that provides the training and resources to find employment, apply for scholarships, grants, and find affordable housing. By 2025 an additional ten spaces/units per year will be needed. Approximately 2,393 individuals have AIDS/HIV. Based on the analysis, there were 107 persons who had been served in by a homeless program who self-identified as having HIV/AIDS and of these 28 exited to permanent housing. Having a transitional option while waiting for permanent housing will be beneficial for this group.

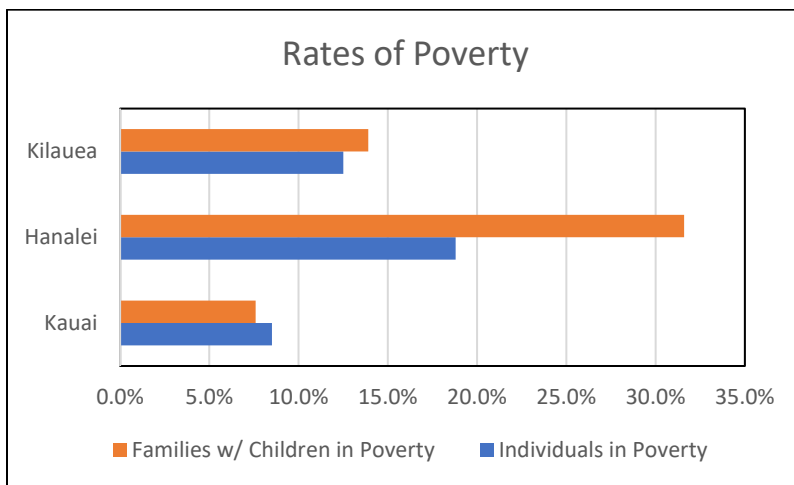
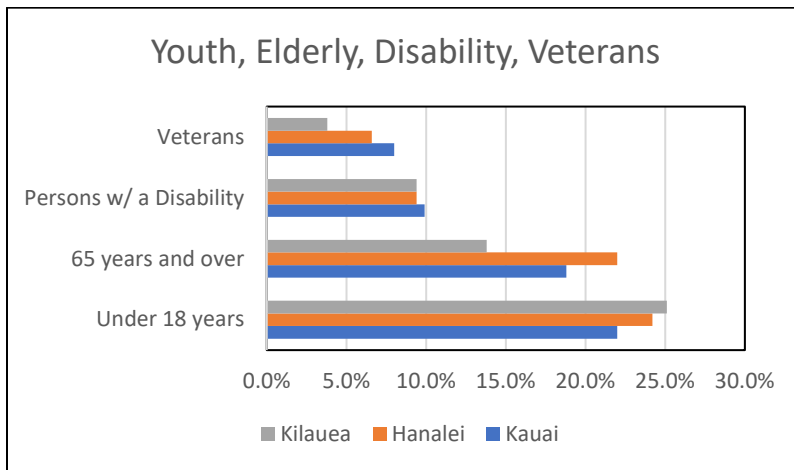
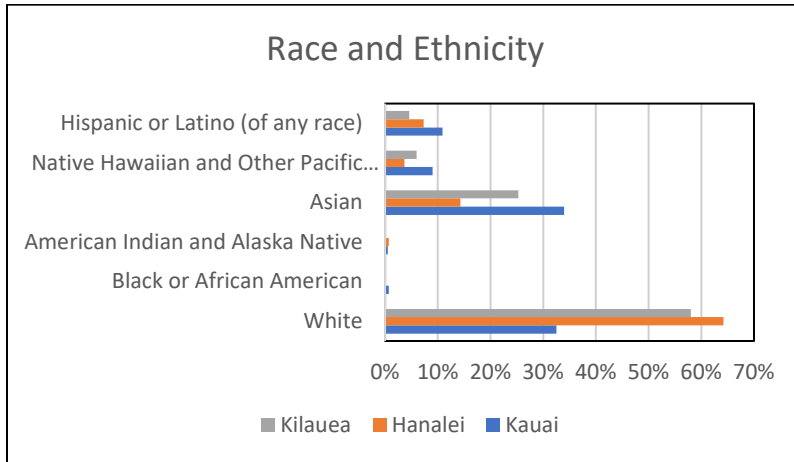
Overall, to improve housing opportunities for Hawai'i's vulnerable populations, there is a significant need for:

- Care facilities and/or home service providers for the elderly and for persons with serious mental illness
- Transitional shelters/clinics for:
  - Domestic Violence Survivors
  - Substance Abuse Offenders
  - Paroles and Ex-Offenders
  - Emancipated Foster Care Youth
  - Persons with AIDS/HIV
- Permanent housing available when persons exit their transitional shelters/clinics.

To promoting housing opportunities for vulnerable populations, KCHA will also consider the needs and equal access of persons belonging to a protected class, persons who require language assistance, and persons who lack access to transportation and/or healthcare. KCHA will consider the needs of all vulnerable populations when planning, developing, and marketing both disaster recovery information and affordable housing resources such as emergency shelters, homeless facilities, transitional housing, supportive housing, permanent affordable housing, and supportive services, as applicable.

KCHA is required to assess how the use of CDBG-DR funds may affect members of protected classes under fair housing and civil rights laws, racially and ethnically concentrated areas, and concentrated areas of poverty. KCHA will consider the information reflected in Figure 20 when planning affordable rental housing.

**Figure 20: Demographics of Kaua'i County compared to Hanalei and Kīlauea**



Median Income	Kaua'i	Hanalei	Kīlauea
	\$78,482	\$41,667	\$86,429

Planning affordable housing development in Kīlauea impacts the racial and ethnic demographics of Kaua'i County by offering an affordable housing resource in an area with approximately half the concentration of persons reporting Hispanic ethnicity as compared to Kaua'i County, according to the ACS data from the 2014–2018 5-Year survey. The survey results show .7% of Kaua'i County's population who reported their race as Black and/or African American are all reflected in the Kapa'a County Subdivision. Kīlauea resulted in 40% persons reporting their race as white as compared to 32.5% county wide and 58% in Hanalei. Comparing island wide, Kīlauea has approximately 30% fewer people who reported their race as Native Hawaiian or Asian.

The percentage of people living below the poverty level reported in the ACS data from the 2014–2018 5-Year survey shows Hanalei County Subdivision as having the county's highest rate of poverty at 17.6%. Kīlauea has 12.5% people living in poverty and twice the median income of Hanalei. Kīlauea is located between Hanalei and the Anahola County Subdivision to the South, which has the island's third highest rate of poverty at 14.5%. Building affordable housing in Kīlauea will deconcentrate areas of poverty and provide people in ethnic and racial minority groups an opportunity to move to an area that did not previously offer affordable housing options beyond the 20 units of senior housing owned by the State of Hawai'i.

Building affordable housing in Kīlauea will expand opportunities for veterans, persons who are elderly and families with children. Locations considered for developing in Kīlauea are within walking distance to services, schools and public transportation.

KCHA will address language assistance needs and reasonable accommodations procedures required of recipients of federal financial assistance. KCHA will identify and resolve barriers to achieving equality and inclusion by incorporating specialized assistance and supportive resources to plan for and accommodate the needs of people including but not limited to public or private social services, transportation accommodations, interpreters, translators, I-speak cards, and other services for those persons who may be visually or speech impaired during the Action Plan process free of charge.

The need for supportive resources and/or reasonable accommodations/modifications will also be assessed when selecting, designing, constructing and marketing affordable housing projects. Equal access to the selected project will be ensured by KCHA through an analysis of barriers that each vulnerable subpopulation may anticipate.

Construction and design will be in compliance with *Fair Housing Accessibility Guidelines* and the *Fair Housing Act Design Manual*. As required under Section 504 of the Rehabilitation Act, all federally assisted new construction housing developments with 5 or more units must design and construct 5 percent of the dwelling units, or at least one unit, whichever is greater, to be accessible for persons with mobility disabilities. These units must be constructed in accordance with the [Uniform Federal Accessibility](#)

Standards (UFAS) or a standard that is equivalent or stricter. An additional 2 percent of the dwelling units, or at least one unit, whichever is greater, must be accessible for persons with hearing or visual disabilities. With respect to housing accessibility, Title II of the ADA covers housing provided by public entities (state and local governments), such as housing on a state land. Title III requires that public and common use areas at housing developments are accessible.

Marketing the project will follow an Affirmative Fair Housing Marketing Plan (AFHMP), as specified in 24 CFR 200.625, and in accordance with the requirements in 24 CFR 200.620. The purpose of the AFHMP is to help applicants offer equal housing opportunities regardless of race, color, national origin, religion, sex, familial status, or disability. The AFHMP helps owners/agents (respondents) effectively market the availability of housing opportunities to individuals of both minority and non-minority groups that are least likely to apply for occupancy.

Operation of the project will require an ongoing effort by management to maintain equal opportunity and access by designing effective program policies and procedures that take the needs of residents, visitors, service providers and project staff into consideration. Situations involving a barrier to access may also need to be considered by providing reasonable accommodations or modifications for persons who have a disability or need that may otherwise prevent such access or participation.

To promote greater housing opportunities for vulnerable populations, all requests for proposals for developing multifamily affordable housing in partnership with KCHA requires units to be designated for persons experiencing homelessness. Existing KCHA programs and community resources intended to alleviate the hardship of persons experiencing homelessness include three emergency shelters island wide. Two are operated by Kaua'i Economic Opportunity (KEO), a nonprofit organization established in 1965 dedicated to offering programs and services to people in need. The land and improvements of the shelters operated by KEO were originally funded with CDBG and CDBG-DR funds and are now leased from CoK. KEO shelter operations are funded with part of the annual Emergency Solutions Grants awarded to the State of Hawai'i, totaling just over \$400k. In 2005, \$1 million of HOME funds and \$500k in CoK housing development funds were awarded to KEO for renovation work. CDBG grants for various projects and expenditures have been awarded to KEO each year including \$38k in program year 2020 for improvements to the wastewater system (replace pumps) for the shelter and transitional housing and to install an ADA compliant door to the front entrance of the social service programs building.

The shelter for victims of domestic violence is operated by YWCA, a nonprofit organization founded in 1963 dedicated to eliminating racism, empowering women and promoting peace, justice, freedom and dignity for all. In 2018, the YWCA reported \$2.3 million in federal grants, approximately \$100k in additional small grants and \$25k of fundraising revenue. The following projects were funded with CDBG grants:

County of Kaua'i 2018 CDBG-DR Action Plan  
Kaua'i County Housing Agency

<b>Project</b>	<b>Fiscal Year</b>	<b>CDBG Funding</b>
YWCA Women's Center Roofing Project	2013-2014	\$ 98,560.39
Reintegration Counseling Services	2013-2014	\$ 20,000.00
Roof Repair and Photovoltaic System for YWCA Administration Building	2014-2015	\$ 147,000.00
Photovoltaic System and Air Condition Units for Family Violence Shelter	2016-2017	\$ 159,303.34
Renovation for Family Violence Shelter (recommended for award)	2017-2018	\$ 398,314.00
	<b>GRAND TOTAL</b>	<b>\$ 823,177.73</b>

KEO operates two of three transitional housing models, and Women in Need operates the third. In 2011, \$232k of HOME funds was awarded to KEO for acquisition and rehabilitation work for a Kapa'a transitional housing location. In 2017, \$300k of HOME funds were awarded to KEO for acquisition and rehabilitation work of a Hanamā'ulu transitional housing location.

Women in Need (WIN) is a 501 (c)(3) nonprofit organization that empowers women who have been through domestic violence, homelessness, substance abuse, and incarceration. WIN operates a transitional home funded by Hawai'i's Homeless Programs Office, and services are provided through different sources such as ADAD, Probation, Drug Court and client rent.

Two permanent supportive housing communities being developed are Pua Loke, offering 53 units and Kealaula, which will include 22 units. Pua Loke is funded with \$17m of LIHTC funds, \$2.2m of HOME funds, \$2.7m of HTF funds and \$500k of CoK development funds. Kealaula, to be operated by WIN, received \$2.3m of 'Ohana Zone funding from DHS Hawai'i to support construction, infrastructure improvements and the delivery of on-site services for the project.

The Tenant Based Rental Assistance program is offered to households referred by the Continuum of Care agencies in the form of rental subsidy for a period of up to three years. Currently the TBRA program received \$476k of program year 2020 HOME funds and is anticipated to assist at least 30 families.

The sources used by KCHA to analyze the vulnerable populations across the island and in the storm impacted communities are listed below:

- American Community Survey
- CDC Social Vulnerability Index
- Comprehensive Housing Affordability Strategy
- Point-in-Time Count Hawai'i 2018 and 2019

A. American Community Survey

Under the U.S. Census Bureau, the American Community Survey (ACS) collects vital information on a yearly basis about our nation. Information from the survey generates data that help determine how more than \$675 billion in federal and state funds are distributed each year.

The geographic area of the *Hanalei County Subdivision* (Hanalei CCD) selected for ACS data has a Western boundary at Nāpali Coast State Wilderness Park and an Eastern boundary aligned with Larsen Beach Road and therefore includes the communities most impacted by the 2018 flood.

**Figure 21: Hanalei to Hā'ena Population Demographics**



The 2017 American Community Survey 5-year median income estimate with a CPI inflation factor puts the median household income for Kaua'i County overall at \$100,800 and for Hanalei CCD \$73,438.

ACS data from the 2014–2018 ACS 5-Year survey for census tract 401.04, which includes the communities from Hanalei to Hā'ena, indicates nearly a fifth of the area population is living in poverty and almost half are *keiki* (children) and *kūpuna* (elderly), as seen below.

Figure 22: 2014–2018 ACS 5-Year Narrative Profile: Household income for census tract 401.04

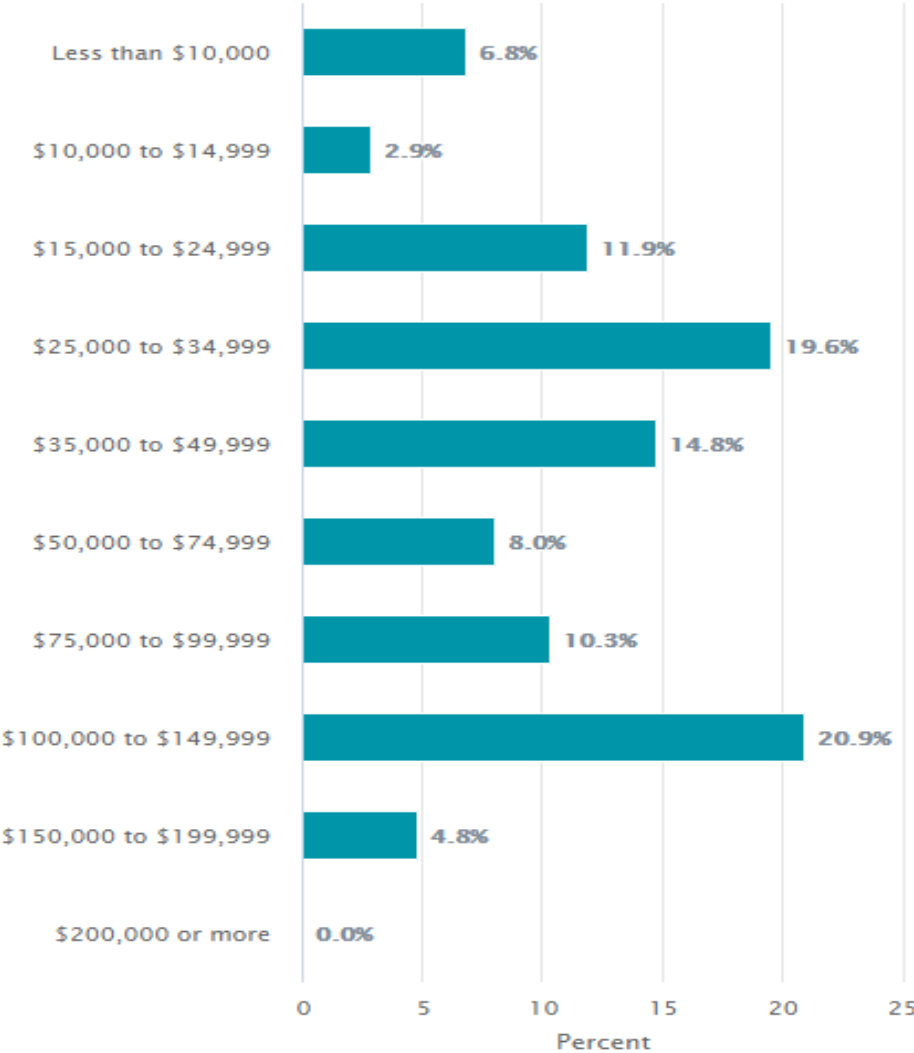
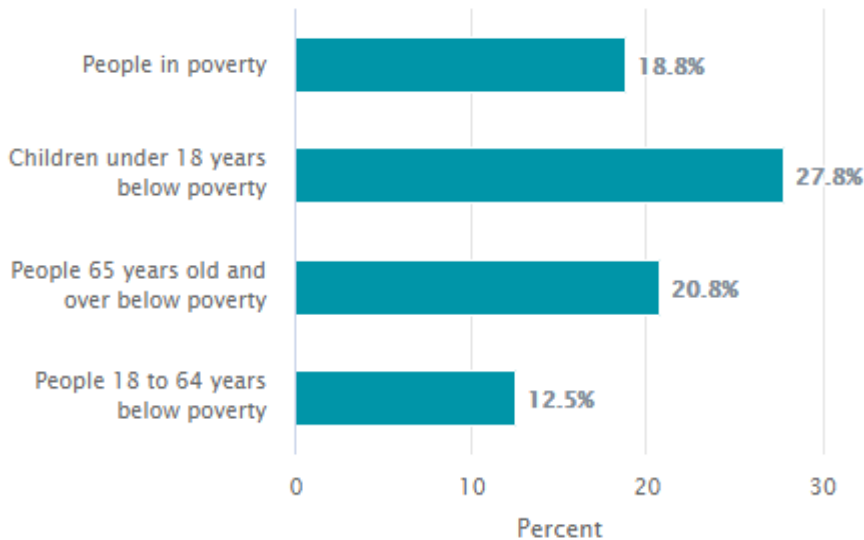




Figure 23: 2014–2018 ACS 5-Year Narrative Profile: Poverty rates for census tract 401.04



In Census Tract 401.04, 7.3 percent reported a disability in 2014-2018. The likelihood of having a disability varied by age from 0.0 percent of people under 18 years old, to 3.0 percent of people 18 to 64 years old, and to 21.7 percent of those 65 and over.

#### B. Social Vulnerability Index

[Social Vulnerability Index](#) (SVI) indicates the relative vulnerability of every U.S. Census tract. Census tracts are subdivisions of counties for which the Census collects statistical data. SVI ranks the tracts on 15 social factors, including unemployment, minority status, and disability, and further groups them into four related themes. Thus, each tract receives a ranking for each Census variable and for each of the four themes, as well as an overall ranking. The SVI is useful for consideration in disaster recovery planning, as higher vulnerability suggests a lower resiliency for the community and its residents during and after a disaster. The specific areas of vulnerability bring into focus where support and solutions are needed to enhance resiliency, minimize impact, and protect people from harm.

Figure 24: The 4 Themes and 15 Factors of Social Vulnerability

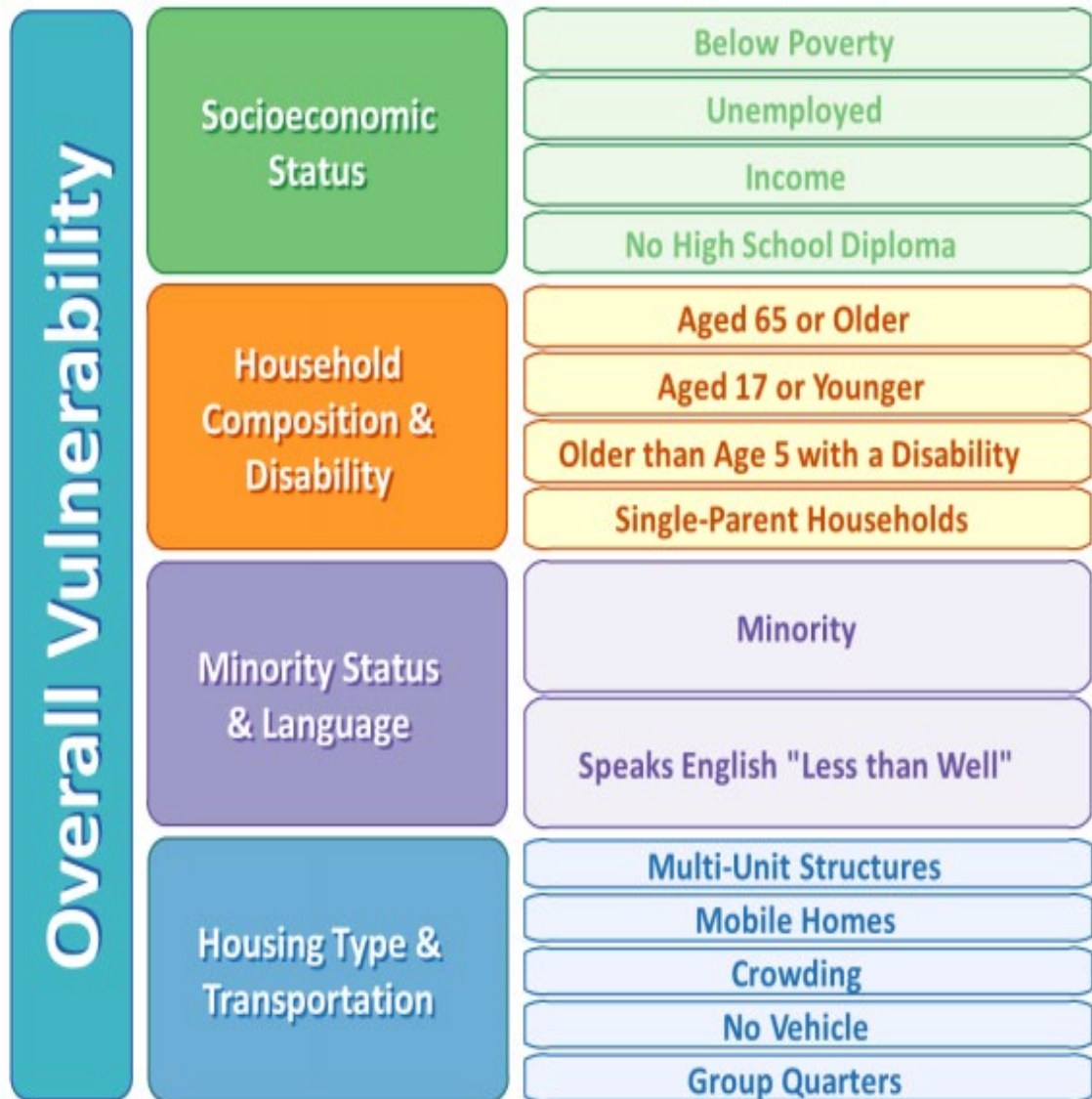
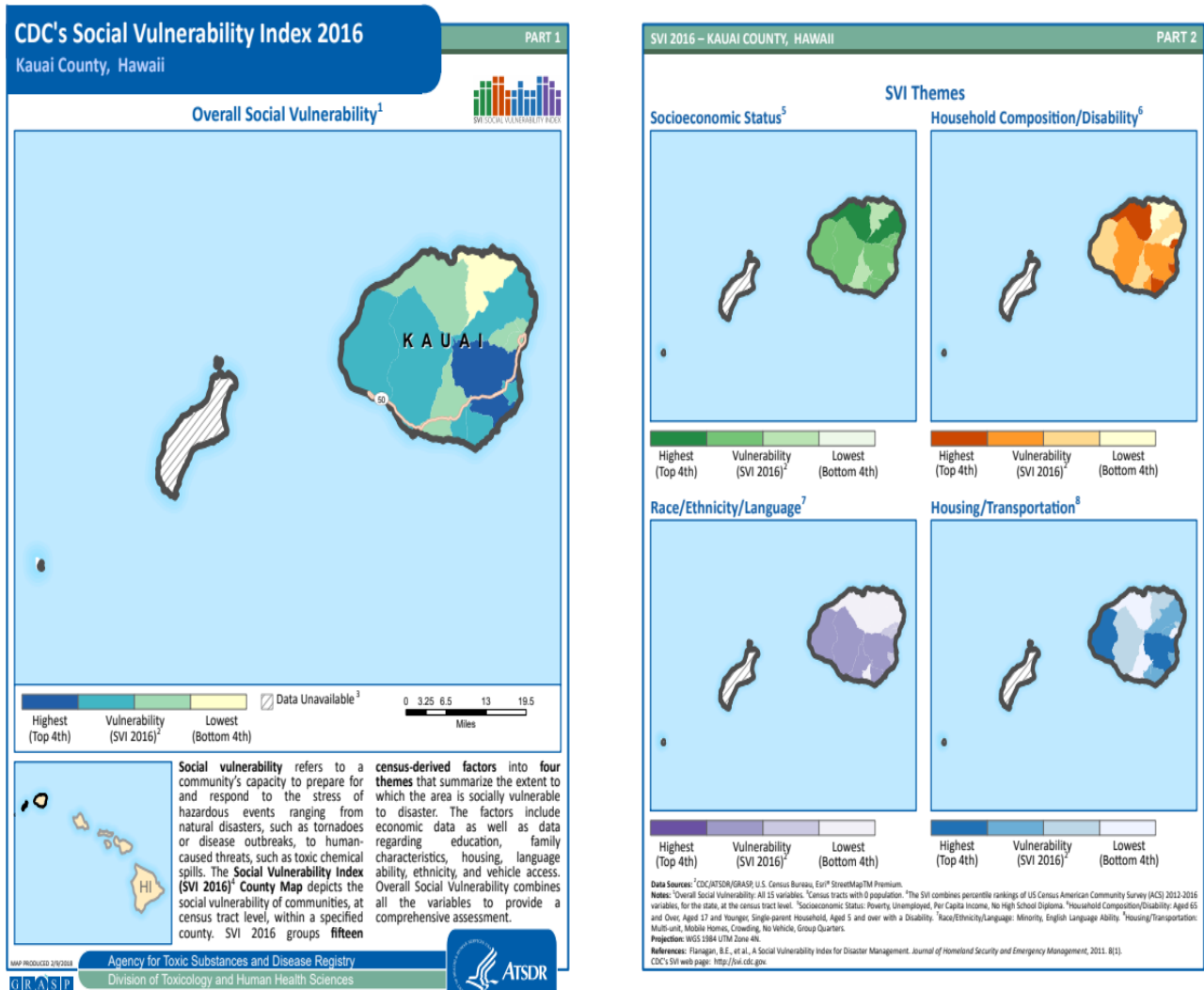


Figure 25: Overall SVI and the four SVI themes for each census tract in Kaua'i County



The information in the following table compares the SVI ratings for Census Tract 401.04 as compared to the overall ratings for Kaua'i. The results of the comparison indicate a high level of SVI for the CoK within the Minority Status and Language theme and moderate to high level of SVI for Census Tract 401.04 in the areas of Socioeconomic Status and Household Composition and Disability.

**Figure 26: SVI levels of Census Tract 401.04 compared to the County of Kaua'i**

SVI Theme	Census Tract 401.04	SVI Level	County of Kaua'i	SVI Level	Variation
Overall SVI	.2732	Low to Moderate	.2923	Low to Moderate	-7%
Socioeconomic Status	.5738	Moderate to High	.1353	Low	76%
Household Composition and Disability	.6762	Moderate to High	.0961	Low	86%
Minority Status and Language	.2608	Low to Moderate	.9484	High	-264%
Housing Type and Transportation	.0366	Low	.2923	Low to Moderate	-699%

### C. Comprehensive Housing Affordability Strategy

Each year, HUD receives custom tabulations of ACS data from the U.S. Census Bureau. These data, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrate the extent of housing problems and housing needs, particularly for low-income households. The CHAS data are used by local governments to plan how to spend HUD funds, and may also be used by HUD to distribute grant funds.<sup>18</sup> The data is available at various geographic levels.

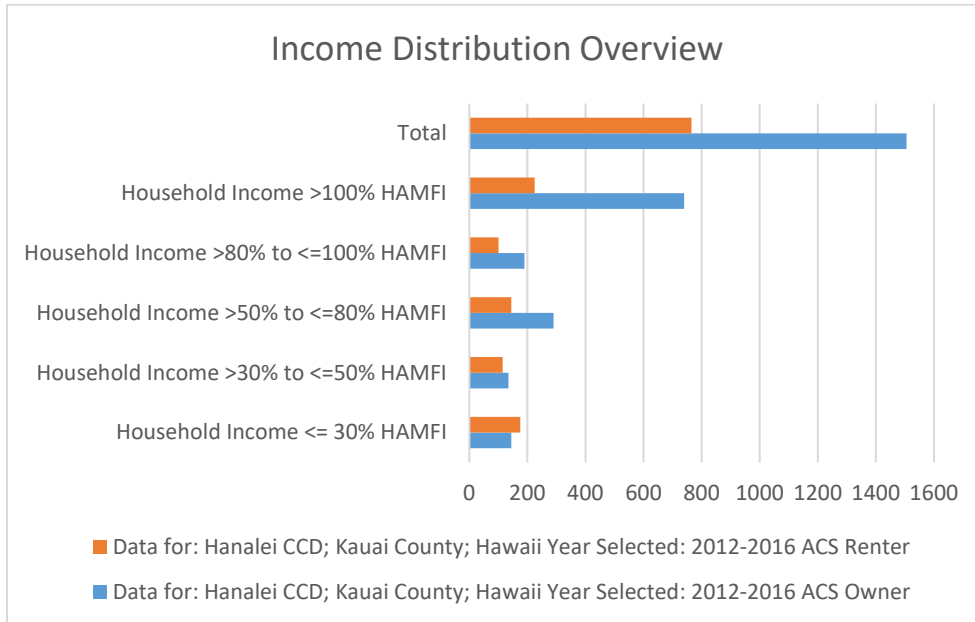
The area selected for the data analysis is the *Hanalei County Subdivision*. This area has a Western boundary at Nāpali Coast State Wilderness Park and an Eastern boundary aligned with Larsen Beach Road and therefore includes the communities most impacted by the 2018 flood.

Examining the household incomes of renters and owners within the Hanalei CCD using ACS 2012-2016 data shows 77% of owners are categorized as low- to moderate-income and 31% have incomes below 30% of the HUD area median income. 64% of renters are considered low- to moderate-income and 45% are earning less than 30% of the HUD area median income.

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<sup>18</sup> The primary purpose of the CHAS data is to demonstrate the number of households in need of housing assistance. This is estimated by the number of households that have certain housing problems and have income low enough to qualify for HUD's programs (primarily 30, 50, and 80 percent of median income). It is also important to consider the prevalence of housing problems among different types of households, such as the elderly, disabled, minorities, and different household types. The CHAS data provide counts of the numbers of households that fit these HUD-specified characteristics in HUD-specified geographic areas.

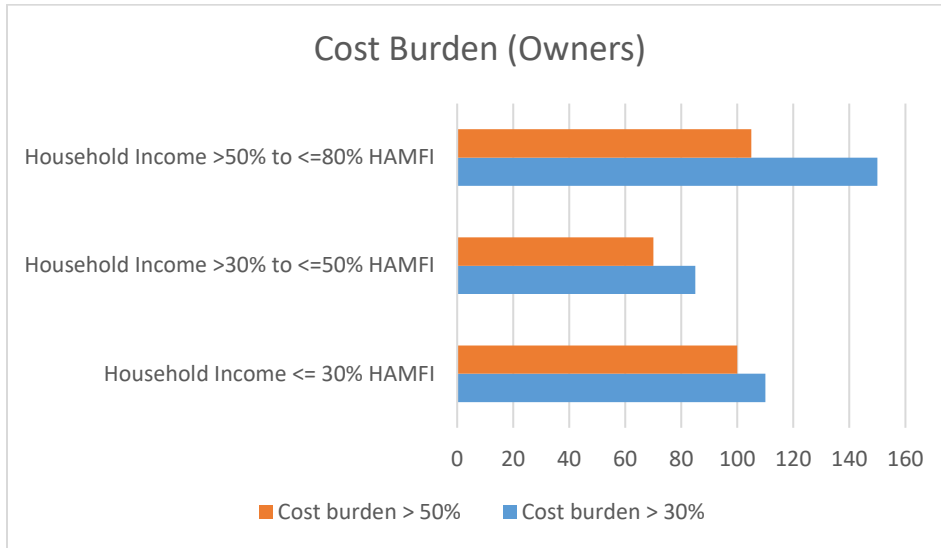
**Figure 27: ACS 2012-2016 data for household income of owners and renters**



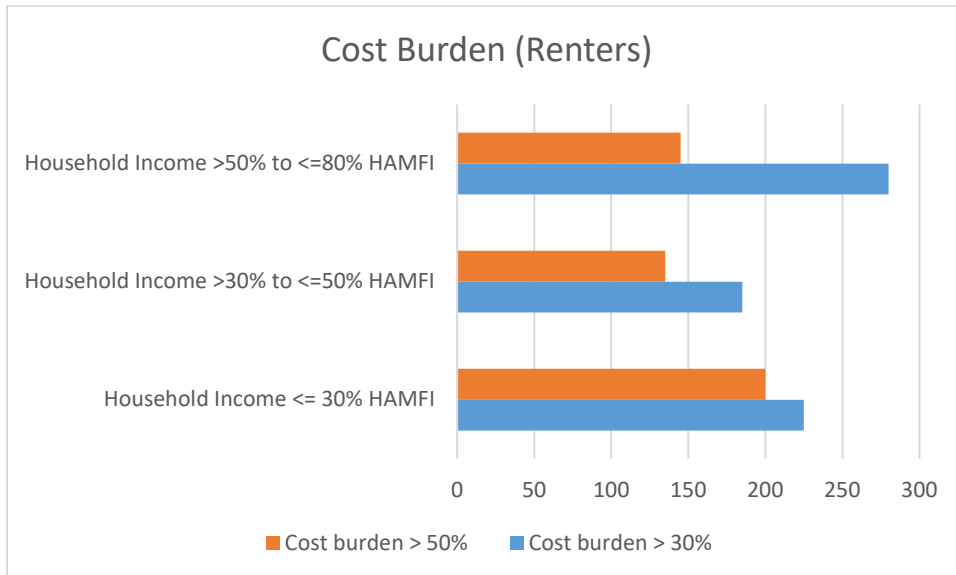
Cost burden is the ratio of housing costs to household income. For renters, housing cost is rent plus utilities. For owners, housing costs include mortgage payment, utilities, association fees, insurance, and real estate taxes. Households that are cost-burdened, or paying more than 30% of their income toward rent, may be at risk of becoming homeless and are included as a subcategory within the vulnerable population.

The cost burden of renters and owners by income level is shown in figures 28 and 29. 25% of owners and 27% of renters could be at risk of homelessness due to being cost-burdened and reporting household income of less than 30% of the HUD area median income.

**Figure 28: Cost Burden of Owners by Income Level**



**Figure 29: Cost Burden of Renters by Income Level**



**D. Hawai'i Homeless Point-In-Time Count**

Results from the 2018 Neighbor Islands Homeless Point-In-Time Count conducted on January 22, 2018 revealed a 10 percent overall decrease in one-day homelessness from 2,261 persons in 2017 to 2,035 persons in 2018. The Neighbor Islands decrease was led by overall decreases on Hawai'i (9%), Maui (3%), and Kaua'i (29%). The 2018 count reflects data prior to the April 2018 disaster. The decrease in 2018 for Kaua'i is

based on an undercount due to a lack of volunteers over prior years and led to a 51% increase for 2019 when volunteer levels were restored to adequately cover all areas of the island. Results from the [2020 Neighbor Islands Homeless Point-In-Time Count](#) conducted on January 26, 2020 revealed a 5% decrease from 2019.

**Figure 30: Point-in-Time Count on Kaua'i since 2016**

	Sheltered		Unsheltered		Kauai Total
	#	%	#	%	#
2020	55	13.0%	369	87.0%	424
2019	95	21.4%	348	78.6%	443
2018	106	36.2%	187	63.8%	293
2017	115	27.9%	297	72.1%	412
2016	91	20.6%	351	79.4%	442

Regional results for 2017 indicate an accurate pre-disaster count of 49 total unsheltered homeless individuals for the North Shore of Kaua'i followed by a 22% increase to 60 individuals in 2019, as seen below. The 2020 count reflects 40 total unsheltered homeless individuals, a 33% decrease over 2019 and 22% down from 2017.

**Figure 31: Kaua'i regional results for Hawai'i Point-in-Time Count for 2019**

Zone	Individuals		Family Individuals		All Individuals		Family Households	
	#	%	#	%	#	%	#	%
1: West	75	26.2%	27	43.5%	102	29.3%	7	38.9%
2: South	2	0.7%	2	3.2%	4	1.1%	1	5.6%
3: South Central	118	41.3%	20	32.3%	138	39.7%	6	33.3%
4: East	41	14.3%	3	4.8%	44	12.6%	1	5.6%
5: North	50	17.5%	10	16.1%	60	17.2%	3	16.7%
<b>TOTAL</b>	<b>286</b>	<b>100.0%</b>	<b>62</b>	<b>100.0%</b>	<b>348</b>	<b>100.0%</b>	<b>18</b>	<b>100.0%</b>

Figure 32: Kaua'i regional results for Hawai'i Point-in-Time Count for 2020

Zone	Individuals		Family Individuals		All Individuals		Family Households	
	#	%	#	%	#	%	#	%
1: West	62	23.0%	53	53.0%	115	31.2%	13	50.0%
2: South	5	1.9%	0	0.0%	5	1.4%	0	0.0%
3: South Central	107	39.8%	32	32.0%	139	37.7%	9	34.6%
4: East	64	23.8%	6	6.0%	70	19.0%	2	7.7%
5: North	31	11.5%	9	9.0%	40	10.8%	2	7.7%
<b>Total</b>	<b>269</b>	<b>100.0%</b>	<b>100</b>	<b>100.0%</b>	<b>369</b>	<b>100.0%</b>	<b>26</b>	<b>100.0%</b>

Families with children accounted for more than a quarter of the homeless population on Kaua'i, according to the 2020 count of individuals, families, and children.

Figure 33: Homelessness experienced by Families on Kaua'i

	Sheltered		Unsheltered		Kauai Total
	#	%	#	%	#
Individuals	46	13.9%	286	86.1%	332
Family Individuals	49	44.1%	62	55.9%	111
Adults	20	38.5%	32	61.5%	52
Children	29	49.2%	30	50.8%	59
All Individuals	95	21.4%	348	78.6%	443
Family Households	14	43.8%	18	56.3%	32

The table in Figure 34 shows the number of persons with special needs and the number of veterans who are experiencing homelessness across Kaua'i according to the 2020 count. Of the total count, 24% of all persons experiencing homelessness reported having a substance use disorder, 22% reported serious mental illness, 5% reported veteran status, and 0.5% are adults with HIV/AIDS.



**Figure 34: Persons with Special Needs experiencing Homelessness on Kaua'i**

	<b>Emergency</b>	<b>Transitional</b>	<b>Unsheltered</b>	<b>Total</b>
Serious Mental Illness	7	4	82	93
Substance Use Disorder	5	10	87	102
HIV/AIDS	0	0	2	2
Fleeing DV (Optional)	7	0	NA	7
	<b>Emergency</b>	<b>Transitional</b>	<b>Unsheltered</b>	<b>Total</b>
Total Veterans	3	0	20	23
Veteran Families	0	0	0	0
Persons in Veteran Families	0	0	0	0

The conclusions derived from the data analysis regarding vulnerable populations unmet housing needs are:

- The communities of Kaua'i's North Shore have a greater risk of becoming homeless based on reported low-income and cost-burden data, particularly in families with children and in elderly households.
- The data for the impacted communities suggests an overall higher vulnerability due to household composition including individuals with a disability, single-parent households, youth, and elderly.
- Among the population of persons who reported experiencing homelessness, families with children and individuals with a substance use disorder and/or serious mental illness comprise nearly 75% of all homeless persons on Kaua'i.

KCHA will promote housing opportunities for vulnerable populations based on the conclusions derived from the analyses of data by prioritizing affordable housing designed particularly to serve people who are elderly and disabled and may have mobility impairments, healthcare and transportation needs, and/or would benefit from specialized services supporting participation in activities of daily living. The high level of vulnerability and rate of persons experiencing homelessness, especially families with children and individuals who have reported substance use issues and/or serious mental illness, particularly concentrated to the South Central and East communities of Kaua'i, calls for consideration of housing solutions such as emergency shelters and transitional housing in communities with fewer resources. The availability of supportive services in those areas is a key component that will be factored into creating effective and successful housing opportunities for vulnerable populations.

#### IV. PROPOSED USE OF CDBG-DR FUNDS

CDBG-DR funds must address necessary expenses of long-term recovery and restoration of infrastructure and housing, economic revitalization, and mitigation in the

most impacted and distressed areas following a Presidentially-declared disaster. The current Federal Register Notice<sup>19</sup> and Prior Notices<sup>20</sup> provide detailed requirements regarding the use of CDBG-DR funds, and the information regarding KCHA's proposed use of funds to be covered in this Action Plan.

HUD has identified the most impacted and distressed area based on the best available data for all eligible disaster-affected areas. At least 80 percent of the total CDBG-DR funds provided must address unmet disaster needs within the HUD-identified most impacted and distressed (MID) areas. 85 FR 4861 expands the MID from Kaua'i's 96714 zip code to the entire County of Kaua'i, allowing funds to be used in an area outside of the 96714 zip code.

KCHA may use up to 5 percent of the total allocation for grant administration, including pre-award expenses for CDBG-DR staff salaries and start-up costs, and no more than 15 percent of the total grant award for planning activities. At least 70 percent of CDBG-DR funds remaining for project expenses must benefit low- and moderate-income persons. Up to 30 percent of CDBG-DR funds may be used to benefit persons belonging to 80% AMI up to 120% AMI under the urgent need national objective category. Appendix G: KCHA CDBG-DR Quarterly Projections and Outcomes is available to review quarterly projected and actual expenditures over the 6-year grant period, as well as projected and actual outcomes of rental housing units developed over the 6-year grant period.

**Figure 35: KCHA Disaster Recovery Budget**

<b>Expense</b>	<b>Amount</b>	<b>Comments</b>
Administration 5% cap	\$458,800	salaries, supplies, start-up, training
Planning 15% cap	\$1,376,400	site assessment, environmental review, feasibility analysis, market study, survey, site layout
Affordable Rental Housing Development	\$7,340,800	\$5,138,560 must benefit low- and moderate-income (70%) \$2,202,240 (30%) may benefit 80%-120% AMI
<b>TOTAL</b>	<b>\$9,176,000</b>	Total Grant Award Amount to be expended within 6 years from grant agreement date

<sup>19</sup> Federal Register Notice 85 FR 4681 Department of Housing and Urban Development, January 27, 2020 (pg. 1). [85 FR 4681](#)

<sup>20</sup> Prior Federal Register Notices [83 FR 5850](#), [83 FR 40314](#), [84 FR 28836](#), [84 FR 4836](#)

## Criteria for Eligibility

Projects to be considered for CDBG-DR funding must meet a CDBG National Objective:

- Benefiting low- and moderate-income persons.<sup>21</sup>
- Preventing or eliminating slums or blight.
- Meeting other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

CDBG-DR funds may only be used for activities authorized under the [Housing and Community Development Act](#) at [24 CFR § 570.482](#):

- Housing
- Public Services
- Real Property Improvements
- Public Facilities
- Economic Development

Other allowable uses of CDBG-DR funds, such as mitigation, are defined by waivers and alternative requirements in applicable Federal Register Notices.

Due to the timing of Congressional appropriations for disaster recovery relative to the actual disaster occurrence, CDBG-DR funds are used to supplement unmet need other federal programs have not yet addressed. CDBG-DR cannot supplant other federal funds, meaning the funds cannot be used for projects for which other federal funds are already available. CDBG-DR funds can be used as a match for state and federal funding with certain restrictions.

## Public Facilities and Infrastructure

Public facilities and public improvements are either publicly owned or those that are traditionally provided by the government for the general public. Examples of public facilities include community centers, firehouses, public schools, and libraries. Public improvements includes infrastructure such as roads, water and sewer lines, public flood and drainage systems, utility lines, parking lots, parks, playgrounds, and aesthetic amenities on public property such as trees, sculptures, pools of water and fountains, and other works of art. Typical CDBG-DR-funded activities in this category include the repair, replacement, or relocation of damaged public facilities or public improvements.

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<sup>21</sup> Both CDBG and CDBG-DR programs have an overall program benefit requirement of expending 70% of funds to benefit low-and moderate-income (LMI) persons.

These activities typically meet the National Objective of Urgent Need or Low- and Moderate-Income Area Benefit, only if at least 51 percent of the residents (or fewer if the exception criteria apply) in the area served by the activity are persons of low- to moderate-income.

Infrastructure projects located in a floodplain must meet the requirements of [24 CFR Part 55](#) "Floodplain Management and Protection of Wetlands." For construction of new infrastructure to be considered eligible for CDBG-DR funding, a connection between the construction of the infrastructure and the applicable disaster must be described in the Action Plan and approved by HUD.

In coordinating with County of Kaua'i's Department of Public Works and Kaua'i Emergency Management Agency, KCHA has determined that federal and state funding provided for the purpose of recovery from the April 2018 flood disaster will adequately address all remaining unmet need to public facilities and improvements, including infrastructure, therefore CDBG-DR funding will not be allocated for Public Facilities projects. Ongoing communication with CoK DPW and KEMA will ensure planning efforts are coordinated across CoK departments focused on disaster recovery of public facilities and improvements.

### Economic Revitalization

[Public Law 116-20](#) authorizes the use of funds for the purpose of economic revitalization. All economic revitalization activities must address economic impact(s) caused by the disaster. Economic development activities permitted under the HCD Act may address job losses or negative impacts to tax revenues or businesses. Examples of eligible activities include providing loans and grants to businesses; funding job training; making improvements to commercial/retail districts; and financing other efforts that create or retain jobs in communities affected by a disaster; 51% of which need to be filled by person of low- to moderate-income.

Economic revitalization activities typically meet the National Objective of either Low- and Moderate-Income Job Creation or Retention, Urgent Need, or Low- and Moderate-Income Area Benefit.

Final program reports for the one million dollars in community service grants made with Act 12 funds were provided by the County of Kaua'i's Office of Economic Development and demonstrated how each program contributed to immediate relief efforts allowing County of Kaua'i staff and programs focused on recovery initiatives to progress toward economic revitalization, most of which depended on reopening Kūhiō Highway and regaining traffic patterns by opening the main attractions that draw visitors to the area such as Limahuli Garden and Preserve (a National Tropical Botanical Garden) and Hā'ena State Park. CDBG-DR funding can only be allocated to economic revitalization projects if all unmet housing needs are addressed.

## Buyouts and Acquisitions

The term “buyouts” refers to the acquisition of properties located in a floodway or floodplain that is intended to reduce risk from future flooding, or the acquisition of properties in Disaster Risk Reduction Areas located outside of floodways and floodplains for the purpose of reducing risks from the hazard that was the basis of the Disaster Risk Reduction Area designation. The key factor in determining whether the acquisition is a buyout is whether the intent of the purchase is to reduce risk from future flooding or to reduce the risk from the hazard that lead to the property's Disaster Risk Reduction Area designation. Grantees may only redevelop an acquired property if the property is not acquired through a buyout program and are encouraged to use buyouts strategically, as a means of acquiring contiguous parcels of land for uses compatible with open space, recreational, natural floodplain functions, other ecosystem restoration, or wetlands management practices.

HUD has established an alternative requirement to include two new low- to moderate-income (LMI) National Objective criteria for buyouts (LMB) and housing incentives (LMHI) that benefit LMI households that use CDBG-DR funding. The Low/Mod Buyout (LMB) objective is met when CDBG-DR funds are used for a buyout award to acquire housing owned by a qualifying LMI household, where the award amount is greater than the post-disaster fair market value of that property. Low/Mod Housing Incentive (LMHI) objective is met when

CDBG-DR funds are used for a housing incentive award, tied to the voluntary buyout or other voluntary acquisition of housing owned by a qualifying LMI household, for which the housing incentive is for the purpose of moving outside of the affected floodplain or to a lower-risk area; or when the housing incentive is for the purpose of providing or improving residential structures that, upon completion, will be occupied by an LMI household.

Any buyout or acquisition program requires addressing displaced tenant needs in accordance with the [Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970](#), as amended (URA) and other HUD requirements such as Section 104(d) of the [Housing and Community Development Act](#). KCHA does not intend to use CDBG-DR funds for a buyout or acquisition program.

## Housing Development and Restoration

Housing activities funded with CDBG-DR funds typically focus on rehabilitation or reconstruction of single-family or multifamily units damaged as a direct result of the disaster. New housing construction may also be carried out when HUD has granted a CDBG-DR waiver or alternative requirement allowing it, and it clearly addresses a direct

or indirect impact of the disaster. Under 83 FR 5861<sup>22</sup>, [42 U.S.C. 5305\(a\)](#) and [24 CFR 570.207\(b\)\(3\)](#) is waived and alternative requirements adopted to the extent necessary to permit new housing construction. The construction standards for use of CDBG-DR funds are described in 83 FR 5861 to include green building standards, elevation requirements,<sup>23</sup> accessibility, broadband infrastructure, and resilient construction standards.

When providing funds for the rehabilitation or construction of rental properties, each activity must meet the National Objective of LMH to count towards meeting the overall benefit requirement. This means that at least 51 percent of the units in a CDBG-funded property must be occupied by persons or households whose incomes are equal to or less than 80 percent AMI. If CDBG-DR funds are used for a portion of development costs, the percentage of units to be rented to low- and moderate-income households must be equal to or greater than the portion of DR funds used for the total development.

For rental housing, CDBG Regulations state that occupancy by LMI households must be at affordable rents for the activity to qualify as an activity benefiting LMI persons. The grantee must adopt and make public its standards for determining “affordable rents” for this purpose. While the HOME Investment Partnerships Program regulations are not officially applicable to CDBG-DR, grantees may formally adopt the HOME rents as the standard for “affordability” under CDBG and apply them to CDBG-DR-funded rental activities. KCHA will adopt the HOME rents for CDBG-DR assisted housing units.

Income limits establish the annual household earnings allowed for each area median income category (30%, 50%, 80%) and are published annually by HUD for CDBG, HOME, and other federally-assisted housing programs. The CDBG income limits will be implemented by KCHA for CDBG-DR assisted housing.

As required by 83 FR 5862<sup>24</sup>, a grantee shall identify in its action plan how it will address the rehabilitation, reconstruction, replacement, and new construction rental housing that is affordable to low- and moderate-income households in the most impacted and distressed areas. To meet the low-moderate housing National Objective, affordable rental housing funded with CDBG-DR funds must be rented to a low- and moderate-income person at affordable rents for a minimum affordability period of twenty (20) years enforced with recorded use restrictions or other mechanisms to ensure that rental housing remains affordable for the required period of time.

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<sup>22</sup> Federal Register Notice 83 FR 5861 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [83 FR 5861](#)

<sup>23</sup> The lowest floor of any structure located in a floodplain that is repaired, rehabilitated, or newly constructed must be at least 2 feet above the 1 percent annual floodplain elevation.

<sup>24</sup> Federal Register Notice 83 FR 5862 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [83 FR 5862](#)

The affordability period for CDBG-DR-funded Homeownership Programs is a minimum of five years on all newly-constructed single-family housing made available for low- and moderate-income homeownership through a CDBG-DR-funded homeownership program. If KCHA builds new single-family housing, an affordability period of not less than five years will be required by resale or recapture restrictions through recorded use or deed restrictions, covenants, or other similar mechanisms.

Other eligibility factors to consider for housing activities undertaken with CDBG-DR funds include:

- A duplication of benefits analysis must be conducted for each CDBG-DR-funded housing project to ensure CDBG-DR funds do not duplicate funds provided from another source as further described in the Duplication of Benefits section of the Action Plan.
- An environmental review is required for repair, rehab, relocation, or new construction of multifamily rental housing.
- Flood insurance purchase and notification requirements and guidelines for assisting homeowners remaining in a floodplain are defined at 83 FR 5865<sup>25</sup>.

KCHA plans to promote consistency and sound, sustainable long-term planning informed by a post-disaster evaluation of hazard risk by coordinating with CoK departments engaged in Disaster Recovery such as Kaua'i Emergency Management Agency and Department of Public Works. [The County of Kaua'i Multi-Hazard Mitigation and Resilience Plan](#) covers Kaua'i's weather-related hazards over the last decade including those involving FEMA mitigation efforts. Flood, tsunami, and sea level rise hazard maps will be used when considering land uses. Hazard mitigation incorporated into county planning frameworks and programmatic measures, county laws and regulations, administrative rules in agencies, and within county ordinances are further described in the hazard mitigation plan. [The Hanalei to Hā'ena Community Disaster Resilience Plan](#) specifies measures identified for the affected communities historically prone to frequent flooding.

KCHA and disaster recovery partners within the County of Kaua'i are focused on prioritizing use(s) of CDBG-DR funds to alleviate remaining unmet need that will have the greatest impact to the affected communities. The unmet needs analysis of this Action Plan demonstrates a lack of affordable housing options for low- and moderate-income persons, particularly families with children and persons who are elderly, living in the impacted communities from Hanalei to Hā'ena. While the growing demand overall for housing on Kaua'i predates the unprecedented destructive rain event from April 2018, the analysis further specifies the growing need for permanent supportive housing for vulnerable populations. This includes persons experiencing homelessness or at risk

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<sup>25</sup> Federal Register Notice 83 FR 5865 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [83 FR 5865](#)

of becoming homeless due to low income or high cost-burden and persons with disabilities and substance use disorders.

With a focus on community resilience and the goal of minimizing harmful impacts of future hazards, KCHA is considering suitable locations to develop affordable housing outside of a floodplain or tsunami hazard area. KCHA will not be utilizing CDBG-DR funds for any housing activities in a floodplain or tsunami hazard area. Measuring beneficial impact to the community when selecting housing development locations and program design will take into account the type of housing needed (single family, multifamily, rental, and homeowner), the number of new housing units added, the location of supportive services in proximity to the location, and reducing the threat of harm to people.

KCHA has allocated \$8.6 million dollars in CDBG-DR funding to address the unmet affordable rental housing needs for low- and moderate-income families and persons who are elderly and/or who have a disability, special needs, or veteran status. The multifamily rental housing program, to be developed in a North Shore community of Kaua'i and anticipated to be approximately 20 units, will be designed with community input based on the characteristics of the site selected for development. To maximize the impact of the CDBG-DR funding, KCHA will identify and leverage other federal and non-federal funding sources including KCHA's HOME and Housing Trust Fund (HTF) allocations, which are \$2.25 million and \$1.4 million, to be used for eligible activities as defined under 24 CFR 92.205 (HOME) and Title 1 of the Housing and Economic Recovery Act of 2008 (HTF). Low Income Housing Tax Credits (LIHTC) are based on the Tax Credit Reform Act of 1986 and may be leveraged for development costs. Additional financing available through Hawai'i Housing Finance and Development Corporation include gap financing from the Rental Housing Revolving Fund made available under Act 237 SLH 2015 or general obligation bonds from the Dwelling Unit Revolving Fund made available under Act 105 SLH 970.

KCHA intends to promote sustainability by sourcing high quality, durable, mold-resistant and energy efficient construction methods in the CDBG-DR assisted housing development. All newly constructed buildings will comply with locally adopted building codes, standards and ordinances.

KCHA will follow 2 CFR 200.323, HRS 103D-312 and HAR 3-122 Subchapter 15 to ensure contract costs are reasonable and consistent with market costs by performing a cost or price analysis in connection with every procurement action in excess of \$100k, including contract modifications. Responding offerors must provide cost or pricing data prior to submitting proposals for contracts expected to exceed \$100,000. An independent cost estimate will be obtained by KCHA prior to solicitation for any contract exceeding \$150k, including contract modifications. Independent cost estimates will be completed by comparing pricing paid for similar procurement, catalogue price or advertised offers and comparison of previous bid prices. When analyzing price and



costs of contracts, KCHA will additionally evaluate materials included in each bid to ensure high quality, durability, energy efficiency, sustainability, and mold resistance.

### Community Resilience

Preparedness and resiliency activities are described in 83 FR 5851<sup>26</sup>. To ensure that CDBG-DR funds are used for authorized disaster recovery purposes, all assisted activities must respond to the impacts of the declared disaster. HUD encourages grantees to incorporate preparedness and resiliency measures into CDBG-DR assisted activities to rebuild communities that are more resilient to future disasters. Resiliency measures that are not incorporated into those rebuilding activities must be a necessary expense related to disaster relief or long-term recovery that responds to the eligible disaster.

Minimizing harmful impacts of weather-related hazards in the affected communities is encouraged for the safety of people and to protect County- and HUD-invested projects. KCHA is partnering with County of Kaua'i departments and community organizations to explore efforts beyond reinforcing infrastructure and incorporating resiliency into the design and construction of facilities. As an example, a hydrological and hydraulic study of the Hanalei Watershed has been proposed as a possible activity. KCHA is considering the extent to which the study will reduce the overall threat of harm to the community along with the overall beneficial impact.

### Duration of Funding

85 FR 4681<sup>27</sup> requires each grantee to expend 100 percent of its allocation of CDBG-DR funds on eligible activities within 6 years of HUD's initial obligation of funds pursuant to an executed grant agreement. However, in accordance with 31 U.S.C. 1555, HUD shall close the appropriation account and cancel any remaining obligated or unobligated balance if HUD's Office of the Assistant Secretary for Community Planning and Development determines that the purposes for which the appropriation has been made have been carried out and no disbursements have been made against the appropriation for two consecutive fiscal years. In such case, the funds shall not be available for obligation or expenditure for any purpose after the account is closed.

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<sup>26</sup> Federal Register Notice 83 FR 5851 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [83 FR 5851](#)

<sup>27</sup> Federal Register Notice 85 FR 4861 Department of Housing and Urban Development, January 27, 2020 (pg. 1). [85 FR 4861](#)

## V. APPLICABLE LAWS AND REGULATIONS

The CDBG-DR grant is subject to all federal, state, and local laws. Further outlined are specific laws pertaining to HUD programs, specifically Community Development Block Grants and disaster recovery funding.

### [Robert T. Stafford Disaster Relief and Emergency Assistance Act](#)

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 100-707), signed into law on November 23, 1988, amended the Disaster Relief Act of 1974 (Public Law 93-288). The Stafford Act constitutes the statutory authority for most federal disaster response activities especially as they pertain to FEMA programs. Please see [Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, and Related Authorities as of June 2019](#) for the most updated information.

### [Public Law 116-20](#)

Congress passed [Public Law 116-20](#) on June 6, 2019, titled the *2019 Appropriations Act*, making \$2,431,000,000 in CDBG-DR funds available for major disasters occurring in 2017, 2018, or 2019. County of Kaua'i received an allocation of \$9,176,000 under Public Law 116-20.

### [Federal Register Notices](#)

Congress enacted the [Federal Register Act \(FRA\) in July of 1935](#). The FRA created the Federal Register as the official daily publication for presidential documents and executive agency rule and notice documents and established a central location for filing documents for public inspection. It is organized into four main sections, in the following order:

- Presidential documents
- Rules
- Proposed rules
- Notices

A Federal Register Notice is published for each public law passed appropriating disaster recovery funds under the Community Development Block program for disaster recovery. The notice is issued by HUD's Office of the Assistant Secretary for Community Planning and Development. Each Federal Register Notice:

- Allocates funding to grantees
- Limits spending funds to the most impacted and distressed areas
- Describes waivers and alternative requirements governing the allocation

- Lays out the process grantees must follow prior to executing their grants
- Describes ongoing requirements for financial management and reporting

The Federal Register Notice published covering Public Law 116-20 is titled *Allocations, Common Application, Waivers, and Alternative Requirements for Disaster Community Development Block Grant Disaster Recovery Grantees* and commonly referenced as [85 FR 4681](#). References to Prior Notices in each subsequent notice point to existing requirements that still pertain to the new appropriation. The [HUD Exchange website for the CDBG-DR program](#) lists the Federal Register Notice that corresponds to each year of disaster events.

### [Fair Housing, Accessibility and Equal Opportunity](#)

The Office of Fair Housing and Equal Opportunity (FHEO) is an agency within HUD. The mission of the FHEO is to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities by leading the nation in the enforcement, administration, development, and public understanding of federal fair housing policies and laws.

#### [The laws implemented and enforced by FHEO include:](#)

- Title VI of the Civil Rights Act of 1964
- The Fair Housing Act of 1968, amended by Fair Housing Amendment Act of 1988
- Section 109 of the Housing and Community Development Act of 1974
- Section 504 of the Rehabilitation Act of 1973
- Titles II and III of the Americans with Disabilities Act of 1990
- The Architectural Barriers Act of 1968
- The Age Discrimination Act of 1975
- Title IX of the Education Amendments Act of 1972
- Section 3 of the Housing and Urban Development Act of 1968

All activities undertaken with federal funding received from HUD are subject to the laws enforced by the FHEO. Fair Housing rights are also included in [Chapter 515 of the Hawai'i Revised Statutes](#) which further expands the protection provided by Hawai'i State law. Together, federal and state laws prohibit housing discrimination based on a person's:

- Race
- Color
- Religion
- Ancestry/national origin
- Sex
- Familial status
- Physical or mental disability

- Marital status
- Age
- HIV infection
- Sexual orientation
- Gender identity

As part of the CDBG-DR action plan, all grantees shall certify that they will affirmatively further fair housing<sup>28</sup>. For CDBG-DR grantees, this means conducting an [Analysis of Impediments to Fair Housing](#), taking appropriate actions to overcome the effects of any impediments identified through that analysis, and keeping records of these actions.<sup>29</sup>

The County of Kaua'i secured the services of the University of Hawai'i Economic Research Organization (UHERO) to conduct an *Analysis of Impediments to Fair Housing Report* to meet HUD requirements and ensure the agency's compliance with the Fair Housing Act. The report focused on two impediments: (1) agency staff knowledge of fair housing laws and (2) how the agency's policies and procedures are in line with fair housing laws and whether they promote equal access to housing.

A survey was created and sent to housing staff to gauge their knowledge of fair housing laws. Most of the scenario questions centered on relevant issues workers face in administering housing programs. Results revealed that eighty-one percent (81%) of staff have received fair housing training; nineteen percent (19%) have not received training. Employees need more awareness and training on the protected classes and clarification on familial status as a protected class as it applies to elderly housing. Additionally, identifying which staff member is responsible for addressing fair housing inquiries and providing information on when to provide an interpreter will benefit employees who are serving the community.

In April 2020, KCHA received the *Analysis of Impediments to Fair Housing Report*. The recommendations to the Housing Agency were to address documentation and dissemination of written policies. The report identifies the following recommendations:

- Finalize the Kaua'i County Housing Agency Administrative Plan for the Housing Choice Voucher Program.
- Update the Kaua'i County Family Handbook to include explicit discussion of fair housing policies, rights and responsibilities, and include language access discussion.
- Update the website to include user-friendly discussions of fair housing and access to forms for request for interpretation and reasonable accommodations.
- Ensure that the language access reporting tool is used and use is documented.

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<sup>28</sup> Federal Register Notice 80 FR 42272 Department of Housing and Urban Development, July 16, 2015 (pg. 1). [80 FR 42272](#)

<sup>29</sup> Federal Register Notice 85 FR 4685 Department of Housing and Urban Development, January 27, 2020 (pg. 1). [85 FR 4685](#)

- Create a language access plan specific to county needs.
- Host quarterly “listening sessions” including outreach to each of the top 3 needed languages.
- Create documentation of the agency’s policy to locate and site new housing in areas to deconcentrate poverty.
- Provide better documentation of systematic analysis completed in accordance with federal law.
- Provide documentation and communication regarding affirmatively furthering fair housing rather than only fair housing compliance.

The report can be found on the website at: [Analysis of Impediments to Fair Housing Report](#). The recommendations will further direct the agency to meet goals of eliminating barriers to housing and providing equal access and opportunity.

### HUD Community Development Block Grants

In addition to disaster relief grants, the (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the [Housing and Community Development Act](#) of 1974, Public Law 93-383, as amended [42 U.S.C. §530.1](#) et seq.

[24 CFR 570 Community Development Block Grants](#) covers federal law requirements of grantees receiving annual grants. [24 CFR § 570.429](#) Subpart F covers Hawai'i General and Grant Requirements. These requirements apply to CDBG-DR grants with additional regulations and restrictions imposed by applicable Federal Notices.

CDBG- and CDBG-DR-funded activities must qualify as meeting one of the three National Objectives of the program. This requires that each activity, except those carried out under the basic eligibility categories of Program Administration and Planning and Capacity Building, meet specific tests for either:

- Benefiting low- and moderate-income persons.<sup>30</sup>
- Preventing or eliminating slums or blight
- Meeting other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

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<sup>30</sup> Both CDBG and CDBG-DR programs have an overall program benefit requirement of expending 70% of funds to benefit low- and moderate-income (LMI) persons.

Both the annual CDBG grant and the CDBG-DR grant can be applied to eligible activities of:

- Housing
- Public Services
- Real Property Improvements
- Public Facilities
- Economic Development

Further definition of eligible activities can be found at [U.S.C 42. §5305. Activities Eligible for Assistance](#).

### Citizen Participation Plan

The U.S. Department of Housing and Urban Development Consolidated Plan is designed to help states and local jurisdictions assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the Community Planning and Development (CPD) formula block grant programs:

- Community Development Block Grant (CDBG) Program
- HOME Investment Partnerships (HOME) Program
- Housing Trust Fund (HTF)
- Emergency Solutions Grants (ESG) Program
- Housing Opportunities for Persons With AIDS (HOPWA) Program

Development of the Consolidated Plan requires following a Citizen Participation Plan (CPP), which describes the county's policies and procedures for involving citizens in the administration of its federally-funded CPD Programs (See Appendix D: *Citizen Participation Plan*). The CPP seeks to involve citizen participation, especially among persons in lower income groups.

The CPP allows citizens, especially those likely to be affected, in particular, residents of slum and blighted areas and in very-low and low-income neighborhoods in which program funds are proposed to be used, to express their needs. Amendments to the CPP followed by CoK provide for and encourage citizen participation in the disaster recovery program.

#### A. Grantee Website

To provide information and updates pertaining to the CDBG-DR program as required by applicable Federal Register Notices, KCHA has created a webpage dedicated to

disaster recovery specific to CDBG-DR grant requirements and activity.

<https://www.kauai.gov/Government/Departments-Agencies/Housing-Agency/Community-Development-Block-Grant-Disaster-Recovery-Program>

Content of the website includes:

- A description of the disaster
- An outline of federal and local response to date and information about long term recovery efforts
- Links to Federal Register Notices, applicable laws and HUD information about the CDBG-DR program to inform the public about restrictions and eligible uses of funds
- An announcement of the beginning and end dates for the 30-day Public Comment Period required for final HUD approval of this Action Plan (and any substantial amendments) will be displayed, as will submission and approval dates of each plan or amendment
- The county's HUD-approved Action Plan for publication, all subsequent HUD-approved amendments, and Quarterly Performance Reports as required
- Procurement policies and procedures, including a description of goods and services procured, a copy of any contracts directly procured by KHCA, and a summary outlining current contract performance
- Program policies and procedures for selected projects
- Email, phone, address, and business hours to contact the CDBG-DR coordinator to submit questions or concerns (all inquiries will be responded to within 15 business days and a log of complaints with responses will be kept on file for the duration of the grant)

#### B. Action Plan

An Action Plan, and any substantial amendments, outlining proposed use of CDBG-DR funds will be submitted to HUD for approval following a 30-day public comment period as required by applicable Federal Register Notices. An amendment is considered substantial when proposed activities for funding are added or deleted, there is a change in program beneficiary, or for a revision of program funding of 20% or more of the original funding amount. KCHA will notify the public of the availability of a 30-day comment period for the draft Action Plan and will accept comments in writing via mail or email and orally via phone or in person. A public notice will be published in The Garden Island newspaper and posted on KCHA's website [disaster recovery page](#). The public notice will provide the following information:

- Summary of the proposed priorities for the use of CDBG-DR grant funds
- Where to obtain or view a copy of the draft Action Plan
- Deadline for submitting public comments

- Email, address, or phone contact information to submit comments; and
- How persons with special needs may request reasonable accommodations to participate in reviewing or providing comments

### C. Quarterly Status Reports

Each grantee must submit a Quarterly Status Report (QPR) through the Disaster Recovery Grant Reporting (DRGR) system no later than 30 days following the end of each calendar quarter. Within 3 days of submission to HUD, each QPR must be posted on the grantee's official website. Each QPR will include information about the uses of funds in activities identified in the DRGR action plan during the applicable quarter.

### D. Accessibility

Special accommodations for the persons with a disability, including those who are visually and audibly impaired (i.e., Braille, large print, taped materials, sign language, interpreters for non-English speaking residents), will be available at no charge upon written request to the Kaua'i County Housing Agency. All KCHA disaster recovery materials, including this action plan will be made available in alternate formats upon request whether electronic or hard copy. All CoK-sponsored public events including meetings, hearings, and workshops shall be located in buildings that afford accessibility by persons with disabilities.

[Title VI of the Civil Rights Act of 1964](#), [42 U.S.C. 2000\(d\)](#), and [Executive Order 13166](#) require that recipients of federal funds take reasonable steps to ensure meaningful access by persons with Limited English Proficiency (LEP persons). The CoK is a recipient of federal funds and therefore obligated to reduce language barriers that can preclude meaningful access to county programs by LEP persons. The County of Kaua'i has prepared a Language Access Plan (LAP), that defines the actions to be taken to ensure meaningful access to agency services, programs, and activities by persons who have limited English proficiency (See Appendix E: *Policy and Plan for Communication with Persons with Limited English Proficiency*).

### CDBG-DR Grant Requirements

Disaster Recovery funds are allocated to states and units of local government recovering from a qualifying major disaster declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.). Federal Register Notices provide detailed requirements for grantees to uphold grant compliance throughout each stage of the grant process. Prior to executing a grant agreement, HUD requires grantees to submit specific documentation for the purpose of certifying that the grantee has proficient financial and management controls, procurement standards, and staffing capacity. HUD also requires grantees to submit an



Implementation Plan and an Action Plan prior to executing a grant agreement authorizing use of CDBG-DR funds.

A. Financial Management and Grant Compliance Certification

As stated in the Federal Register Notice 85 FR 4686:

The 2018 and 2019 Appropriations Acts require that the Secretary certify, in advance of signing a grant agreement, that the grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5155, to ensure timely expenditure of funds, maintain a comprehensive website regarding all activities assisted with these funds, and detect and prevent waste, fraud, and abuse of funds.<sup>31</sup>

To satisfy the requirements for the Certification of Financial Management and Grant Compliance, KCHA submitted policies and procedures outlining various processes and functions of the CoK Housing Agency and within Department of Finance and its divisions of Purchasing and Information Technology. The information submitted demonstrates competent financial systems and management, internal controls, adequate audit procedures and procurement standards that follow Hawai'i State Law and satisfy [2 CFR § 200.318-326](#). A budget showing projected use of funds within a 6-year period was submitted and will be further outlined in this Action Plan and updated in further Action Plan amendments as projects are selected for funding. KCHA created a dedicated webpage for the CDBG-DR program to inform community members of information and updates pertaining to disaster recovery, the grant process and progress on projects selected for funding.

B. Grantee Capacity and Implementation Plan

As stated in the Federal Register Notice 83 FR 5848:

Before signing a grant agreement, HUD is requiring each grantee to demonstrate that it has sufficient capacity to manage these funds and the associated risks. A grantee demonstrates sufficient management capacity if it submits documentation showing adequate procedures to enable applicants to determine the status of their applications for recovery assistance indicating methods for communication and ensuring the accessibility and privacy of individualized information for all applicants.

To enable HUD to assess risk as described in [2 CFR 200.205\(c\)](#), the grantee will submit an implementation plan describing the assessment of its capacity to carry out CDBG-

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<sup>31</sup> Federal Register Notice 85 FR 4686 Department of Housing and Urban Development, January 27, 2020 (pg. 1).  
[85 FR 4686](#)

DR recovery efforts. The plan must describe staffing plans, internal and interagency coordination, and technical assistance needed to achieve disaster recovery objectives.<sup>32</sup>

### C. Action Plan

The Action Plan provides an opportunity for grantees to share the proposed use of CDBG-DR funds with community members and to consider any input provided during a 30-day public comment period as required in the Citizen Participation Plan and Federal Register Notices. The Action Plan and any comments and responses are reviewed and approved by HUD prior to executing a grant agreement authorizing use of grant funds. An amendment to the plan is considered substantial when proposed activities for funding are added or deleted, there is a change in program beneficiary, or for a revision of program funding of 20% or more of the original funding amount. A substantial amendment to the Action Plan will result in a 30-day public comment period as required by the Citizen Participation Plan and Federal Register Notices. Following the required public comment period, the Action Plan and all comments and responses are reviewed by HUD.

As stated in the Federal Register Notice 83 FR 5849:

The action plan must identify the proposed use of all funds, including criteria for eligibility, and how the uses address necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declaration. Action Plans must include:

- An Unmet Needs Assessment.
- A description of the connection between identified unmet needs and the allocation of CDBG-DR resources.
- A description of how it will identify and address the rehabilitation, reconstruction, replacement, and new construction of housing in the areas affected by the disaster.
- A description of how the grantee's programs will promote housing for vulnerable populations.
- A description of how the grantee plans to minimize displacement of persons or entities, and assist any persons or entities displaced.
- A description of the maximum amount of assistance available to a beneficiary under each of the grantee's disaster recovery programs.
- A description of how the grantee plans to promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, especially construction standards and land-use decisions that reflect responsible

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<sup>32</sup> Federal Register Notice 83 FR 5848 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [83 FR 5848](#)

- floodplain and wetland management and take into account continued sea level rise.
- A description of how the grantee plans to adhere to the advanced elevation requirements, an estimate of the average costs associated with elevating structures and documenting on a neighborhood level that elevation, as opposed to alternative strategies, is cost reasonable to promote a community's long-term recovery.
  - A description of how the grantee will:
    - Design and implement programs or activities with the goal of protecting people and property from harm;
    - Emphasize high quality, durability, energy efficiency, sustainability, and mold resistance;
    - Support adoption and enforcement of modern and/or resilient building codes and mitigation of hazard risk, including possible sea level rise, high winds, storm surge, and flooding, where appropriate; and
    - Implement and ensure compliance with the [Green Building Requirements](#)
  - A description of how the proposed infrastructure activities will advance long-term resilience to natural hazards and how the grantee intends to align these investments with other planned state or local capital improvements.
  - A description of the grantee's proposed use of CDBG-DR funds to develop a disaster recovery and response plan that addresses long-term recovery and pre- and post-disaster hazard mitigation if one does not currently exist.
  - A description of how the grantee will leverage CDBG-DR funds with funding provided by other federal, state, local, private, and nonprofit sources to generate a more effective and comprehensive recovery.
  - A description of the standards to be established for construction contractors performing work in the jurisdiction and a mechanism for homeowners and small business owners to challenge construction work that does not meet these standards.<sup>33</sup>

#### D. Disaster Recovery Grant Reporting (DRGR)

HUD provides grantees with access to an electronic reporting tool allowing a uniform process for collecting and comparing data across disaster grantees and to measure the performance of each grantee throughout the grant cycle. The DRGR system is also the platform where a line of credit and fund drawdowns are processed.

A grantee enters activities from the HUD-approved Action Plan into the DRGR system with a corresponding budget. On a quarterly basis, each grantee completes a Quarterly Performance Report (QPR) within the DRGR system. All completed and approved QPR's are required to be posted on the grantee's disaster recovery webpage.

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<sup>33</sup> Federal Register Notice 83 FR 5849 Department of Housing and Urban Development, February 9, 2018 (pg. 1). [83 FR 5849](#)

## Cross-Cutting Federal Requirements

Further information will be provided on the Analysis of Impediments to uphold affirmatively furthering fair housing. Additional cross-cutting federal requirements that may impact the CDBG-DR program include:

### A. Environmental Review

The Office of Environment and Energy (OEE) manages the environmental review process for HUD defined under [24 CFR Part 58](#) - Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities. 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.

### B. Flood Insurance

The Flood Disaster Protection Act of 1973 ([42 U.S.C. 4012a](#)) requires that projects receiving federal assistance and located in an area identified by the Federal Emergency Management Agency (FEMA) as being within a Special Flood Hazard Area (SFHA) be covered by flood insurance under the [National Flood Insurance Program \(NFIP\)](#). In order to be able to purchase flood insurance, the community must be participating in the NFIP. If the community is not participating in the NFIP, federal assistance cannot be used in those areas.

### C. Labor Standards

[The Davis-Bacon Act and Related Acts](#) apply to contractors and subcontractors performing on federally-funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.

The Office of Davis-Bacon and Labor Standards (DBLS) is responsible for HUD's overall compliance with the federal-prevailing wage requirements applicable to HUD-assisted and insured housing and community development programs covered under the Davis-Bacon Act and Related Acts. Davis-Bacon and Labor Standards also administers federal-prevailing wage requirements applicable to maintenance employees of public housing agencies and Tribally Designated Housing Entities.

#### D. Section 3 Economic Opportunities

[Section 3 is a provision of the Housing and Urban Development \(HUD\) Act of 1968](#) that helps foster local economic development, neighborhood economic improvement, and individual self-sufficiency. The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods.

#### E. Federal Funding Accountability and Transparency Act of 2006

[The Federal Funding Accountability and Transparency Act \(FFATA\)](#) was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is [www.USASpending.gov](http://www.USASpending.gov).

There is more information on the [Federal Funding Accountability and Transparency Act Subaward Reporting System](#).

#### F. Federal Financial Management and Procurement

Financial Management Regulatory Hierarchy:

- All federal funding: OMB 2 CFR 200 Uniform Requirements
- HUD CPD Block Grants: 24 CFR 570 & CPD Directives
- Disaster Recovery Program: Federal Register Notices, Grant Conditions and DRSI Guidance & Waivers

#### G. Lead-Based Paint

The Office of Lead Hazard Control and Healthy Homes (OLHCHH) provides funds to state and local governments to develop cost-effective ways to reduce lead-based paint hazards. In addition, the office enforces HUDs lead-based paint regulations, provides public outreach and technical assistance, and conducts technical studies to help protect children and their families from health and safety hazards in the home.

There are many [regulations and statutes](#) pertaining to lead-paint hazards, especially as they relate to HUD grant programs.

#### H. Uniform Relocation Assistance and Real Property Acquisition Act of 1970

[The Uniform Relocation Assistance and Real Property Acquisition Act \(URA\)](#), is a

federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The URAs protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects. Relocation of households is unforeseen at the time of writing the Action Plan. KCHA will develop policies and procedures adhering to URA requirements that will contain a definition of demonstrable hardship if relocating households in connection with disaster recovery efforts becomes an apparent need.

[49 FR Part 24](#) is the government-wide regulation that implements the URA.

[HUD Handbook 1378](#) provides HUD policy and guidance on implementing the URA and [49 CFR Part 24](#) for HUD funded programs and projects.

## VI. APPENDIX

Appendix A: Hawai'i Volunteer Organizations Active in Disaster Situation Report

Appendix B: Kaua'i Relief and Recovery Grantees

Appendix C: Summary Kōkua Kaua'i Help Assessments

Appendix D: Citizen Participation Plan

Appendix E: Language Assistance Plan

Appendix F: Action Plan Certifications

Appendix G: KCHA CDBG-DR Quarterly Projections and Outcomes

**Hawaii VOAD**  
Situation Report  
*Wednesday, April 18, 2018*

Hawaii Severe Weather, Flooding, & Landslides 4-13-18

- **Adventist Community Services** – standing by for donations management support on Kauai.
- **Aloha United Way – 211** – taking calls from survivors for assistance and offers for volunteers and donations and referring to appropriate agencies.
- **Hawaii Food Bank** –Kauai branch delivered pallets of water and food to shelters. O’ahu shipped pallets to resupply Kauai.
- **Kauai CERT** –activated island wide to support damage assessment, donations management, evacuation support, etc...
- **Kauai Independent Foodbank** – collecting and distributing donated food and supplies. Additional baby diapers, food and cleaning items available if requested
- **LDS Charities** - Honolulu Stake (Papai Street) organizing potential volunteers and trucks for cleanups. Financial donation to food bank. Missionary volunteers on standby if needed.
- **Medical Reserve Corps** – on standby for shelter support
- **Red Cross** – opened 5 shelters on Kauai housing more than 60 evacuees. Kilauea gym is now the only open shelter with a population of 5. Damage assessments are in process with help of CERT volunteers. On O’ahu damage assessments concluded and found 3 destroyed, 26 major, 96 minor and 38 affected homes. Volunteer caseworkers are assessing needs of hardest hit residents. Activated Safe and Well site. Clean up kits are being distributed as needed.
- **Southern Baptist Disaster Relief** – O’ahu - assessed all 4 clients referred by Red Cross for muck out support. Crew scheduled for Saturday for 1 client, 1 referred to TSA, 2 didn’t need volunteer help. Cleanup of yard debris for 1 nearby client. Identified volunteer housing at church for potential off-island crew. Coordinator will fly to Kauai Sunday to assess potential mission.
- **Team Rubicon** - Doing recon on Friday to determine potential mission.
- **The Salvation Army** – Kauai - delivered hot food, water, clean up supplies, hygiene kits, and emotional/spiritual care in Hanalei and Anini Beach area. O’ahu - Coordinated with So Baptists and LDS to do muck out on Papai street referred by Red Cross. Offered use of volunteer management system.
- **United Methodist Committee on Relief** – on standby to support long-term recovery



HAWAI'I COMMUNITY FOUNDATION

## **KAUA'I RELIEF AND RECOVERY FUND GRANTEES**

The Kaua'i Relief and Recovery Fund provides grants to local organizations who are bringing immediate relief to communities across Kaua'i that have been impacted by the flooding including assistance to residents who have been displaced from their homes or are cut-off from receiving basic necessities including medical supplies, food and water.

**Donations made to the Kaua'i Relief and Recovery Fund are being categorized based on the following three priority areas:**

- Immediate –emergency provision of food, water, shelter, healthcare
- Stabilize—help for communities to get back to normal including childcare, reopening of schools, public health information on standing water, assistance with refuse, mold, and debris
- Rebuild—repair of homes and facilities

### **Kauai Relief and Recovery Fund Grant Summary for July 2, 2018**

1. **Mālama Kauai**  
The grant will provide funding in key gap areas for impacted farmers. Mālama Kaua'i will work with Waipa Foundation to ensure no duplication in coverage to farmers, and to try to ensure all affected farmers get a minimal amount of support..
2. **Waipa Foundation**  
The grant will provide funding to key gaps areas for impacted commercial taro farmers. Waipa Foundation will work with Mālama Kaua'i to ensure no duplication in coverage to farmers, and to try to ensure all affected farmers get a minimal amount of support.
3. **Kaua'i Community College (U. H. Foundation)**  
Funds will be used for tuition, fees, books, supplies and wrap around services such as childcare, eldercare, transportation, lost wages. Counseling staff will continue to get the work out and to connect with programs that serve vulnerable students (Wai'ale'ale Scholars, Kipaipai program).
4. **National Tropical Botanical Garden**  
The grant will provide funding for environmental/biological monitoring in both the CBSFA in Hā'ena and in Hanalei Bay (river mouth/Blackpot Park area) and create a critical database of changes that have occurred as a result of floods.

### **Kauai Relief and Recovery Fund Grant Summary for June 18, 2018**

1. **Catholic Charities Hawaii**





HAWAI'I COMMUNITY FOUNDATION

## **KAUA'I RELIEF AND RECOVERY FUND GRANTEES**

The grant will provide financial support to those who have lost their homes or whose homes need enough repairs that they must move out for a short term. The grant is to support a .5FTE and the remainder to be used for financial assistance.

### **2. Hale Halawai Ohana O Hanalei**

There is a real need for better coordination of all the clean-up and recovery work. The community has stepped up to play the role of disaster relief coordination and this grant recognizes this important role. Some of the funds will be subcontracted out to other smaller organizations and Hale Halawai directing the prioritization of the work and accounting for the funds.

### **Kauai Relief and Recovery Fund Grant Summary for June 14, 2018**

#### **1. Poipu Beach Foundation, Inc.**

The grant will provide resources to Poipu Beach Foundation as they organize volunteer efforts. With the lack of FEMA funds means that the community has to do it themselves

### **Kauai Relief and Recovery Fund Grant Summary for June 7, 2018**

#### **1. Hanalei Hawaiian Civic Club**

The flooding seriously damaged or destroyed a number of their canoes and equipment. The funds will not completely replace all their losses but it will give them a much needed boost.

### **Kauai Relief and Recovery Fund Grant Summary for May 25, 2018**

#### **1. Wai'oli Corporation**

Funds will be used to secure a consultant to do an assessment prior to repairs and restoration.

#### **2. Namolokama O Hanalei Canoe Club**

The flooding event damaged or destroyed a number of their canoes and equipment and they would like to repair what they can as quickly as possible in order to be able to continue hosting planned events. These funds will not completely replace all their losses but it will give them a much needed boost.

#### **3. National Tropical Botanical Gardens/Limahuli Gardens**

This is a third grant to NTBG. Grant is for \$50,000 with the first \$30,000 to go out immediately and the second payment of \$20,000 will be made once NTBG raises a match of \$50,000. The organization is a critical anchor of the North Shore and the island of Kaua'i and therefore, it is important to help them weather the challenges. They have played an important role in supporting and leading community clean up and recovery efforts. This grant will help them carry on and do some of the storm clean-up that their own property now needs.

### **Kauai Relief and Recovery Fund Grant Summary for May 1, 2018**

#### **1. Hawaii Food Bank**



HAWAI'I COMMUNITY FOUNDATION

## **KAUA'I RELIEF AND RECOVERY FUND GRANTEES**

Grant to provide food relief for those impacted by the recent flooding on the Island of Kauai.

### **2. Hui Maka`ainana O Makana**

Funding will allow the organization to purchase land vehicles to help navigate damaged areas in Haena and Wainiha. With appropriate vehicles, they will have easier access to the damaged areas and the houses impacted. They will continue with clearing road debris, clearing and hauling brush, clearing driveways and helping people move around.

### **Kauai Relief and Recovery Fund Grant Summary for May**

### **Kauai Relief and Recovery Fund Grant Summary for April 30, 2018**

#### **1. Kauai Babysitting Company**

Funds to this organization will provide for additional babysitting services for young children. The site has been provided at no charge by the Kauai Episcopal Church. Providing safe and professional space for parents to leave their children allows them to tend to the difficult and often dangerous task of cleaning up the flood damage. **(NOTE: THIS IS A FOR PROFIT BUSINESS)**

#### **2. National Tropical Botanical Gardens**

This is a second grant to NTBG however, for this grant they are serving as a fiscal agent for Hui Makaainana o Makana. Funds will be used to provide reimbursement for labor, equipment and tool use in the clean-up effort in the Wainiha and Haena communities.

### **Kauai Relief and Recovery Fund Grant Summary for April 27, 2018**

#### **1. Child and Family Services**

This grant will provide trauma relief counseling to individuals and families that have been impacted by the flooding disaster. It is critical to provide counseling in the early stages after a traumatic life event and can make a difference in how individuals and families move through the crisis and toward resuming healthy and stable lives.

#### **2. Waipa Foundation**

Funds will support this organization that is serving as a community hub coordinating critical relief efforts. This includes preparing food for community and relief workers, assisting community members with cleaning their homes and property, and removal of debris and ruined materials.

### **Kauai Relief and Recovery Fund Grant Summary for April 25, 2018**

#### **1. Hale Halawai `Ohana `o Hanalei**

This organization is serving as the hub to centralize services to the Hanalei community. Their facility now offers access to organizations providing childcare, emergency loans from the credit union, donation drop offs, access to computers and wi-fi, and mental health services. They will be undertaking a comprehensive community needs assessment based



HAWAI'I COMMUNITY FOUNDATION

## **KAUA'I RELIEF AND RECOVERY FUND GRANTEES**

on interviews and visits to every home in the area. A portion of the funds will be used to repair the entry way and ADA ramp into the building.

### **Kauai Relief and Recovery Fund Grant Summary for April 23, 2018**

**1. Kauai SPCA**

These funds are being used by Kauai SPCA to provide residents with pet food and to bring volunteers and a vet into the cut off areas to address problems related to pets and livestock. The organization has also received generous donations including 4,000 lbs. of horse, cat, and dog food.

**2. National Tropical Botanical Gardens/Limahuli Gardens**

This organization has diverted all of its staff and the use of its heavy equipment to the relief effort. They helped to coordinate donations of food, rescue of people, bringing in supplies, and removal of trash. Using their ATVs, they are making calls to each individual house in their area with particular attention paid to those houses with elderly residents.

**3. Hanalei School Parent Teacher Student Association**

HCF funds are being used to cover expenses related to creating satellite classrooms for students in K-12 which is roughly 50 students. This effort is in partnership with the DOE, Hanalei PTSA, the Hanalei Colony Resort.

**4. Aina Ho`okupu o Kilauea**

This organization has deployed all its staff and heavy equipment to the effort. They have made calls to every house in the Kalihiwai area to assess the needs and status of households. They are helping to remove tons of green waste, replace fencing, create access to homes, and provide manpower and supplies to those in need.

**5. Hawaii State Bar Foundation**

This grant supports the Bar Foundation to support pro bono legal clinics and a hotline for residents affected by the flooding. The goal is to help people prepare insurance claims, be aware of scams, organize necessary documents, and get answers to the many questions that everyone has for their unique situation.

**6. Kauai Christian Academy**

Many parents are in need of childcare for young children as they tend to the clean-up of homes and property. An additional 12 slots will be opened up at the Kauai Christian Academy for children up to the age of 4. Funds will cover tuition and additional staffing needed to accommodate additional children.

**7. Poipu Beach Foundation**

This organization has coordinated relief efforts for those living in the Koloa area. With the help of churches, hotels, community groups, and generous volunteers, much needed supplies, clothing, food, and home clean-up has been provided to residents.

### **Kauai Relief and Recovery Fund Grant Summary for April 20, 2018**



HAWAI'I COMMUNITY FOUNDATION

## **KAUA'I RELIEF AND RECOVERY FUND GRANTEES**

**1. Aloha Preschool**

Repairing damage to the school and offering reduced tuition for families who have been impacted by the flooding.

**2. 'Aina Ho'okupu o Kīlauea**

Helping families in Kalihiwai clear roads and property, put up fencing, and hire a few hourly wage workers.

### **Kauai Relief and Recovery Fund Grant Summary for April 18, 2018**

The first round of grants was distributed to three organizations to begin meeting immediate needs for the people of Kaua'i. These grants are to providing additional staffing, food and water provisions, and emergency supplies.

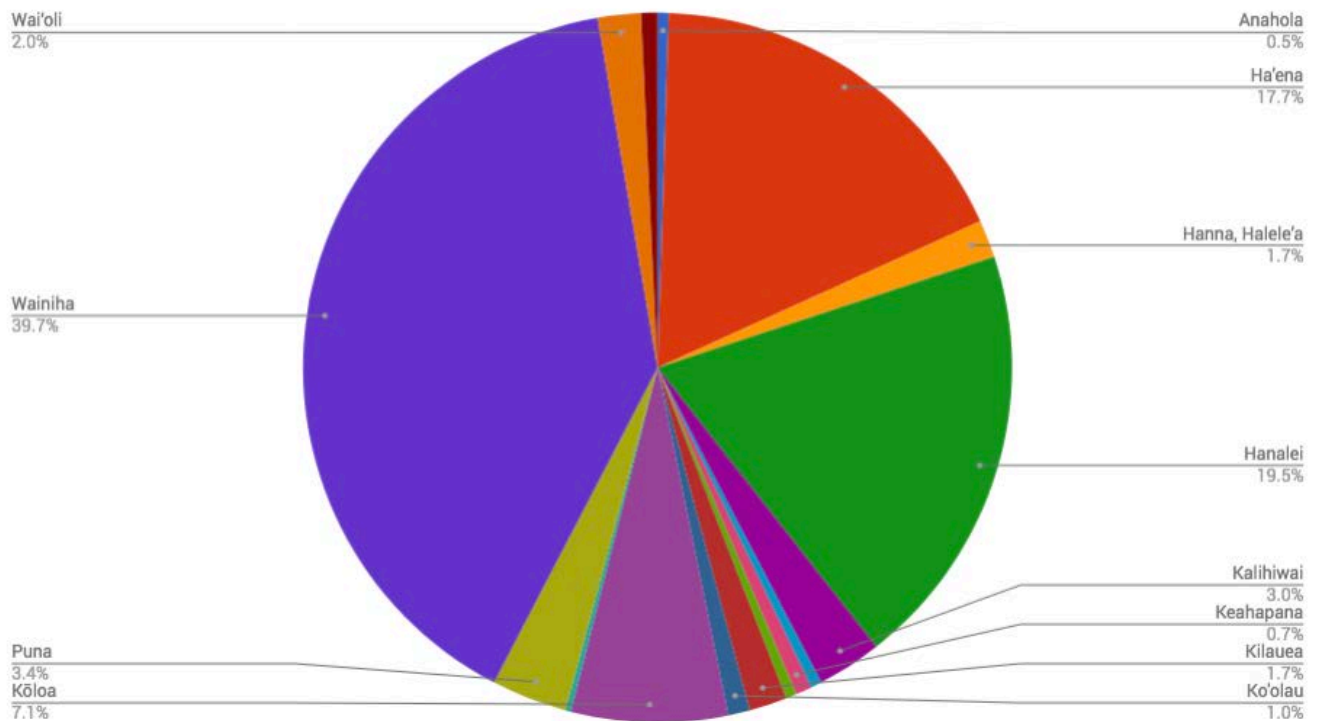
**1. Mālama Kaua'i**

**2. Kaua'i Independent Food Bank**

**3. Kaua'i North Shore Food Pantry**

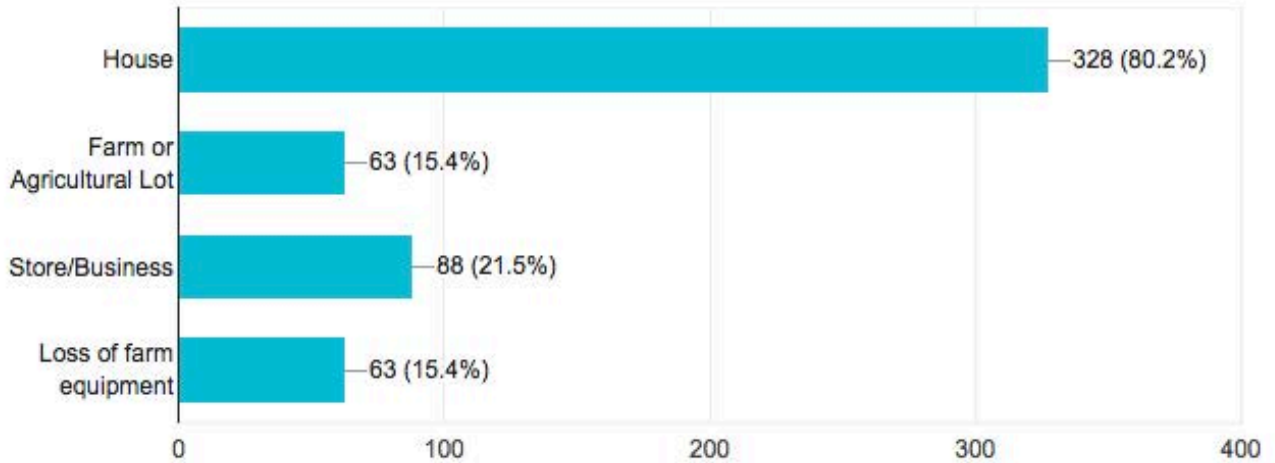
# Kōkua Questionnaire: Results Summary Damage and Help Assessment Form 2018 Kauai Flood

# Families/Businesses Affected vs. Ahupua'a



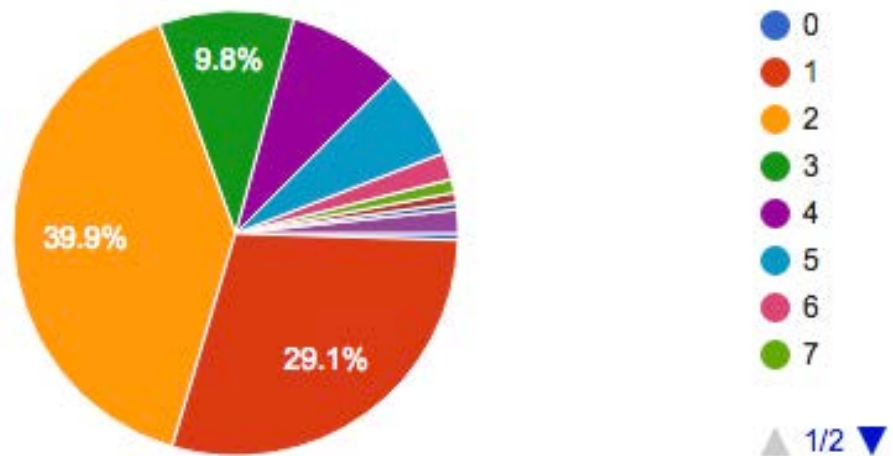
## Types of property affected (check all that apply):

409 responses



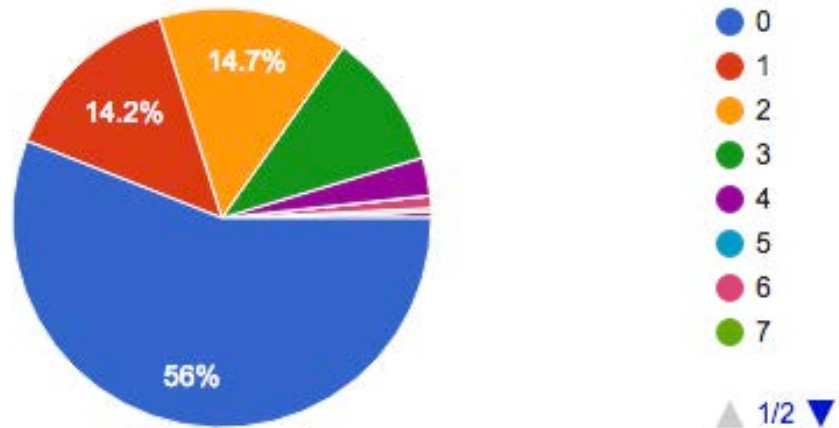
## Number of adults in household affected:

409 responses



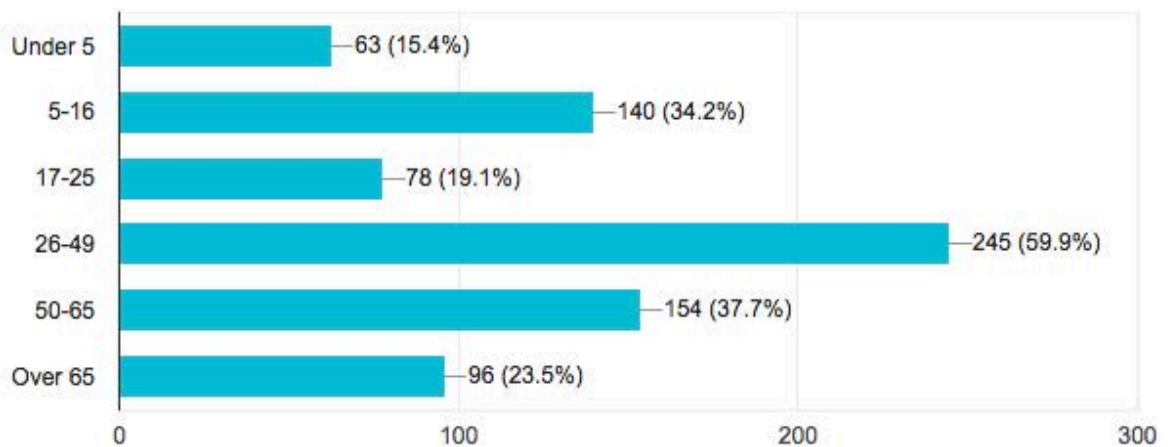
## Number of children in household affected:

409 responses



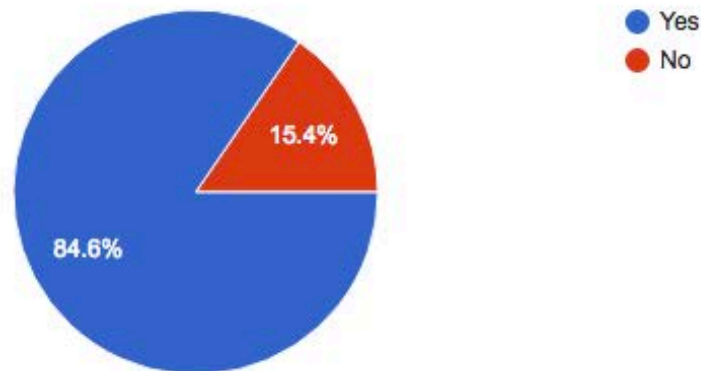
## What are the ages of ALL the individuals affected?

409 responses



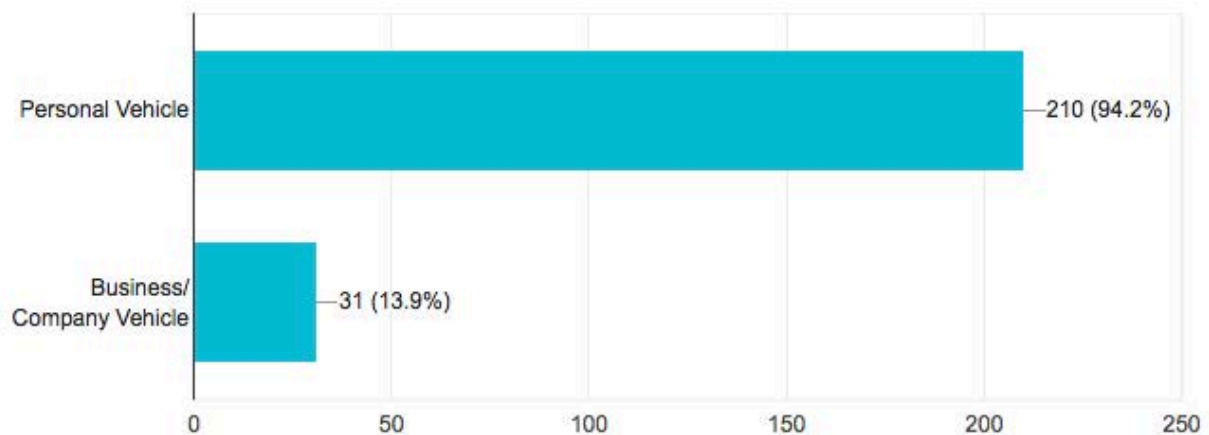
## Have you or anyone in the household experienced a loss of work or income as a result of the flooding?

409 responses



## Were your vehicles/mode of transportation swept away or damaged? If YES, indicate below.

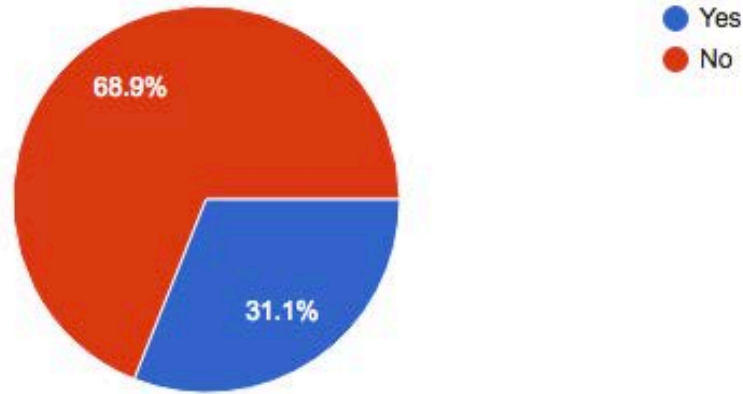
223 responses





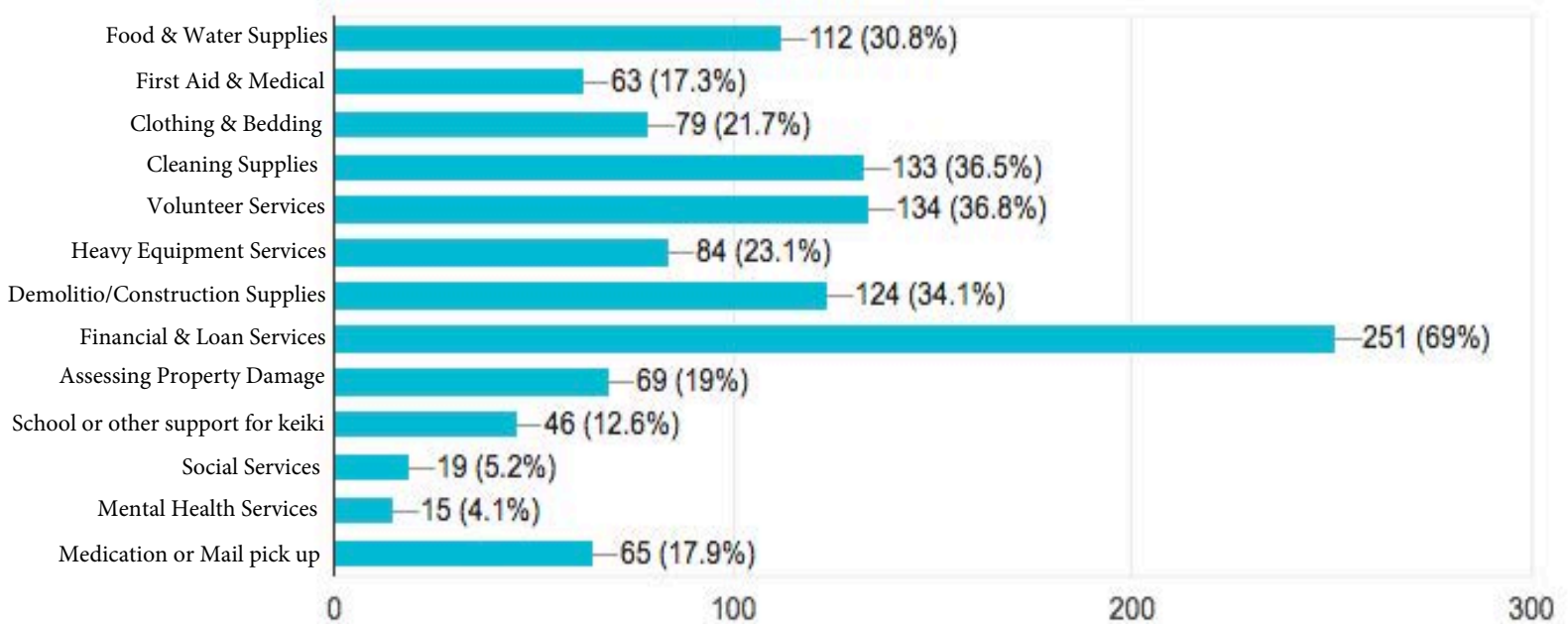
# Are you of Native Hawaiian Ancestry?

409 responses



# Please indicate the type of help or services needed:

364 responses



# CITIZEN PARTICIPATION PLAN



COUNTY OF KAUA'I

A PLAN FOR CITIZEN INPUT IN THE ADMINISTRATION OF CERTAIN  
COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS  
FOR THE  
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

AMENDED APRIL 2020

Prepared by: County of Kaua'i  
Kaua'i County Housing Agency  
4444 Rice Street, Suite 330  
Līhu'e, Kaua'i, Hawai'i 96766

Approved by:

Derek S.K. Kawakami, Mayor

April 30, 2020

Date

COUNTY OF KAUA'I  
CITIZEN PARTICIPATION PLAN

I. PURPOSE OF CITIZEN PARTICIPATION PLAN

The U.S. Department of Housing and Urban Development consolidated planning process requires the County to follow a Citizen Participation Plan (CPP), which describes the County's policies and procedures for involving citizens in the administration of its federally-funded Community Planning and Development (CPD) Programs. The CPP seeks to involve citizen participation, especially among persons in lower income groups.

The CPP allows citizens, especially those likely to be affected and, in particular, residents of slum and blighted areas and in very-low and low-income neighborhoods in which program funds are proposed to be used, to express their needs.

II. SCOPE OF CITIZEN PARTICIPATION

Citizens are encouraged to participate in the development of the Consolidated Plan (CP), and any substantial amendments to the CP. Citizens will be offered the opportunity to participate at all stages of the CP development. Participation will include the assessment of community needs and priorities, and the opportunity to comment on the draft CP, Annual Action Plan (AAP), and Consolidated Annual Performance and Evaluation Report (CAPER).

A. Development of the Consolidated Plan

Prior to the adoption of the CP, the County will notify the public of the availability of a 30-day comment period for the draft CP and will hold a public hearing to accept written or oral comments. A public notice will be published in a newspaper of general circulation and posted on the County's website at [www.kauai.gov](http://www.kauai.gov). The public notice will provide the following information:

- Summary of the proposed priorities that will be established during the 5-year CP for the use of CDBG grant funds;
- Where copies of the draft CP are available for public viewing or may be obtained;
- Deadline for submitting public comments;
- Location, date and time of the public hearing which shall be held at a location that is accessible to persons with disabilities, and at a

time and location convenient to the public and units of local government;

- How persons with special needs may request reasonable accommodations to participate in the hearing; and
- Phone numbers for interested citizens to call if they have questions.

B. Amendments to the Consolidated Plan (24 CFR 91.505)

1. Criteria for Amendment to the CP. Changes or amendments to the CP will occur if the County determines any change as substantial:
  - Change in allocation of priorities to the Consolidated Plan;
  - Change in method for the distribution of funds;
  - Significant change in the dollar allocation: more than 50% of the original fund amount;
  - Adding a new activity, using funds from any program covered by the Consolidated Plan (including program income) not previously described in the AAP; or
  - Change in the purpose, scope, location, or beneficiaries of an activity.
2. Public Notice for Substantial Amendments. The County will publish a public notice in a newspaper of general circulation requesting comments on the proposed substantial changes or amendments to the CP. The County will accept comments for a 30-day period.
3. Public Comments. A summary of these comments, and a summary of any comments or views not accepted, and the reasons therefore, will be attached to the substantial amendments to the CP.
4. Activities Exempt from Substantial Amendment Citizen Participation Requirements: In the event of a natural disaster, local government emergency proclamation or presidentially-declared national emergency, the County may need to amend the CP to fund new activities and/or reprogram funds including canceling activities to meet community development needs that have a particular urgency. The County may utilize CPD funds to meet an urgent need without a 30-day public comment period, which is otherwise required for substantial amendments.

**Urgent Needs:** To comply with the national objective of meeting community development needs having a particular urgency, an activity will alleviate conditions that the County certifies:

- Pose a serious and immediate threat to the health and welfare of the community;
- Are of recent origin or recently became urgent;
- Is unable to finance the activity on its own; and
- Other resources of funding are not available to carry out the activity.

A condition will generally be considered to be of recent origin if it is developed or became critical within 18 months preceding the County's certification.

5. Disaster Response and Recovery: Disaster and emergency response and recovery will be made priority. CPD funds may be redirected and/or reprogrammed to fund new activities including canceling activities to meet the needs of the community in the event of a declared disaster in the County, state emergency proclamation or presidentially-declared national emergency. The 30-day public comment period is waived for substantial amendments, provided a 5-day public comment period is conducted for each substantial amendment. In lieu of a published public notice in a newspaper of general circulation, a notice will be posted on the County's website. The public comment period waiver will be effective through the end of the following program year. Eligible uses of funds are outlined in the County's CP and AAP.

C. Annual Action Plan – Activities to be Undertaken

The County will publish a public notice in a newspaper of general circulation announcing the availability of CDBG program funds and applications for CDBG grant funds. Three (3) public hearings at locations on east, central, and west Kaua'i will be conducted by the Kaua'i County Housing Agency for the purpose of furnishing citizens with information and opportunities to comment on:

- Amount of funds available for proposed community development and housing activities;

- Estimated amount of funds to be used for activities that will benefit very low and low income persons;
- Range of activities that may be undertaken;
- The County’s plan for minimizing displacement of persons as a result of activities assisted with program funds and for assisting persons actually displaced;
- Tentative schedule and deadline for the community to submit proposals, when applicable; and
- Description of the CDBG application selection criteria and process.

Prior to submitting the AAP to HUD, the County will afford citizens the opportunity of a 30-day comment period on the CDBG activities being recommended for funding. The public notice will provide a summary of the proposed activities and funding, and will be published in a newspaper of general circulation. A public hearing will be held to accept written or oral comments during the 30-day comment period.

D. Review of Program Performance:

The County will provide an opportunity for citizens to comment on the Consolidated Annual Performance and Evaluation Report (CAPER). A public notice will appear in a newspaper of general circulation providing a minimum of 15-day comment period for the CAPER. The County will consider any written comments received at the following address:

Kaua’i County Housing Agency  
Pi’ikoi Building  
4444 Rice Street, Suite 330  
Lihu’e, Kaua’i, Hawai’i 96766

A summary of these comments or views will be attached to the CAPER when it is submitted to HUD.

III. COMMUNITY DEVELOPMENT BLOCK GRANT for DISASTER RECOVERY

Funds may be allocated to the County of Kaua’i under the Community Development Block Grant for Disaster Recovery (CDBG-DR) following a Presidentially-declared disaster. In accordance with applicable Federal Register Notices, recipients of CDBG-DR funds are required to follow a detailed CPP that satisfies the requirements of 24 CFR 91.105. Specific requirements to uphold CDBG-DR grant compliance include:

A. Grantee Website

To provide information and updates pertaining to the CDBG-DR program as required by applicable Federal Notices, recipients of CDBG-DR funds are required to create a separate web page dedicated to disaster recovery specific to CDBG-DR grant requirements and activity. Content will include:

- A description of the disaster.
- An outline of federal and local response to date and information about long term recovery efforts.
- Links to Federal Register Notices, applicable laws and HUD information about the CDBG-DR program will inform the public about restrictions and eligible uses of funds.
- An announcement of the beginning and end dates for the 30-day Public Comment Period required for final HUD approval of the Action Plan (and any substantial amendments) will be displayed, as will submission and approval dates of each plan or amendment.
- The County's HUD approved Action Plan for publication, all subsequent HUD approved amendments and Quarterly Performance Reports will be available on the web page as required.
- Procurement Policies and Procedures. The section will include a description of goods and services procured, a copy of any contracts directly procured by the County and a summary outlining current contract performance.
- Program Policies and Procedures for selected projects.
- Citizen and Stakeholder participation will be encouraged by listing email, phone, address and business hours to contact the CDBG-DR coordinator to submit questions or concerns. All inquiries will be responded to within 15 business days. A log of complaints with responses will be kept on file for the duration of the grant.

B. Action Plan

An Action Plan, and any substantial amendments, outlining proposed use of CDBG-DR funds will be submitted to HUD for approval following a 30-day public comment period as required by applicable Federal Register Notices. An amendment is considered substantial when proposed activities for funding are added or deleted or for a revision of program funding greater than 20% of

the original funding amount. The County will notify the public of the availability of a 30-day comment period for the draft Action Plan and will accept comments in writing via mail or email and orally via phone or in person. A public notice will be published in a newspaper of general circulation and posted on the County's website at [www.kauai.gov](http://www.kauai.gov). The public notice will provide the following information:

- Summary of the proposed priorities for the use of CDBG-DR grant funds;
- Where copies of the draft Action Plan are available for public viewing or may be obtained;
- Deadline for submitting public comments;
- Email, Address or phone contact information to submit comments; and
- How persons with special needs may request reasonable accommodations to participate in reviewing or providing comments.

#### C. Quarterly Status Reports

Each grantee must submit a Quarterly Status Report (QPR) through the Disaster Recovery Grant Reporting (DRGR) system no later than 30 days following the end of each calendar quarter. Within 3 days of submission to HUD, each QPR must be posted on the grantee's official website. Each QPR will include information about the uses of funds in activities identified in the DRGR action plan during the applicable quarter.

#### IV. TECHNICAL ASSISTANCE

Technical assistance will be provided to individuals, citizens, organizations and groups representing very low and low income persons in the following manner:

- Upon request to the Kaua'i County Housing Agency; and
- Technical assistance sessions on program requirements, development of proposals and the details of ranking and selection of projects.

Assistance may also be in the form of informal staff presentations, informational hand-outs, research of specific issues and concerns, or other short-term efforts.



V. SPECIAL NEEDS GROUPS

All public hearings and workshops will be located in buildings to afford accessibility by persons with disabilities. Special accommodations for the handicapped, including those with vision and hearing impairments (i.e. large print, taped materials, sign language interpreters for non-English speaking residents) will be available upon written request 10 working days prior to the public hearing date, to the Kaua'i County Housing Agency.

VI. PUBLIC COMMENTS, COMPLAINTS & GRIEVANCES

The County will provide a timely written response to every written complaint or grievance within 15 working days, where practical. All written comments, objections and complaints shall be addressed to:

Housing Director  
Kaua'i County Housing Agency  
4444 Rice Street, Suite 330  
Līhu'e, Kaua'i, Hawai'i 96766

VII. USE OF THE CITIZEN PARTICIPATION PLAN

The County will follow its Citizen Participation Plan.



**DEPARTMENT OF HUMAN RESOURCES  
THE COUNTY OF KAUA'I**

**DEREK S. K. KAWAKAMI, MAYOR  
MICHAEL A. DAHLIG, MANAGING DIRECTOR**

**JANINE M.Z. RAPOZO  
ACTING DIRECTOR**

**COUNTY OF KAUA'I  
POLICY AND PLAN FOR COMMUNICATION WITH PERSONS WITH LIMITED  
ENGLISH PROFICIENCY**

**POLICY:**

The County of Kaua'i, hereinafter County, is an Equal Opportunity Provider and Employer and is firmly committed to a policy of non-discrimination. The County follows and adheres to all federal and state laws concerning non-discrimination in the employment of individuals and in its delivery of services to the public. In addition to every other class protected by civil rights laws, the County does not discriminate on the basis of national origin.

The purpose of the Language Access Plan (LAP) is to ensure that persons who have Limited English Proficiency (LEP) will have meaningful access to and an equal opportunity to participate in County services, activities, programs and other benefits. This LAP reflects its commitment to equal opportunity. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the LEP person being served, and that person will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

The County will conduct a regular review of the language access needs of its population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

The EEO/ADA Coordinator is designated as the Language Access Coordinator for implementation of the Plan and is responsible for assisting each Department with its compliance.

Each Department shall have a designated a member of its staff as the language access contact person in order to efficiently and promptly respond to requests for an interpreter or a translation of County documents.

**PROCEDURES:**

**1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE**

The County Department staff will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card or posters to determine the language. In addition, when records are kept of past interactions with an LEP person, the language used to communicate with the LEP person will be included as part of the record.



## **2. OBTAINING A QUALIFIED INTERPRETER**

Each Department's language access contact person/s is/are responsible for:

- (a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff, if any.
- (b) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret for the purpose of explaining to the LEP person that a certified interpreter will be provided at no charge;
- (c) Some LEP people may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the Department. Such an offer must be provided through a certified interpreter, and the LEP person's response will be documented in the person's file.
- (d) If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services must be provided to the LEP person. Minor children will not be used to interpret, except in an emergency, in order to ensure confidentiality of information and accurate communication.
- (e) Certified interpreters are contracted through Telephone Based Interpreter Services, the contract for which is attached as Exhibit A.
- (d) Notice to LEP persons of their right to an interpreter must be posted near entry to the Department and include the name of the language access person(s) in that Department. (Exhibit B)

## **3. PROVIDING WRITTEN TRANSLATIONS**

- (a) Based upon the County's survey, no written materials will be translated because the number of people in each LEP group was found to be less than 50. When a Department provides written materials, a notice to LEP persons will be posted with or close to the written materials that written materials will be orally interpreted upon request. (Exhibit C)
- (b) If a request for written translation of a document is received, the reasonableness of the request will be reviewed. The document will be translated if the request is determined to be reasonable. If not, oral interpreting at no charge will be offered.
- (c) The provision of written materials will be amended when future surveys demonstrate a change in the Department's LEP population or in English proficiency requirements for County

employment. The Language Access Coordinator will survey Departmental employees every two years to determine if language access needs have changed and amend the County Language Access Policy and Plan accordingly.

#### **4. PROVIDING NOTICE TO LEP PERSONS**

The County will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in intake, information and service areas and other points of public entry. Notification will also be provided through one or more of the following: outreach documents, telephone voice mail menus, local newspapers, radio and television stations, community-based organizations, and/or County sponsored community events.

#### **5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION**

The County will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, the County will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from the community.

Additionally, the County through its Language Access Coordinator shall compile and report LEP statistical information to the Office of Language Access, State of Kauai, as required.

#### **6. HIRING OF BILINGUAL STAFF**

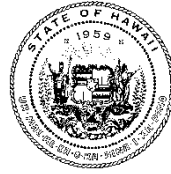
Pursuant to HRS 371-33(d), if the County requires additional personnel to provide language access to its LEP public as directed by the guidelines in HRS 371-33(a)(1)-(4), it will consider hiring qualified employees who are bilingual to fill vacant existing budgeted positions which serve the public.

*Updated 1/10/2020*

**EXHIBIT A**

**Telephone Based Interpreter Services**

DAVID Y. IGE  
GOVERNOR



SARAH ALLEN  
ADMINISTRATOR  
BONNIE KAHAKUI  
ASSISTANT ADMINISTRATOR

**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

P.O. Box 119  
Honolulu, Hawaii 96810-0119  
Tel: (808) 586-0554  
email: [state.procurement.office@hawaii.gov](mailto:state.procurement.office@hawaii.gov)  
<http://spo.hawaii.gov>  
Twitter: [@hawaiispo](https://twitter.com/hawaiispo)

February 27, 2019

TO: Executive Departments/Agencies City and County of Honolulu  
Department of Education Honolulu City Council  
Hawaii Health Systems Corporation Honolulu Board of Water Supply  
Office of Hawaiian Affairs Honolulu Authority for Rapid Transportation  
University of Hawaii County of Hawaii  
Public Charter School Commission Hawaii County Council  
and Schools County of Hawaii – Department of Water Supply  
House of Representatives County of Maui  
Senate Maui County Council  
Judiciary County of Maui – Department of Water Supply  
County of Kauai  
Kauai County Council  
County of Kauai – Department of Water

FROM: For Sarah Allen, Administrator *Bonnie A. Kahakui*

SUBJECT: **Change No. 7**  
SPO Price List Contract No. 16-05  
**NASPO Telephone Based Interpreter Services**  
RFP 50-000-14-00002; 50-000-14-00002AB; 50-000-14-0002AC  
**Expires: March 4, 2020**

The following changes are made to the price list contract:

1. The contract term is extended to March 4, 2020.
2. Linguistica International, Inc. is removed from the contract.
3. The point of contact information for the UH, Public Charter School Commission and Schools, Honolulu City Council and County of Kauai- Department of Water is updated.

The current price list contract incorporating Change No. 7 is available on the SPO website: <http://spo.hawaii.gov>. Click on *Price & Vendor List Contracts* on the home page.

If you have any questions, please contact Lori Cervantes at (808) 587-3355 or [lori.m.cervantes@hawaii.gov](mailto:lori.m.cervantes@hawaii.gov).

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**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

**SPO Price List Contract No. 16-05**  
Replaces SPO VL Contract No. 10-10  
Includes Change No. 7  
Effective: 2/27/2019

**NASPO VALUEPOINT  
TELEPHONE BASED INTERPRETER SERVICES**

(NASPO ValuePoint Contract No. 50-000-14-0002AA-Corporate Translation Services, Inc.dba Language Link)  
NASPO Value Point Contract No. 50-000-14-00002AC-Voiance Language Services, LLC)  
**September 14, 2015 to March 4, 2020**

**INFORMATION ON NASPO VALUEPOINT**

The NASPO ValuePoint Cooperative Purchasing Organization is a multi-state contracting consortium of state governments, including local governments, of which the State of Hawaii is a member. The NASPO ValuePoint Purchasing Organization seeks to achieve price discounts by combining the requirements of multi-state governmental agencies, and cost-effective and efficient acquisition of quality products and services.

The State of New Mexico is the current lead agency and contract administrator for the NASPO ValuePoint Telephone Based Interpreter Services contract. A request for competitive sealed proposals was issued on behalf of NASPO ValuePoint Cooperative Purchasing Organization, LLC and contracts were awarded to three (3) qualified Contractors. The State of Hawaii has signed a Participating Addendum with three (3) Contractors.

The Telephone Based Interpreter Services contract provides “as needed” Telephone Based Interpreter Services. The Contractor(s) will provide over-the-phone language interpreter services for customers and their clients who need immediate interpreter assistance. These services are required to assist Limited English Proficiency (LEP) clients uncomfortable speaking English, or who English is not clearly understood. Immediate Telephone Based Interpreter Services will facilitate communication between clients and customers at a service provider facility when an on-site interpreter is not available or is cost prohibitive.

For additional information on this contract, visit the NASPO ValuePoint website at [www.naspovaluepoint.com](http://www.naspovaluepoint.com).





**PARTICIPATING JURISDICTIONS** listed below have signed a cooperative agreement and/or a memorandum of agreement with the SPO and are authorized to utilize this vendor list contract.

Executive Departments/Agencies	Honolulu City Council
Department of Education	Honolulu Board of Water Supply
Hawaii Health Systems Corporation	Honolulu Authority for Rapid Transportation
Office of Hawaiian Affairs	County of Hawaii
University of Hawaii	Hawaii County Council
Public Charter School Commission and Schools	County of Hawaii – Department of Water Supply
House of Representatives	County of Maui
Senate	Maui County Council
Judiciary	County of Maui – Department of Water Supply
City and County of Honolulu	County of Kauai
	Kauai County Council
	County of Kauai – Department of Water

The participating jurisdictions are not required but may purchase from this vendor list contract, and requests for exception from the contract are not required. Participating jurisdictions are allowed to purchase from other contractors, however, HRS chapter 103D and the procurement rules apply to purchases using the applicable procurement method and its procedures, such as small purchases or competitive sealed bidding. The decision to use this contract or to solicit pricing from other sources will be at the discretion of the participating jurisdiction.

**POINTS OF CONTACT.** Questions regarding the products listed, ordering, pricing, and status should be directed to the Contractor.

Procurement questions or concerns may be directed as follows:

Jurisdiction	Name	Phone	Fax	E-mail
Executive	Lori Cervantes	587-3355	586-0570	<a href="mailto:lori.m.cervantes@hawaii.gov">lori.m.cervantes@hawaii.gov</a>
DOE	Procurement Staff	675-0130	675-0133	<a href="mailto:DOEProcure@notes.k12.hi.us">DOEProcure@notes.k12.hi.us</a>
HHSC (includes the Hospitals)	Jeff Dansdill	657-3721		<a href="mailto:jedansdill@hhsc.org">jedansdill@hhsc.org</a>
OHA	Phyllis Ono-Evangelista	594-1833	594-1865	<a href="mailto:phylliso@oha.org">phylliso@oha.org</a>
UH	Karlee Hisashima	956-8687	956-2093	<a href="mailto:karlee@hawaii.edu">karlee@hawaii.edu</a>
Public Charter School Commission and Schools	Danny Vasconcellos	586-3775	586-3776	<a href="mailto:danny.vasconcellos@spcsc.hawaii.gov">danny.vasconcellos@spcsc.hawaii.gov</a>
House	Brian Takeshita	586-6423	586-6401	<a href="mailto:takeshita@capitol.hawaii.gov">takeshita@capitol.hawaii.gov</a>
Senate	Carol Taniguchi	586-6720	586-6719	<a href="mailto:c.taniguchi@capitol.hawaii.gov">c.taniguchi@capitol.hawaii.gov</a>
Judiciary	Tritia Cruz	538-5805	538-5802	<a href="mailto:tritia.l.cruz@courts.hawaii.gov">tritia.l.cruz@courts.hawaii.gov</a>

Jurisdiction	Name	Phone	Fax	E-mail
C&C of Honolulu	Procurement Specialist	768-5535	768-3299	<a href="mailto:bfspurchasing@honolulu.gov">bfspurchasing@honolulu.gov</a>
Honolulu City Council	Kimberly Ribellia Nanette Saito	768-5045 768-5085	768-5011	<a href="mailto:kribellia@honolulu.gov">kribellia@honolulu.gov</a> <a href="mailto:nsaito@honolulu.gov">nsaito@honolulu.gov</a>
Honolulu Board of Water Supply	Vicki Kitajima	748-5151	550-9193	<a href="mailto:vkitajima@hbws.org">vkitajima@hbws.org</a>
HART	Nicole Chapman	768-6135	768-5110	<a href="mailto:nchapman@honolulu.gov">nchapman@honolulu.gov</a>
County of Hawaii	Steve Wilhelm Sebastian Calaway	961-8440	961-8248	<a href="mailto:purchasing@hawaiicounty.gov">purchasing@hawaiicounty.gov</a>
Hawaii County Council	Steve Wilhelm Sebastian Calaway	961-8440	961-8248	<a href="mailto:purchasing@hawaiicounty.gov">purchasing@hawaiicounty.gov</a>
County of Hawaii – Department of Water Supply	Ka'iulani Matsumoto	961-8050 ext.224	961-8657	<a href="mailto:kmatsumoto@hawaiidws.org">kmatsumoto@hawaiidws.org</a>
County of Maui	Greg King	249-2403	249-0839	<a href="mailto:greg.king@co.maui.hi.us">greg.king@co.maui.hi.us</a>
Maui County Council	Greg Garneau	270-7664	270-7686	<a href="mailto:greg.garneau@mauicounty.us">greg.garneau@mauicounty.us</a>
County of Maui – Department of Water Supply	Kenneth L. Bissen Holly Perdido	270-7684 270-7684	270-7136 270-7136	<a href="mailto:ken.bissen@co.maui.hi.us">ken.bissen@co.maui.hi.us</a> <a href="mailto:holly.perdido@co.maui.hi.us">holly.perdido@co.maui.hi.us</a>
County of Kauai	Ernest W. Barreira	241-4295	241-6297	<a href="mailto:ebarreira@kauai.gov">ebarreira@kauai.gov</a>
Kauai County Council	Lisa Ishibashi Scott Sato	241-4820 241-4810	241-6349 241-6349	<a href="mailto:lishibashi@kauai.gov">lishibashi@kauai.gov</a> <a href="mailto:ssato@kauai.gov">ssato@kauai.gov</a>
County of Kauai – Department of Water	Marcelino Soliz	245-5470	245-5813	<a href="mailto:msoliz@kauaiwater.org">msoliz@kauaiwater.org</a>

**USE OF THIS LIST CONTRACT BY NONPROFIT ORGANIZATIONS.** Pursuant to HRS §103D-804, nonprofit organizations with current purchase of service contracts (HRS chapter 103F) have been invited to participate in the SPO price and vendor list contracts.

A listing of these nonprofit organizations is available at the SPO website: <http://spo.hawaii.gov>. Click on *For Vendors > Non-Profits > Cooperative Purchasing Program > View the list of qualifying nonprofits eligible to participate in cooperative purchasing.*

If a nonprofit wishes to purchase from an SPO price or vendor list contract, the nonprofit must obtain approval from each Contractor (participation must be mutually agreed upon, for example). A Contractor may choose to deny participation by a nonprofit. However, if a nonprofit and Contractor mutually agree to this arrangement, it is understood that the nonprofit will retain its right to purchase from other than an SPO price list contract vendor(s).

**CONTRACTORS.** The following contractors are authorized to provide Telephone Based Interpreter Services. They have signed a Master Agreement with the State of New Mexico and a Participating Addendum with the Hawaii State Procurement Office.

Company Name

Corporate Translation Services, Inc. dba Language Link  
Voiance Language Services, LLC

**VENDOR CODES** for annotation on purchase orders are obtainable from the *Alphabetical Vendor Edit Table* available at your department's fiscal office. Agencies are cautioned that the remittance address on an invoice may be different from the address of the vendor code annotated on the purchase order.

**COMPLIANCE PURSUANT TO HRS §103D-310(c).** Prior to awarding this contract, the SPO verified compliance of the Contractor(s) named in the SPO Vendor List Contract No. 16-05. *No further compliance verification is required prior to issuing a contract, purchase order, or pCard payment when utilizing this contract.*

**PURCHASING CARD (pCard).** The State of Hawaii Purchasing Card (pCard) is required to be used by the Executive department/agencies, excluding the DOE, HHSC, OHA, and UH, for orders totaling less than \$2,500. For purchases of \$2,500 or more, agencies may use the pCard, subject to its credit limit, or issue a purchase order.

**PURCHASE ORDERS** may be issued for purchases of \$2,500 or more and for vendors who either do not accept the pCard, set minimum order requirements before accepting the pCard for payment or who charge its customers a transaction fee for the usage.

**SPO PL CONTRACT NO. 16-05 & NASPO VALUEPOINT MASTER AGREEMENT NUMBER** (notated on the vendor information page) shall be typed on purchase orders issued against this price list contract. For pCard purchases, the SPO PL Contract No. 16-05 and NASPO ValuePoint Master Agreement No shall be notated on the appropriate transaction document.

**PAYMENTS** are to be made to the remittance address of the Contractor(s). HRS §103-10, HRS, provides that the State shall have thirty (30) calendar days after receipt of invoice or satisfactory completion of the contract to make payment.

**VENDOR AND PRODUCT EVALUATION.** Form SPO-012, Evaluation: Vendor or Product, for the purpose of addressing concerns on this vendor list contract, is available to agencies at the SPO website: <http://spo.hawaii.gov>. Click on *Forms* on the home page.

**PRICE OR VENDOR LIST CONTRACT AVAILABLE ON THE INTERNET** at the SPO website: <http://spo.hawaii.gov>. Click on *Price & Vendor List Contracts* on the homepage.

### **HOW TO USE THIS PRICE LIST CONTRACT:**

1. Contact a contractor for a quote. Contractor contact information is located on pages 10, and 14.
2. Choose the option that works best for your agency's situation.
3. Keep quotes in the procurement file.

### **WHAT IS EXCLUDED IN THIS PRICE LIST CONTRACT:**

1. The contract does not include VRI (video relay interpreting), in-person interpreting, sign language interpreting or document translation services.

### **WHAT IS INCLUDED IN THIS PRICE LIST CONTRACT?**

1. Contractors shall provide 365-days a year/7-days a week/24-hours a day Telephone Based Interpreter Services on an "as needed" basis for Limited English Proficiency (LEP) clients needing immediate interpreter assistance and will provide the necessary equipment from a professional facility and not from the interpreter's home or other non-professional setting.
2. Interpreter services for the **most frequently used languages\*** must be performed within the United States from a professional facility or a professional home-based office with limited background noise and no interruption.
3. Interpreter services for the **least frequently used languages** may be performed outside the United States and/or from a professional home-based office with limited background noise and no interruption only in cases where an interpreter from the United States or a professional facility is available.

*"Most frequently used languages" means the top ten frequently used languages as noted by an asterisk (\*) in the chart below.*

### **CONNECTION**

1. On average, Contractor must answer at least 95% of all incoming calls within five seconds of the call starting to ring at the Contractor's facility. The call may be answered by an automated attendant but the customer must be given an option, either by voice prompt or keypad selection, to speak with a live operator/customer service representative. If the customer opts for a live operator/customer service representative, the connection must occur within ten seconds of the customer's selection.
2. On average, Contractor must answer at least 95% of all incoming calls within five seconds of the call starting to ring at the Contractor's facility. The call may be answered by an automated attendant but the customer must be given an option, either by voice prompt or keypad selection, to speak with a live operator/customer service representative. If the

customer opts for a live operator/customer service representative, the connection must occur within ten seconds of the customer's selection.

3. On average, Contractor must respond to calls at a rate of 95% or greater within 30 seconds of the client's language being identified. Once interpretation begins, the call cannot be placed on hold or put into a queue of any kind.
4. In the event interpretation service for Spanish, Russian, Somali, Vietnamese, Tagalog, Korean or Farsi does not begin within 60 seconds of the client's language being identified, the customer shall not be charged for any interpretation services provided for the duration of the call. In the event any interpretation service request for Spanish, Russian, Somali, Vietnamese, Tagalog, Korean or Farsi results in a customer being told "no interpreter is available," the Contractor will be subject to a self-assessed penalty equal to the cost of the customer's average interpreter call for the month in which the "no interpreter available" event occurs. These penalties will be assessed monthly and will be itemized and deducted from the appropriate monthly invoice total.
5. The contractor must provide toll-free access to interpreter services from anywhere in the United States, 365-days a year, 7-days a week, 24-hours a day.

## **PENALTIES**

1. If interpreting services for Spanish, Russian, Somali, Vietnamese, Tagalog, Korean or Farsi do not begin within 60 seconds of the client's language being identified, the customer shall not be charged for any interpretation services provided for the duration of the call.
2. If any interpretation service request for Spanish, Russian, Somali, Vietnamese, Tagalog, Korean or Farsi results in a customer being told "**no interpreter is available**," the Contractor will be subject to **a self-assessed penalty** equal to the cost of the customer's average interpreter call for the month in which the "no interpreter available" event occurs. These penalties will be assessed monthly and will be itemized and deducted from the appropriate monthly invoice total.

## AVAILABLE LANGUAGES

At a minimum, the following languages/dialects are available:

Akan	Dutch	Inupiaq	Mongolian	Spanish*
Albanian	Estonian	Iraqi Arabic	Moroccan Arabic	Sudanese Arabic
Amharic	Ewe	Italian	Nepali	Swahili
Apache	Farsi	Japanese*	Norwegian	Swedish
Arabic	Finnish	Karen	Nuer	Tagalog*
Armenian	Flemish	Kashmiri	Oromo	Taishanese
Assyrian	French	Khmer	Pashto	Taiwanese
Bambara	French Canadian	Kirundi	Patois	Tamil
Behdini	Fukienese	Korean*	Persian	Tewa
Bengali	Fulani	Krio	Polish	Thai
Bosnian	Fuzhou	Kunama	Portuguese	Tibetan
Bulgarian	Georgian	Kurdish	Portuguese Creole	Tigrinya
Burmese	German	Laotian	Punjabi	Tiwa
Cambodian	Greek	Latvian	Romanian	Tongan
Cantonese*	Gujarati	Lithuanian	Russian	Towa
Catalan	Haitian Creole	Maay	Samoan	Turkish
Chin	Hausa	Macedonian	Serbian	Ukrainian
Chiu-Chow	Hebrew	Malay	Serbo Croatian	Urdu
Chuukese*	Hindi	Malayalam	Sicilian	Uzbek
Croatian	Hmong	Mandarin*	Sinhalese	Vietnamese*
Czech	Hungarian	Marshallese*	Slovak	Wolof
Danish	Ibo	Mien	Somali	Yoruba
Dari	Ilocano*	Mixteco	Sorani	Yupik

*\*most frequently used languages*



**REMITTANCE ADDRESS**

Language Link  
701 NE 136 Ave.  
Suite 200  
Vancouver, WA 98684

**CONTACT INFORMATION**

*Primary:* Mo Tabbakh  
*Phone:* (360) 823-2287  
*Email:* [Mo.Tabbakh@language.link](mailto:Mo.Tabbakh@language.link)

**PRICING**

Contract pricing **\$0.62/min.** for all languages

Optional Equipment:	1. Dual Headset Phone	\$150.00
	2. Lease Dual Handset Phone	\$15.00/Month
	3. Purchase of Y Connector and extra handset	\$35.00

Instructional Material may be accessed at <https://www.language.link/>. After signing up, each account will receive a welcome e-mail with detailed instructions on how to access the services as well as materials which can be printed.

Account Application – Agencies may go to <https://www.language.link/> to sign up or fill out an agreement (attached).

Agencies who have signed “interim” agreements with Language Link shall sign a new account application to receive the contract rate of \$0.62/minute. Your account number will remain the same.

NASPO Account Application		
Please go to <a href="http://naspo.language.link">naspo.language.link</a> to submit your account application on-line		
Company Name	Company Contact	
Phone Number	Fax Number	Email Address
Address	City, State	Zip Code
Billing Contact	Email Address	
Phone	Fax	
Billing Address (If different)	City, State	Zip Code

General Account Information
Please list the top languages serviced: _____
Hours and days of operation: _____
Type of Business: _____

Sample NASPO Account Access Instructions

- Step 1:** Call dedicated NASPO line
- Step 2:** Enter Assigned Account Number, followed by # sign
- Step 3:** Select 1 to be connected directly to your Spanish interpreter, *or*  
Select 2 to be connected directly to your Russian Interpreter, *or*  
Select 3 to be connected directly to your Vietnamese interpreter, *or*  
Select 4 to be connected directly to your Somali Interpreter, *or*  
Select 9 for all other languages

\*If you require a 3<sup>rd</sup> party call, press 9 to reach a Customer Service Representative Optional Data Collection

- Step 4:** Enter Numeric Data Field, followed by # sign (optional)
- Step 5:** Enter Numeric Data Field, followed by # sign (optional)



\*see below for additional data collection options

Additional data collection:  
We offer two numeric data fields to be gathered at the time of the call (i.e.: employee id, employee extension, case number, location code, department number, etc.). This information will be included on your monthly invoice and call detail records on our client portal. Default invoices will contain the following information for each call record: Language Link Job Number, Date of the Call, Time of the Call, Language Requested, Interpreter ID, Duration of the Call, and Cost of the Call. If you do not require additional numeric data, please indicate below.

Please check here if you do not require any additional data collection (otherwise indicate below):

Numeric data field 1: \_\_\_\_\_

Numeric data field 2: \_\_\_\_\_

Please note, Language Link is unable to gather additional details after the call has been completed.

**PAYMENT AGREEMENT**

I \_\_\_\_\_ authorize Language Link to bill (Company Name) \_\_\_\_\_ for the charges generated by on demand telephonic interpretation services at \$0.62 cents per minute. Each call has a one minute minimum billed in six second increments. Setup of the account includes toll-free number, access code, additional data collection (if applicable), and web portal access to retrieve electronic invoices.

I \_\_\_\_\_ in the name of (Company Name) \_\_\_\_\_ agree to pay in full and within thirty (30) calendar days of the billing date the amount generated for the interpretation services.

**Terms & Conditions**

Language Link will bill for charges generated for telephonic interpreting per Master Pricing Agreement #50-000-14-00002 AA and your state contract.

Additional services not covered in the Master Pricing Agreement such as Translation, Localization, Transcription, Video Remote Interpreting, 3<sup>rd</sup> party international calls, hard copy invoicing and reporting, and pre-scheduled Telephonic are gladly offered under separate agreements or quotes. Please feel free to contact our sales department if you are interested in adding any of these services.

**Please fax the completed application to:** \_\_\_\_\_ **Attention:** \_\_\_\_\_

**Email to [naspo@language.link](mailto:naspo@language.link)**

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Name of Signature \_\_\_\_\_

TIPS AND ADVICE

*How to Work with a Telephone Interpreter*

**YOUR ROLE**

Telephone interpreters may receive several calls a day—each one requiring special attention in a specific field. When working with an interpreter over the phone, there are a few things you should keep in mind to ensure your call is handled quickly and successfully.

- Always speak in first person, just as you would in normal conversation. For example, say, “Do you have a fever?” rather than “Ask her if she has a fever, please.”
- Immediately introduce yourself to the limited-English proficient (LEP) client and explain your reason for calling.
- Telephone interpretation is “consecutive” interpretation. That means you will experience pauses when the interpreter repeats each statement in the respective language.
- After you speak one-two sentences or finish a thought, pause to give the interpreter enough time to interpret.
- Be prepared to explain some things in more detail for the telephone interpreter. Some terminology and concepts may not have an equivalent in the target language.
- Control the conversation. The telephone interpreter is only there to interpret. You are responsible for making sure the LEP client receives the same service as an English-speaking client.
- Ask the interpreter and the LEP client questions to ensure they understand what you want to communicate.
- Avoid asking the interpreter for his/her opinion about the situation being interpreted.
- We can accommodate three-way telephone interpretation calls. Tell the call center agent the name and phone number of the third party, and they will arrange the call for you. The interpreter cannot facilitate this for you. You must ask the call center agent at the beginning of the call.
- Follow up by providing us with feedback about your interpretation services.

**YOUR TELEPHONE INTERPRETER’S ROLE**

We expect our interpreters to meet high standards and want to know when they are meeting our expectations. To that end, your feedback is critical.

- Make sure your interpreter introduces himself/herself using a first name and ID number. They are not required to provide a last name.
- Your interpreter should not have a side conversation with you or the client. He or she must relay everything that is said back to you or your client. This includes any advice that the client may ask of the interpreter.
- Your interpreter should not discuss anything unrelated to the telephone interpretation assignment.

More questions about interpretation? Contact us at 1-855-579-2704 or [ClientRelations@Language.Link](mailto:ClientRelations@Language.Link)



Master Agreement No. **50-000-14-00002AC**

**REMITTANCE ADDRESS**

**MAILING ADDRESS**

Voiance Language Services  
Accounts Receivable  
5780 N. Swan Road  
Tucson, AZ 85718

Voiance Language Services  
5780 N. Swan Road  
Tucson, AZ 85718

[accountsreceivable@voiance.com](mailto:accountsreceivable@voiance.com)

**CONTACT INFORMATION**

*Primary:* Joe Whittington  
*Phone:* (866) 742-9080 Ext. 4467  
*Email:* [jwhittington@voiance.com](mailto:jwhittington@voiance.com)

**PRICING**

Contract pricing **\$0.65/min.** for all languages

Please contact the above for all sales or contract inquiries.

**EXHIBIT B**

**Notice to LEP Persons of Right to an Interpreter**



# Please point here if you need an interpreter in this language (at no cost to you).



<b><u>Hawai'ian:</u></b>	E kuhikuhi mai 'oe i 'ane'i ke pono ka mahele'olelo ('a'oha kākī).
<b><u>日本語 (Japanese):</u></b>	日本語の通訳が必要な方は、ここを指差してください (通訳費用はかかりません)。
<b><u>한국어 (Korean):</u></b>	통역을 필요로 하시면 다음 약속일 전에 반드시 통역이 필요하다고 말씀하셔야합니다. 비용은 부담않하셔도됩니다.
<b><u>普通话(华语/國語) (Mandarin):</u></b>	如果您需要讲普通话的免费翻译，请指这里。(如果您需要講國語的免費翻譯，請指這裡。)
<b><u>廣東話 (Cantonese):</u></b>	如果您需要講廣東話的免費翻譯，請指這裡。
<b><u>Ilokano:</u></b>	No masapulmo ti paraipatarus iti Ilokano nga awan bayadna, pakitudom ditoy.
<b><u>Tagalog:</u></b>	Kung kailangan mo ng libreng tagasalin sa Tagalog, pakituro lamang dito.
<b><u>Cebuano (Visayan):</u></b>	Kung kinahanglan nimo ug libre nga tighubad sa Binisaya, itudlo lang diri.
<b><u>Tiếng Việt (Vietnamese):</u></b>	Xin chỉ vào đây nếu bạn cần thông dịch viên cho ngôn ngữ này (bạn sẽ được cung cấp thông dịch viên miễn phí).
<b><u>မြန်မာ (Myanmar):</u></b>	သင်နားလည်သောစကားနှင့် ဘာသာပြန်အလိုရှိပါက ယခုနေရာသို့ညွှန်ပြပါ။ အထက်ပါစကား အတွက်နောက်တစ်ခေါက်ဆက်သွယ်ရန်လိုအောင်းလျှင်ပါပဲ။
<b><u>ภาษาไทย (Thai):</u></b>	กรุณาชี้มาที่ข้อความนี้ ถ้าคุณต้องการล่ามภาษาไทย (โดยที่คุณไม่ต้องเสียค่าใช้จ่ายใดๆ)
<b><u>ភាសាខ្មែរ (Khmer):</u></b>	សូមបង្ហាញនៅត្រង់នេះមក បើសិនជាអ្នកត្រូវការអ្នកបកប្រែជាភាសានេះ (អ្នកមិនត្រូវការថ្លៃណាមួយឡើយ)។
<b><u>ອັກສອນລາວ (Lao):</u></b>	ກະລຸນາຊີ້ໃສ່ບ່ອນນີ້ ຖ້າທ່ານຕ້ອງການລ່າມພາສາລາວ (ໂດຍທີ່ທ່ານບໍ່ຕ້ອງເສຍຄ່າໃຊ້ຈ່າຍໃດໆ)
<b><u>Marshallese:</u></b>	Jouj im jitōñe ijin elañe kwoj aikuji juōn am ri-ukok ilo kajin in (ejjelok wōnāān ñan yuk).
<b><u>Chuukese:</u></b>	Itini awenewenan ikeei ika pwún kopwe néúnéú emén chón chiakú nón fóosun eei fénú (kosap wisenmééni noum eei chón chiakú).
<b><u>Chamorro:</u></b>	Matka pat apunta este yangen un nesisita intetpiti gi fino Chamorro (dibadi este na sitbesio).
<b><u>Pohnpeian:</u></b>	Menlau idih wasa ma ke anahne soun kawehwe (sohte isais).
<b><u>Kosraean:</u></b>	Nunak munas srisrningac acn se nge fwin kom enenu met in top nuke kahs lom an sifacna (kom ac tia moli).
<b><u>Yapese:</u></b>	Fa'anra bet'uf bae' ninge ayweg nem nge abweg e thin rom (ni dabmu pii'pulwon) meere mog aray.
<b><u>Yapese (Outer Island):</u></b>	Gobe sor gare go tipeli bwo semal yebe gematfa kepatal menel le yetwai yor paluwal ngalug.
<b><u>Samoan:</u></b>	Fa'amolemole tusi lou lima i'i pe 'ā 'e mana'omia se fa'amatala'upu i le gagana lea (e te lē togiina se tupe).
<b><u>Tongan:</u></b>	Tuhu ki heni kapau 'e fiema'u ha taha ke fakatonulea 'oku ta'etotongi.
<b><u>Русский (Russian):</u></b>	Если вам нужен бесплатный переводчик русского языка, пожалуйста укажите пальцем на это предложение.
<b><u>Español (Spanish):</u></b>	Por favor señale aquí con el dedo si necesita un intérprete (sin ningún costo para usted).

**For more information, please contact:**

Office of Language Access  
830 Punchbowl Street, Room 322  
Honolulu, Hawaii 96813

E-mail: [Ola@doh.hawaii.gov](mailto:Ola@doh.hawaii.gov)  
Call: (808) 586-8730  
Neighbor Islands: 1 (866) 365-5955

**EXHIBIT C**

**Notice to LEP Persons of Right to Interpretation of Written  
Materials**

**Language Assistance 言語サポート Hỗ trợ Ngôn ngữ**  
**ความช่วยเหลือด้านภาษา Gagana Fesoasoani**

**English**

ATTENTION: If you speak English, language assistance services, free of charge, are available to you.

**Tagalog**

PAUNAWA: Kung nagsasalita ka ng Tagalog, maaari kang gumamit ng mga serbisyo ng tulong sa wika nang walang bayad.

**繁體中文 (Chinese)**

注意：如果您使用繁體中文，您可以免費獲得語言援助服務

**한국어 (Korean)**

주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다

**Tiếng Việt (Vietnamese)**

CHÚ Ý: Nếu bạn nói Tiếng Việt, có các dịch vụ hỗ trợ ngôn ngữ miễn phí dành cho bạn.

**Español (Spanish)**

ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística.

**日本語 (Japanese)**

注意事項：日本語を話される場合、無料の言語支援をご利用いただけます

**Ilocano**

PAKDAAR: Nu saritaem ti Ilocano, ti serbisyo para ti baddang ti lengguahe nga awanan bayadna, ket sidadaan para kenyam

## **Samoan**

MO LOU SILAFIA: Afai e te tautala Gagana fa'a Sāmoa, o loo iai auaunaga fesoasoan, e fai fua e leai se totogi, mo oe

## **Kajin Ṃajeḷ (Marshallese)**

LALE: Ñe kwōj kōnono Kajin Ṃajōḷ, kwomaroñ bōk jerbāl in jipañ ilo kajin ñe aṃ ejjeḷok wōṇāān.

## **Fakatonga (Tongan)**

FAKATOKANGA'I: Kapau 'oku ke Lea-Fakatonga, ko e kau tokoni fakatonu lea 'oku nau fai atu ha tokoni ta'etotongi, pea teke lava 'o ma'u ia.

## **Bisayan**

ATENSYON: Kung nagsulti ka og Cebuano, aduna kay magamit nga mga serbisyo sa tabang sa lengguwahe, nga walay bayad.

## **'ōlelo Hawai'i (Hawaiian)**

E NĀNĀ MAI: Inā ho'opuka 'oe i ka 'ōlelo [ho'okomo 'ōlelo], loa'a ke kōkua manuahi iā 'oe.

## **ภาษาไทย (Thai)**

ความสนใจ: หากคุณพูดภาษาไทยบริการให้ความช่วยเหลือด้านภาษาฟรีไม่เสียค่าใช้จ่าย

In accordance with Federal and State laws, the County of Kauai does not discriminate on the basis of race, color, national origin, sex/gender (expression or identity), age or disability.



**Certifications Checklist**

**CDBG-DR Grants under Public Laws 115-254 and 116-20**

**Each State or UGLG receiving a direct allocation in the Notice must make the following certifications (all information about the Action Plan certifications outlined in the February 9, 2018 notice at 83 FR 5867-5868):** *(Note: A grantee that received a certification of its financial controls and procurement processes pursuant to a 2016 or 2017 disaster may request that HUD rely on that certification for purposes of this grant, provided however, that grantees shall be required to provide updates to reflect any material changes in the submission)*

- |           |  |
|-----------|--|
| <b>a.</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.  |
| <b>b.</b> | The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.   |
| <b>c.</b> | The grantee certifies that the Action Plan for Disaster Recovery is authorized under State and local law (as applicable) 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. The grantee certifies that activities to be administered with funds under this Notice are consistent with its Action Plan.   |
| <b>d.</b> | 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.   |
| <b>e.</b> | 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.  |
| <b>f.</b> | 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 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). |
| <b>g.</b> | Each State receiving a direct award under this Notice certifies that it has consulted with affected local governments in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the uses of funds, including method of distribution of funding, or activities carried out directly by the State.   |
| <b>h.</b> | 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 2018 and 2019 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-DR 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-DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 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-DR 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).
i.	The grantee certifies that it grant will conduct and carry out the grant 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, and that it will affirmatively further fair housing.
j.	The grantee certifies that it has adopted and is enforcing the following policies. In addition, States receiving a direct award must certify that they will require UGLGs 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.
k.	Each State receiving a direct award under this Notice certifies that it (and any subrecipient or administering entity ) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements of this notice. The grantee certifies to the accuracy of its Public Law 115-56 Financial Management and Grant Compliance certification checklist, or other recent certification submission, if approved by HUD, and related supporting documentation referenced at A.1.a under Section VI and its Implementation Plan and Capacity Assessment and related submission to HUD referenced at A.1.b under Section VI.

- i.** The grantee will not use grant funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the State, local, or tribal government or delineated as a special flood hazard area (or 100-year floodplain) in FEMA's most recent 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. The relevant data source for this provision is the State, local and tribal government land use regulations and hazard mitigation plan and the latest issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.
- m.** 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.
- n.** The grantee certifies that it will comply with environmental requirements at 24 CFR Part 58.
- o.** The grantee certifies that it will comply with applicable laws.

*Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S. C. 287, 1001 and 31 U. S. C. 3729.*

*This checklist is part of the administrative record of the Department's review of a disaster recovery Action Plan submitted pursuant to The Supplemental Appropriations for Disaster Relief Requirements, approved October 5, 2018 (Pub. L. 115-254) and Additional Supplemental Appropriations for Disaster Relief Requirements Act, approved June 6, 2019 (Pub. L. 116-20) and the "Prior Federal Register Notices" published February 9, 2018 (83 FR 5844), August 14, 2018 (83 FR 40314), February 19, 2019 (84 FR 4836), and June 20, 2019 (84 FR 28848). In using the checklist, reviewers are reminded that each of the criterion as stated on the checklist is necessarily an abbreviated and generalized summary of the more detailed requirements outlined in the Federal Register Notice for each criterion. Reviewer answers to each question on the checklist must be informed by applying the requirements of each criterion as outlined in the Federal Register Notice to each element of the Action Plan. Use of the checklist does not substitute comparison of the Action Plan submission against the requirements of the applicable Notices and making a determination based on the Standard of Review set forth in 24 CFR 91.500, as augmented by the applicable Notices.*

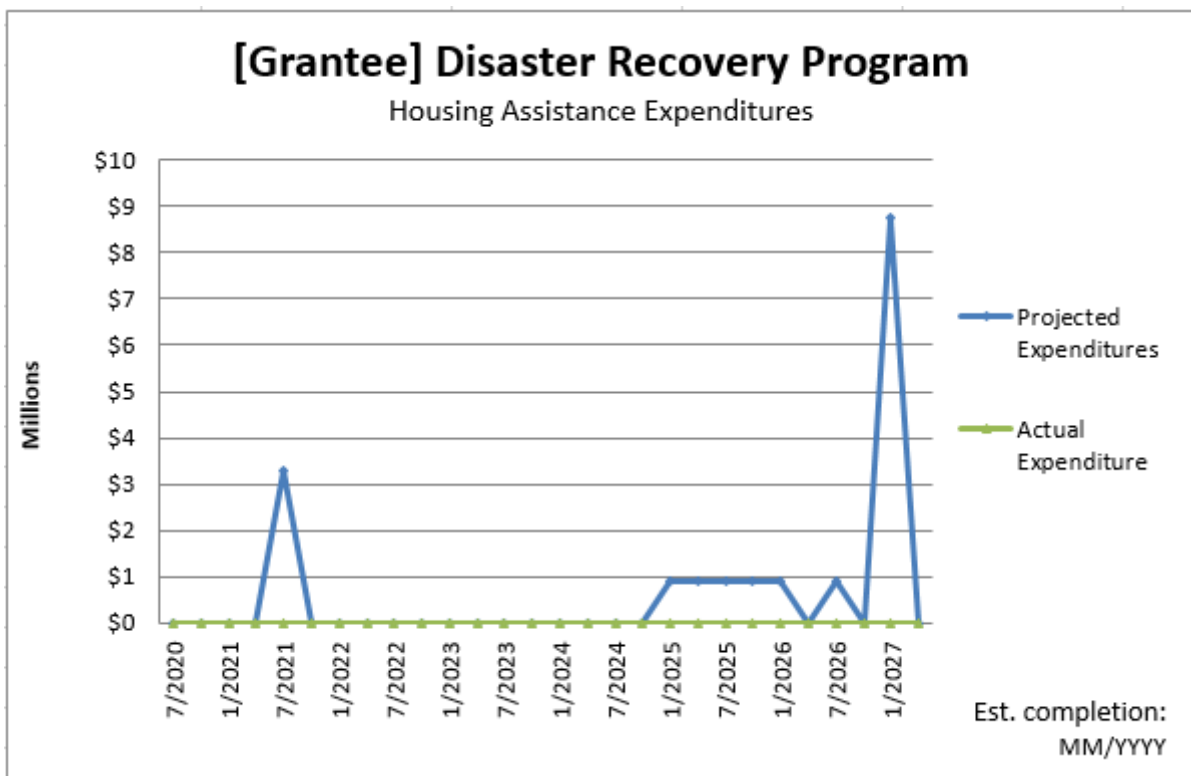
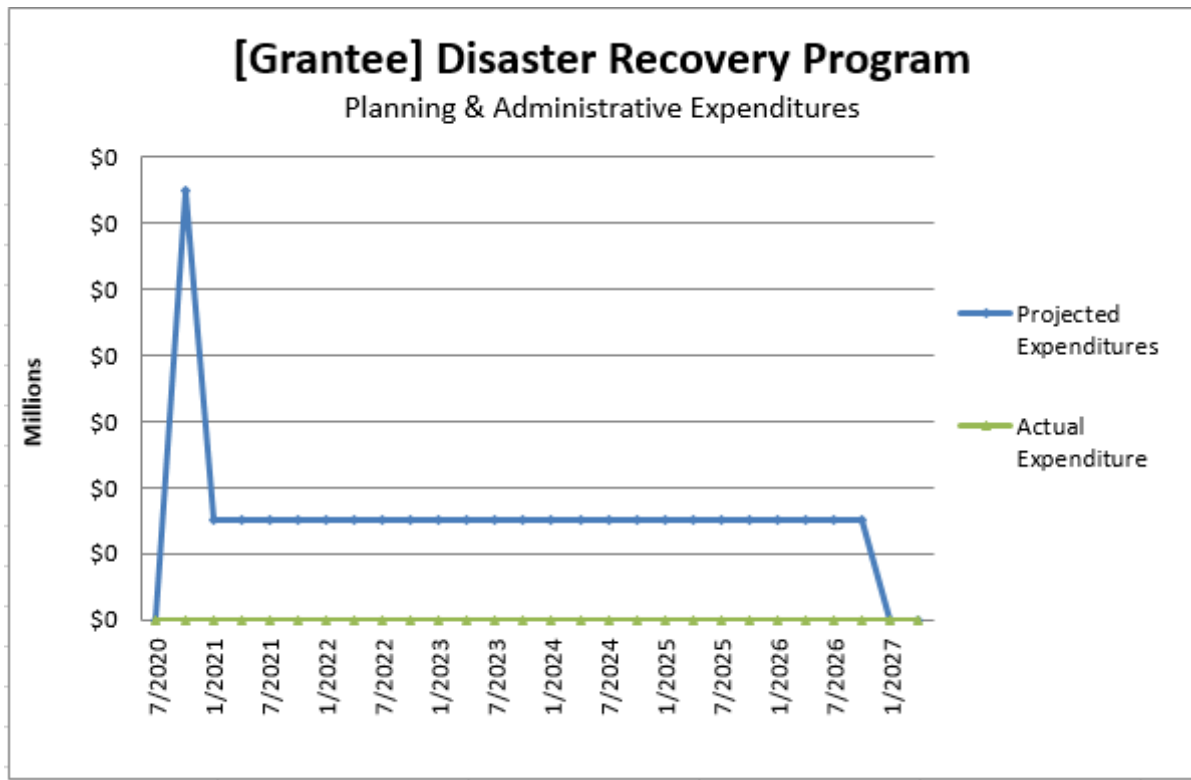
Signature of Official Responsible for CDBG-DR Recovery Implementation:



Printed Name of Official Responsible for CDBG-DR Recovery Implementation:

Derek Kawakami

## CDBG-DR Financial Projections



## CDBG-DR Performance Projections

