



























## *CDBG-PLNG Grant Application Instructions*

planning grants, including non-compliance related to administrative, financial management, underwriting, recordkeeping, reporting, auditing, completion, payment, reimbursement or other requirements except in cases where the award was provided to meet the “Urgent Local Need” National Objective.

DEHCR will also continue to evaluate projects’ feasibility after awards are made. Successful applicants will be required to submit semi-annual project performance reports to DEHCR as part of the project grant agreement and will be monitored at least once during the agreement period by a Project Representative.

### **Pre-Application Conference with DEHCR**

A pre-application conference meeting or call between the applicant (UGLG) and DEHCR staff to discuss the eligibility and scope of the project, project beneficiaries (the “service area”), and application requirements is required for all CDBG Planning applicants.

In the spaces provided in this section of the application, provide the date of pre-application meeting or telephone call and list of participants, including the names and titles of all participants.

### **Procuring/Securing Professional Services**

Briefly describe the process used/to be used for procuring planning services and explain how it complies with Federal, State and local procurement requirements (not applicable if UGLG employees will perform planning/project duties – state that the services will be performed by UGLG employees if applicable).

## **PART 3 – CERTIFICATIONS**

Add the Unit of General Local Government (UGLG) and Chief Elected Official (CEO) information in the entry fields and have the CEO sign the Certification statement. By entering the UGLG and CEO information and signing this certification page, the CEO acknowledges and certifies that the UGLG will comply with the terms set forth in *Part 3 – Certifications* of the CDBG application, including the Initial Eligibility Certification; Statement of Assurances Certification; Lobbying Certification; Acquisition, Relocation and Demolition Certification; and Fair Housing Actions Certification, and the information provided for these Certifications is true and accurate.

The CDBG application must be submitted with the (electronic) CEO signature in *Part 3 – Certifications* (in addition to *Part 2 – Applicant Information & Signature*).

### **Initial Eligibility Certification**

Add the UGLG’s name in the entry field. By adding the UGLG’s name and their signature in *Part 3 – Certifications* of the CDBG application, the Chief Elected Official is agreeing that the UGLG will comply with the terms set forth in, and confirming the information in the *Initial Eligibility Certification* in *Part 3* is true and accurate for the UGLG. All items listed in the *Initial Eligibility Certification* must be true and accurate for the UGLG to be eligible for CDBG funding.

### **Citizen Participation**

Federal regulations require that UGLGs provide citizens with advance notice of and opportunity to comment on proposed activities in an application to the State for CDBG assistance. Citizen participation is required in the planning and administration of CDBG projects. All CDBG applicants must prepare and implement a written Citizen Participation Plan (CPP) as specified in Section 104 (a)(3) of the Housing and Community Development Act of 1974 as amended. UGLGs must demonstrate compliance with federal citizen participation requirements at the time of application. An UGLG's noncompliance with citizen participation requirements will delay DEHCR's review of the application and the CDBG award.

**IMPORTANT NOTICE:** *The CPP must reflect current information and the minimum required components shown in the Sample Citizen Participation Plan template, which may be accessed in the provided attachments to the CDBG application, to be eligible for CDBG funding.*

A CDBG grant may be made only if the UGLG certifies that it has established and is following such a plan. The CPP must include, at a minimum, the elements listed below:

- A. Provision for and encouragement of citizen participation, with particular emphasis on participation by persons of low- and moderate-income (LMI) who are residents of target area neighborhoods in which the CDBG funds are proposed to be used. The UGLG must meet this requirement by doing **at least one** of the following:
  1. Establish a committee composed of persons representative of the community's demographics. This committee shall include at least one LMI person and one resident of the designated target area. This committee will assume the responsibility for coordinating all required elements of the CPP. All committee members must be residents of the community.
  2. Distribute timely notification of all required meetings to 100 percent of the designated target area or neighborhood. UGLGs not having a target area, must design a notification system which will reach a majority of the community's LMI population. All notifications of meetings and available assistance must be worded in such a way as to encourage LMI participation.
- B. Provision to citizens of reasonable and timely access to local meetings, information, and records relating to the UGLG's proposed and actual use of funds. To meet this requirement, the applicant must:
  1. Attempt to have at least one of the public hearings in the target area; **and**
  2. Give adequate advance notice to the local community of upcoming meetings in accordance with the advance notice specifications in the UGLG's Citizen Participation Plan (which **must** be at least 2 weeks (14 days [excluding the first day of publication; including the day of the hearing]) notice **or** the equivalent of a Class 2 Notice); **and**
  3. Specify in the CPP and execute the method(s) by which notices of public hearings must be given (all Citizen Participation public hearing notices for the CDBG program must be published in the local newspaper *unless*: 1) the UGLG does not have a local designated newspaper for posting public hearing and meeting notices; 2) posting in lieu of publishing notices for public hearings and

## CDBG-PLNG Grant Application Instructions

meetings is standard practice for the UGLG; **and** 3) the notice is posted in at least three locations within the community); **and**

4. In all meeting announcements, include where and when (i.e., location address and business hours) the information and records relating to the proposed and actual use of funds may be accessed.
- C. Provision for technical assistance to groups representative of LMI households that request such assistance in developing proposals with the level and type of assistance to be determined by the UGLG. To meet this requirement, the applicant must include in the adopted CPP:
1. The type of assistance generally available; and
  2. The procedure used to request the assistance.
- D. Provision for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least:
1. The identification and development of housing, community development, and planning needs;
  2. The review of proposed activities; and
  3. The review of program performance (for which hearings shall be held after adequate public notice, at times and locations convenient to potential or actual beneficiaries and with accommodation for individuals with disabilities).
- E. Provision of timely written answers to written complaints and grievances within 15-working days where practical. To meet this requirement, the applicant must:
1. Include complaint/grievance procedure steps in the CPP; and
  2. Develop a procedure to ensure compliance with the 15-working day response time.
- F. Identify how the needs of non-English speaking residents (including the hearing impaired) will be met in the case of public hearings where a significant number of non-English speaking residents reasonably can be expected to participate. To meet this requirement, the UGLG must:
1. Identify all non-English speaking populations in the community (regardless of American or Wisconsin citizenship) and make a determination of their special needs; and
  2. Include evidence in the CPP that the community has conducted a review of this matter consistent with the Housing and Community Development Act of 1974 as amended.

### **24 CFR 570.486 (5)**

***“There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate.”***

**Policy on Non-Violent Civil Rights Demonstrations/Excessive Force:**

An additional citizen participation related requirement regarding non-violent civil rights demonstrations applies to CDBG projects. To be eligible for CDBG funding, an UGLG must have a policy in place that prohibits the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations in accordance with Section 519 of Public Law 101144; and commits the UGLG to enforcing applicable state and local laws prohibiting physically barring entrances and exits for non-violent civil rights demonstrations. UGLGs must submit a policy that complies with this requirement. The language above is shown in the *Sample Resolution to Adopt the Policy to Prohibit the Use of Excessive Force and the Physically Barring of Entrances/Exits for Non-Violent Civil Rights Demonstrations*, which may be accessed in the provided attachments to the CDBG application.

**Citizen Participation documents to be submitted by applicants include:**

1. UGLG’s *Citizen Participation Plan*, which is current and has been adopted by the UGLG’s governing body, with the adoption date shown on the Plan;
2. Public Hearing Notice(s) as published in the local newspaper with proof of publication; **or only if qualified for an exception**, a copy of the Public Hearing Notice(s) and a certification signed by the municipal clerk which lists the dates and locations of the notice postings for the Public Hearing (allowed *only if* the UGLG meets the criteria listed under the “Citizen Participation” section on page 10 of the *CDBG-PLNG Application Instructions*, which allows for an exception to publishing public notices in the local newspaper) – the specifications for public notices set forth in the UGLG’s CPP in effect on the date of the first notice must be followed (a *Sample Public Hearing Notice* may be accessed in the provided attachments to the CDBG application);
3. A completed *Citizen Participation Public Hearing Certification* (the *Citizen Participation Public Hearing Certification* form may be accessed in the provided attachments to the CDBG application);
4. Meeting minutes from the Public Hearing as a record of actions taken;
5. A list of attendees for the Public Hearing, either provided in the meeting minutes for the Public Hearing, or provided on a separate sign-in sheet; and
6. UGLG’s policy for prohibiting the use of excessive force and enforcing state and local laws prohibiting physically barring entrances and exits for non-violent civil rights demonstrations.

***Authorization to Submit CDBG Application***

The applicant must submit a resolution signed by the CEO of the UGLG requesting the funds authorizing the submission of the 2023 CDBG-PLNG Application. A *Sample Authorizing Resolution to Submit CDBG Application* form may be accessed in the provided attachments to the CDBG application.



### **Environmental Review**

The National Environmental Policy Act of 1969 (NEPA) applies to **every CDBG project**. Regulations governing *Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities* may be found in 24 CFR Part 58, which is available via the following link:

<https://www.ecfr.gov/current/title-24/part-58>

Planning-only activities are considered “Exempt” activities (i.e., activities that have no physical impact on the environment). However, the UGLG must still submit documentation of the project’s Exempt status to DEHCR Environmental Desk for review once a grant is awarded.

Documentation includes completed copies of the cover page, Project Description, and Determination of Categorical Exclusion or Exemption from the *Environmental Report* along with the *Statement of Activities* form and *Determination of Exemption* form. All of these forms may be found in the *Bureau of Community Development CDBG Implementation Handbook, Chapter 4: Environmental Review*, at:

<https://energyandhousing.wi.gov/Pages/AgencyResources/CDBG-Implementation-Handbook.aspx>

At the completion of the environmental review process, DEHCR will issue a *Letter of Concurrence*. In addition, please note that:

- A grantee may not commit any HUD assistance funds or non-HUD funds until an award has been made and the environmental review has been completed. Exceptions may be granted for pre-award costs if approved by DEHCR in advance; and
- DEHCR cannot disburse funds until the environmental review process is complete and an award and executed grant agreement are in place.

### **Procurement and Professional Services**

An UGLG may procure a consultant to serve as the administrator of a CDBG-PLNG grant; however, all consulting services for which CDBG funds will be used must follow established federal, state and local procurement policies. Information on procurement requirements may be found in the *Bureau of Community Development CDBG Implementation Handbook, Chapter 3: Procurement and Contracting*, at:

<https://energyandhousing.wi.gov/Pages/AgencyResources/CDBG-Implementation-Handbook.aspx>

A community may choose to use consultants to assist in creating a CDBG funded community-wide or site-specific plan. DEHCR requires the competitive procurement of services, such as through a Request for Proposals (RFP) process, for the procurement of planners, grant writers and consultants.

The State is not responsible for or part of any contracts between the UGLG and any professional services provider (for application preparation, grant administration, etc.); the UGLG is responsible for ensuring CDBG contract requirements are met; and fees paid for grant application and grant administration may be published on DEHCR’s web page.

For grants awarded, DEHCR staff is available to provide technical assistance on the procurement processes and requirements.

**Procurement exception regarding Wisconsin Regional Planning Commissions (RPCs) and most publicly funded Economic Development Organizations (EDOs) :**

## *CDBG-PLNG Grant Application Instructions*

Wisconsin RPCs are public entities that provide intergovernmental planning and coordination efforts for a region. Most publicly funded non-profit EDOs are considered extensions of the local government that are quasi-governmental organizations. Federal provisions include an exception regarding competitive procurement requirements when an UGLG contracts with these types of organizations for professional services. Competitive procurement processes specified within the Federal regulations that are otherwise applicable to professional services funded with CDBG dollars are not required/applicable for contracts with RPCs and qualifying publicly funded EDOs.

The State is not responsible for or part of any contracts between the UGLG and any professional services provider (for application preparation, grant administration, etc.); the UGLG is responsible for ensuring CDBG contract requirements are met; and fees paid for grant application and grant administration may be published on DEHCR's web page.

### ***Debarment Exclusion***

To be eligible for CDBG funding, the UGLG cannot be debarred from receiving federal grant funds. DEHCR will verify this certification on the federal System for Award Management (SAM) at <https://sam.gov/content/home> during the application review process.

### ***Incomplete Applications***

An incomplete application will delay DEHCR's complete review of the application and the CDBG award. An incomplete application may be returned to the UGLG for revision and resubmittal to be considered for a CDBG-PLNG award. Denial of incomplete applications cannot be appealed.

### **Statement of Assurances Certification**

Add the UGLG's name in the entry field. By adding the UGLG's name on this certification and their signature in *Part 3 – Certifications* of the CDBG application, the Chief Elected Official is agreeing that the UGLG will comply with the terms set forth in, and confirming the information is true and accurate for the UGLG in the *Statement of Assurances* in *Part 3*. All items listed in the *Statement of Assurances Certification* must be true and accurate for the UGLG to be eligible for CDBG funding.

### **Lobbying Certification**

Add the UGLG's name in the entry field. By adding the UGLG's name on this certification and their signature in *Part 3 – Certifications* of the CDBG application, the Chief Elected Official is agreeing that the UGLG will comply with the lobbying restrictions set forth in, and confirming the information is true and accurate in the *Lobbying Certification* in *Part 3*. All items listed in the *Lobbying Certification* must be true and accurate for the UGLG to be eligible for CDBG funding.

### **Acquisition, Relocation and Demolition Certification**

Add the UGLG's name in the entry field. By adding the UGLG's name on this certification and their signature in *Part 3 – Certifications* of the CDBG application, the Chief Elected Official is confirming the project is a Planning-only project and will not include any acquisition, relocation nor demolition activities or costs.

The CEO is also certifying that the UGLG acknowledges that the UGLG must have a current adopted *Residential Anti-Displacement and Relocation Assistance Plan* (RADRAP) in place to be eligible for a CDBG award and the UGLG's current RADRAP is included in the CDBG

## *CDBG-PLNG Grant Application Instructions*

application attachments. While projects involving acquisition, relocation and demolition are not eligible for CDBG-PLNG awards, all CDBG program grant applicants must have a current adopted RADRAP in place to be eligible for a CDBG award.

A *Residential Anti-Displacement and Relocation Assistance Plan* template with the required language for a RADRAP may be accessed in the provided attachments to the CDBG application. An adopted RADRAP, with the adoption date shown on the Plan, must be submitted with the completed application.

**IMPORTANT NOTICE:** *The UGLG must have a current adopted RADRAP that includes the required components to be eligible for CDBG funding.*

### **Fair Housing Actions Certification**

Per HUD regulations at 24 CFR 570.487(b), recipients of CDBG funds must take some action(s) to affirmatively further fair housing as part of the CDBG project.

Add the UGLG's name in the entry field. By adding the UGLG's name on this certification and their signature in *Part 3 – Certifications* of the CDBG application, the Chief Elected Official is agreeing that the UGLG will complete the Fair Housing Actions selected in the *Fair Housing Actions Certification* in *Part 3* to promote fair housing, upon receiving and accepting a CDBG award.

The applicant must complete the *Fair Housing Actions Certification* in *Part 3* of the CDBG application by selecting three (3) actions that will be taken to affirmatively further fair housing. If the project is funded, the selected actions will be included in the Grant Agreement Time Table and the UGLG will be required to implement them by the specified due date.\*

*\*[If the UGLG adopts a new or updated Fair Housing Ordinance during the process of preparing the 2023 CDBG-PLNG application, this activity may be considered an act of strengthening the local fair housing law and included as one of the three (3) required actions.]*

### ***Other Fair Housing Requirements:***

Other fair housing related requirements also apply, as summarized below. All applicants must submit with the CDBG application a current Fair Housing Ordinance, which has been adopted by the UGLG's governing body, with the adoption date shown on the Ordinance, and referencing the most current Fair Housing state statute [[ss. 106.50 Wis.](#)]. For more information visit: <http://docs.legis.wisconsin.gov/statutes/statutes/106/III/50>

If the protected classes for equal opportunities in housing are included in the UGLG's Fair Housing Ordinance, the protected classes list **must** be up-to-date, reflecting the current state statutory language. The current protected classes list for fair housing is in state statute [ss. 106.50 Wis.](#)(1).

A *Sample Resolution to Adopt a Fair Housing Ordinance* template and a *Sample Fair Housing Ordinance* template, which include citations of the current fair housing state statute, may be accessed in the provided attachments to the CDBG application.

**IMPORTANT NOTICE:** *The UGLG must have an adopted Fair Housing Ordinance that includes language reflecting the current state statutory language to be eligible for CDBG funding.*

Refer to *Chapter 6: Equal Opportunity, Fair Housing & Section 3* in the *CDBG Implementation Handbook* for more information on the fair housing related regulations and requirements applicable to CDBG projects.

## PART 4 – CDBG NATIONAL OBJECTIVE AND PROJECT BENEFICIARIES

To ensure compliance with federal regulations requiring that CDBG-funded activities meet a national objective, an applicant must clearly document how the objective is met. The planning project activity must meet either the National Objective of Benefit to LMI Persons or for the Prevention or Elimination of Slum and Blight.

### **Beneficiaries**

The UGLG must determine the primary beneficiaries (the “service area”) of the proposed CDBG project and enter the beneficiary information requested in *Part 4*. During the required pre-application conference with DEHCR, the UGLG shall obtain pre-approval from DEHCR for the Planning project eligibility and the service area determination. ***DEHCR strongly recommends that the UGLG schedule the required pre-application conference with DEHCR prior to preparing the application to confirm DEHCR concurs with the UGLG’s service area determination. An incorrect service area determination can result in the project being deemed ineligible.***

In Part 4 of the application, check the appropriate box (for Yes or No) to report whether the project will have community-wide benefit, with the entire population of the UGLG being the primary beneficiaries of the project.

When entering the number of individuals who will benefit from the project for entry (a) on the Application form, and the number who meet the qualification of LMI for entry (b) on the Application form, enter the numbers from the source used to determine the population and number of LMI persons in the service area (i.e., primary beneficiary area) for the proposed project.

- If HUD LMI Summary Data (LMISD)\* or Income Survey data are used to qualify the project, then the numbers for (a) and (b) on the Application must match the data source (i.e., the population and LMI numbers from the LMISD or Income Survey data).
- If HUD LMISD\* or Income Survey data are *not* used to qualify the project (such as projects serving Limited Clientele or addressing the elimination of slum/blight conditions), then the entry for (a) on the Application should be based on data from the most recent U.S. Census American Community Survey (ACS) 5-Year Estimates\*\* (if data for the beneficiary group are available in the ACS Estimates), or current or projected ‘users’ or occupancy data, depending on the nature of the

## CDBG-PLNG Grant Application Instructions

project. Contact DEHCR if the Applicant seeks to use an alternative source for estimating the number of beneficiaries.

- If the project is qualifying by serving Limited Clientele, then the number entries for (a) and (b) on the Application are the same (i.e., 100% of the Limited Clientele beneficiaries are deemed LMI).
- If the project is a Slum & Blight project, then enter the community-wide population (from the U.S. Census ACS 5-Year Estimates data\*\*) for (a), and enter “N/A” for (b) on the Application.

### Examples:

- Comprehensive Plan update, which has community-wide benefit, and at least 51.0% of the residents living in the community are LMI according to the HUD LMI Summary Data (LMISD)\* – the service area must be coterminous with the community boundaries to use the community-wide (local government) HUD LMISD to qualify the project: Enter the population (“LOWMODUNIV” number) and LMI persons (“LOWMOD” number) obtained from the HUD LMISD spreadsheet or map application for the local government.
- Blight elimination feasibility study for a vacant public school building that has community-wide benefit: Enter the population data from the most recent U.S. Census American Community Survey (ACS) 5-Year Estimates data;\*\* and enter “N/A” for the LMI qualification question.
- Neighborhood revitalization plan with at least 51.0% of the beneficiaries in the specified neighborhood being LMI according to an income survey: Enter the numbers for the population and LMI persons according to the income survey data, as calculated on *Form 1* of the *Income survey Data Forms* document.
- Senior Center project: Enter the number of persons aged 62 and older in the community, according to the most recent U.S. Census ACS 5-Year Estimates data.\*\*

\* HUD LMI Summary Data (LMISD) for Local Governments and Census Blocks/Tracts and the HUD LMISD Map Application and additional guidance regarding the data and tools may be accessed using links that appear on the main HUD LMISD website at: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>  
The most recent HUD LMI data available, posted on the HUD website, are (partially) based on the U.S. Census 2011-2015 ACS 5-Year Estimates data.

\*\* The most recent U.S. Census American Community Survey (ACS) 5-Year Estimates population and race/ethnicity demographic data for local governments are available on the U.S. Census Data website at: <https://data.census.gov/cedsci/>  
This is not the same as the HUD LMISD referenced above and is not used to determine LMI communities. It is only to be used to obtain estimates for population sizes and race/ethnicity data for a community or beneficiary group. The most recent U.S. Census ACS 5-Year Estimates data for most communities (as of January 2023) are the 2021 data (for the 2017-2021 ACS data collection period), or earlier (2019 or 2020) ACS 5-Year Estimates data for some communities.

## **National Objective**

To ensure compliance with federal regulations requiring that CDBG-funded activities meet a national objective, the application must clearly document how the objective is met.

### ***Benefit to Low- and Moderate-Income (LMI) Persons***

Under the CDBG Planning program, a project can meet the Low- and Moderate-Income (LMI) National Objective by serving an area in which at least 51.0% of the residents are LMI persons (area basis) or by providing services to a group of persons principally made up of LMI individuals (i.e., low- and moderate-income clientele classified as limited clientele (LMC)).

Check the “Benefit to Low- and Moderate-Income Persons” box if the project is qualifying by meeting the LMI National Objective.

- **Area Benefit**  
Check the appropriate box to indicate if HUD LMISD and/or income survey data for the service area were used to demonstrate the proposed CDBG project will meet the LMI National Objective through LMI Area Benefit.

An activity may qualify as benefitting LMI persons on an “area basis” (i.e., LMI Area Benefit) if at least 51.0% of the persons residing in the area served by the activity (i.e., the service area/beneficiary area) have low- to moderate-income. Determining whether an activity qualifies as benefitting LMI persons on an area basis requires the UGLG to determine both the area served by the activity and the percentage of LMI persons residing in the service area. Service areas may or may not be coterminous with municipal boundaries, census tracts or other officially designated boundaries.

When a service area is coterminous with municipal boundaries (i.e., the project will have community-wide benefit), census tracts or other officially designated boundaries, HUD LMI Summary Data (LMISD) should be used to the greatest extent feasible to determine the percentage of LMI residents within the area.

### **HUD LMISD for Local Governments:**

Using HUD LMISD for local governments for demonstrating LMI Area Benefit is only allowed for projects having community-wide benefit (i.e., all residents in the community are primary beneficiaries of the project) or projects having primary benefit to multiple entire municipalities.

- LMI data for Wisconsin local governments direct link:  
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-local-government/>
- Select the “ACS 2011-2015 Low-Mod All Local Governments” link.  
*[Tip: This is a Microsoft Excel document that includes data for all states and local governments. Use the filter tool in Excel to view only Wisconsin data. The data are presented under three “GeoTypes” [Column A]: 1) PLACE (local governments and Census Designated Places [CDPs] listed in alphabetical order by name); 2) COUSUB/MCD (sections/subsections of local governments and CDPs within each county, listed by the county code [Column C] first and then*

## CDBG-PLNG Grant Application Instructions

*alphabetical order by the local government's/CDP's name); and 3) COUNTY (county-wide data). Note: County code references are found in the COUNTY section of the spreadsheet.]*

These data are also viewable by geographic area on the HUD LMISD map application. The guidance for using and direct link to the map application are accessed at:

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

- The project area map(s) showing the nature and location(s) of the proposed project activities; and the service area map(s) showing the boundaries of the municipality (i.e., the area in which all of the primary beneficiaries of the project live) must be provided in the CDBG application attachments.
- The nature of the work described in *Part 5 – Project Need* in the CDBG application must reflect that the project has primary benefit to *only and all* residents in the entire community; *or to only and all* residents in *all* of the municipalities involved, if combining LMISD of multiple municipalities to calculate the total population and LMI percentage of the service area.
- If the project will have community-wide benefit to two or more entire communities, *or will have primary benefit to a combination of entire communities and census tracts, and* the HUD LMISD are used to demonstrate LMI Area Benefit, an LMI calculation worksheet (*Form 8* in the *Income Survey Data Forms* document) showing the calculations used to determine the LMI percentage for the total service area must also be submitted in the CDBG application attachments. The *Income Survey Data Forms* document is linked on the Bureau of Community Development website under the “Resources” section at: <https://energyandhousing.wi.gov/Pages/CommunityResources.aspx>

### **HUD LMISD for Census Block Groups/Tracts:**

Using HUD census block group/tract LMISD for determining Area Benefit is only allowed when the service area is coterminous with or covers a majority of one or more census tracts (i.e., a majority of the residents in the census tract(s) are primary beneficiaries of the project) and only the residents living within the selected census tract(s) are the beneficiaries.

- Data on LMI residents in Wisconsin census block groups and tracts are available at: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-block-groups-places/>

Select the “ACS 2011-2015 All Block Groups” link.

*[Tip: This is a Microsoft Excel document that includes data for all states and census block groups/tracts. Use the filter tool in Excel to view only Wisconsin data.]*

These data are also viewable by geographic area on the HUD LMISD map application at:

## CDBG-PLNG Grant Application Instructions

<https://hud.maps.arcgis.com/apps/webappviewer/index.html?id=ffd0597e8af24f88b501b7e7f326bedd>

Instructions for using the HUD LMISD map application are available at:

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

- The project area map(s) showing the nature and location(s) of the proposed project activities; and the service area map(s) showing the boundaries of the census tract(s) (i.e., the area in which all of the primary beneficiaries of the project live) must be provided in the CDBG application attachments.
- The work described in *Part 5 – Project Need* in the CDBG application must reflect that the project has primary benefit to *only* and all or a majority of residents in the selected census tract(s).
- If the project will have primary benefit to two or more census tracts or will have primary benefit to a combination of entire communities and census tracts, and the HUD LMISD are used to determine Area Benefit, an LMI calculation worksheet (*Form 8* in the *Income Survey Data Forms* document) showing the calculations used to determine the LMI percentage for the total service area must also be provided in the CDBG application attachments.

The *Income Survey Data Forms* document is linked on the [DEHCR – Bureau of Community Development](#) website at:

<https://energyandhousing.wi.gov/Pages/AgencyResources/CDBG-Resources.aspx>

### **Income Survey Data:**

Using **income survey data** to demonstrate the proposed CDBG project will have LMI Area Benefit may be allowed when the service area/beneficiary area for the proposed CDBG project/activity is not coterminous with the boundaries of one or more local governments or census tracts, does not include a majority of the residents living in the census tract(s), or the UGLG has determined factors exist that indicate the HUD LMISD may not accurately reflect income levels in the area. To use data from an income survey to qualify a project for 2023 CDBG-PLNG funding, the applicant must include in the CDBG-PLNG application attachments the *Income Survey Packet* and *Income Survey Data Forms* documents in accordance with the specifications in the current *Income Survey Guide* **or** a copy of the Income Survey Approval Certification letter from DEHCR if the applicant received the Certification prior to submitting the CDBG-PLNG application.

The current *Income Survey Guide* and accompanying *Income Survey Data Forms* document are linked on the [DEHCR – Bureau of Community Development](#) website at: <https://energyandhousing.wi.gov/Pages/AgencyResources/CDBG-Resources.aspx>

### **Combination of HUD LMI Summary Data and Income Survey Data:**

A project may have beneficiaries in a combination of areas, including one or more area(s) for which HUD LMISD local government and/or census block group/tract data are available and used to determine the LMI population of the area(s); and one or more other area(s) for which HUD LMISD are *not* available so income survey data are used to



## CDBG-PLNG Grant Application Instructions

determine the LMI population of the other area(s). The HUD LMISD and income survey data\* are then combined to calculate the LMI percentage for the entire service area.

The total LMI calculation for the entire service area must be made by aggregating the data, dividing the total population by the total number of LMI persons (i.e., the sum of the HUD LMISD population and income survey population numbers, divided by the sum of the HUD LMISD total LMI persons and income survey total LMI persons numbers). An LMI calculation worksheet (*Form 8* in the *Income Survey Data Forms* document) showing the calculations used to determine the LMI percentage for the total service area must be submitted as an attachment with the completed CDBG application.

*\*The income survey must meet all requirements specified in this section of the CDBG-PLNG Application Instructions and in the current Income Survey Guide. The UGLG must include in the CDBG-PLNG application attachments the Income Survey Packet and Income Survey Data Forms documents; or a copy of the Income Survey Approval Certification letter from DEHCR if the UGLG received the Certification prior to submitting the CDBG-PLNG application.*

- Limited Clientele

A project/activity that provides **exclusive** benefit to one or more specific groups classified as “Limited Clientele,” rather than residents within a specific service area, may be presumed to meet the LMI National Objective. HUD guidance specifies that the groups listed below are presumed to be primarily low- and moderate-income clientele (LMC):

- abused children;
- elderly persons (age 62 and older);
- battered spouses;
- homeless persons;
- severely disabled adults;
- illiterate adults;
- persons living with AIDS; and/or
- migrant farm workers.

Activities that principally benefit LMI persons may also qualify as serving Limited Clientele. Contact DEHCR and/or refer to 24 CFR 570.208(a)(2) for additional guidance regarding Limited Clientele projects.

To demonstrate the proposed CDBG project will meet the LMI National Objective through serving Limited Clientele, the UGLG must provide a narrative in the CDBG application that describes how the planning project:

1. *Exclusively* benefits persons in one or more of the Limited Clientele groups (listed above) that are generally presumed by HUD to be principally LMI persons; or
2. Supports an activity that requires information on family size and income so that it is evident that at least 51.0% of the clientele are persons whose family income does not exceed the LMI limit; or
3. Supports an activity of such a nature and in such a location that it may be reasonably concluded that the activity’s clientele will primarily be LMI persons; or

## CDBG-PLNG Grant Application Instructions

4. Promotes the removal of material or architectural barriers to mobility or accessibility of elderly persons or of adults meeting the Bureau of Census' Current Population Reports definition of "severely disabled" for an existing public facility.

The narrative must be limited to the space provided on page 9 of the application, single spaced with not less than 11-point font.

In addition, the following must be provided in the supporting documentation attachments to the CDBG application for any projects qualifying under the LMI National Objective by **exclusively** benefitting an existing public facility/program that **exclusively** serves persons in one or more Limited Clientele (LMC) groups:

1. A letter from an authorized representative from the *existing* facility/program with a description of the nature of the facility/program and the clientele housed or served, and the number of persons currently served (or projected to be served as a result of the proposed project) – verifying the facility/program *exclusively* houses or serves persons in one or more LMC groups and the number of beneficiaries of the CDBG project; and
2. The basis for the income limits used for housing subsidy or program qualification (to verify consistency with the HUD Section 8/CDBG LMI income limits) **only if** the LMC group(s) housed/served include(s) LMI persons/families who are receiving housing or services at the *existing* facility/program contingent upon low-income-based qualification.

The existing Limited Clientele facility/program must also provide the UGLG with the race/ethnicity demographic data (using the HUD categories as listed in *Form 7* of the *Income Survey Data Forms* document) for the users/residents of the facility/program, which must be submitted to DEHCR upon the UGLG being awarded CDBG funds, prior to the Grant Agreement being executed.

### ***Prevention or Elimination of Slum and Blight***

Activities that qualify under the National Objective of Preventing or Eliminating Slum and Blight address deteriorated infrastructure and living conditions which have long-lasting effects on community viability. Slum and blight can be addressed on an area wide basis or a spot basis.

- Area Basis

Per 24 CFR 570.483, an activity can qualify as addressing slum and blight on an area basis if all of the following can be documented:

- 1) The local government has passed a formal resolution declaring the area as a blight as defined by Wisconsin Law; **and**
- 2) At least 25% of properties throughout the area experience, and document *one or more* of the following conditions (based on language found in 24 CFR 570.483):
  - physical deterioration of buildings or improvements;
  - abandonment of properties;

## *CDBG-PLNG Grant Application Instructions*

- chronic high occupancy turnover rates or chronic high vacancy rates in commercial or industrial building;
- significant declines in property values or abnormally low property values relative to other areas in the community;
- known or suspected environmental contamination; or
- the public improvements throughout the area are in a documented general state of deterioration: **and**

3) The assisted activity addresses one or more of the conditions which contributed to the deterioration of the area.

Applicants qualifying a project by meeting the Slum & Blight – Area Basis National Objective must submit the following documentation in the attachments to the CDBG application:

- *Slum & Blight Certification and Compliance Form*
  - The map(s) showing the location(s) of the designated blighted area(s) [and showing the total percentage of the area designated as blighted]
  - Supporting documentation showing blighted conditions
- **Spot Basis**

An activity may qualify as addressing slum and blight on a spot basis when the activity is not located in a designated slum or blighted area. Spot basis can be met if the community specifically identifies eligible activities that treat one or more of the following conditions:

- acquisition;
- clearance;
- relocation;
- historic preservation;
- remediation of environmentally contaminated properties; and/or
- rehabilitation of buildings or improvements (limited to eliminating conditions detrimental to public health and safety).

Applicants qualifying a project by meeting the Slum & Blight – Spot Basis National Objective must submit the following documentation in the attachments to the CDBG application:

- *Slum & Blight Certification and Compliance Form*
- The map(s) showing the location(s) of the blighted area(s)
- Supporting documentation showing blighted conditions

## PART 5 – PROJECT NEED NARRATIVE RESPONSE I & II

The project need narratives for Response I and Response II must not exceed one-half (½) page for each response, single-spaced with not less than 11-point font. Information on pages exceeding these limits will not be considered.

Any additional/supporting documentation must be limited to no more than ten (10) pages per narrative response and titled using the *Checklist* on pages 10-11 of the application form. Applicants must ensure that the additional documentation included in the “Project Need Attachments & Supporting Documents” section of the application supports the information and data included in other parts of the application.

## PART 6 –BUDGET & MATCHING FUNDS

### **Budget & Matching Funds Tables**

Enter the UGLG name in the “Applicant” field and enter the date.

Enter in the tables provided the CDBG funding requested and the UGLG’s matching funds from the UGLG and other funding sources\* for the project for the planning related activities in the budget.

**IMPORTANT NOTE:** Planning and grant administration are considered all “Planning” activities/costs in the budget for CDBG-PLNG projects.

Enter the status of all funding sources, as applied, pending, committed, secured/awarded and/or other. Check all that apply for each funding source. For any sources with a status of “Other”, provide a brief explanation (no more than a one sentence narrative per source) in the space provided.

***\*Report only match funding sources that the UGLG intends to utilize/accept. If the UGLG reports on the CDBG application secured matching funds that it does not intend to utilize/accept for the CDBG project, receives a CDBG award, and then causes delay in the Grant Agreement execution process due to needing to secure alternative funding; then DEHCR may rescind the CDBG award.***

For the purposes of this application, the terms used to describe the status of funding are defined as:

- Applied – the UGLG has applied/submitted an application to the funding source for matching funds;
- Pending – the UGLG has applied for matching funds and received a response from the funding source, indicating the UGLG is eligible or potentially eligible for funding, but the UGLG has not yet received a firm commitment of funding;
- Committed – the UGLG’s local governing body has formally approved the use of funds from the funding source as matching funds for the CDBG project; and/or

## CDBG-PLNG Grant Application Instructions

has formally approved the acceptance of funds from the funding source (e.g., acceptance of a loan, acceptance of an award, etc.) and committed the available or awarded funds to the CDBG project;

- Secured/Awarded – the UGLG has received notification from the funding source that the funds are available to/awarded to the UGLG and/or funds are on-hand in the UGLG’s bank account(s) available for use; and
- Other – any other status that requires further explanation not covered in the other status options (e.g., the Intent to Apply has been submitted; the UGLG intends to submit a bank loan application upon receiving the CDBG award; revenue bonds will be issued on a future date; a referendum has been passed; a referendum has been approved to be on the ballot for a future election; etc.).

**Include in the “Financial Attachments & Supporting Documents” section of the application all available documentation supporting each source, status, and level of commitment of funding**

### **Matching Funds Documentation**

Check the box for this item in *Part 6* to indicate match funding related supporting documentation is included in the application attachments. The UGLG must include in the application attachments a *Resolution to Commit Match & Certification of Match Secured* to demonstrate the UGLG’s commitment to meet the Matching Funds requirements and certify Match Funds secured (that have been secured to date); and provide all relevant documentation available at the time of application to verify the Matching Funds amounts and sources listed as Applied, Pending, Committed, Secured/Awarded, and/or having Other status on the *Project Budget & Matching Funds Form*. **All** matching funds **must** be secured prior to the CDBG Grant Agreement being executed for all CDBG-PLNG applicants awarded funds.

### **Match Funding Waiver Request**

Check the box for this item in *Part 6* if this is applicable and related documentation is included in the application attachments. Include in the application attachments a letter from the UGLG signed by the Chief Elected Official requesting a match funding waiver, if applicable. If the applicant is unable to meet the required 2:1 Match funding ratio (i.e., maximum \$2 CDBG for every \$1 Grantee Match) toward the Total Project Cost, a match funding waiver request letter must be submitted with the application to request an exception for meeting the match requirement.

Waiver requests may be considered and allowed by DEHCR for UGLGs that demonstrate sufficient economic hardship. The waiver request letter must provide an explanation of the economic hardship and justification for requesting the exception. Any relevant supporting documentation that serves as evidence of the economic hardship should also be included in the attachments to the application.

## **Planning/Grant Administration and Professional Services Contracting Information**

**All** applicants must respond to this question in the application. Check the applicable box (Yes or No) to indicate whether CDBG funds will be used to pay (in whole or in part) for Planning/Grant Administration or other professional services associated with the project.

**IMPORTANT NOTICE:** *If Planning/Grant Administration or any other professional services are funded with CDBG, they must be competitively procured in accordance with state and federal CDBG requirements, in addition to meeting the municipality's local procurement policies. [Refer the Part 3 – Certifications section of the CDBG-PLNG Application Instructions for information regarding the exception when contracting with a Regional Planning Commission (RPC) or qualifying publicly funded non-profit Economic Development Organization (EDO).]*

If the professional services will be funded solely with match funds, then the services must be secured in accordance with the municipality's local procurement policies.

Refer to *Chapter 3: Procurement & Contracting* in the *CDBG Implementation Handbook* [<https://energyandhousing.wi.gov/Pages/AgencyResources/CDBG-Implementation-Handbook.aspx>] for additional guidance on procurement and contracting requirements for CDBG projects.

### **PART 7 – PLANNING**

Applications will be reviewed to determine whether the proposed CDBG project supports and further promotes recent plans adopted/approved by the UGLG. On the application, briefly explain in the space(s) provided how the proposed project is consistent with the goals and objectives of or a continuation of another plan or other plans. Provide the title and date of adoption/approval of the plan(s). Include copies of relevant pages of the plan(s) in the "Planning Attachments & Supporting Documents" section of the application. Mark the relevant sections of the text on the attachment(s), and label plan pages with the page number and the plan's title and adoption/approval date. [Do not attach a full copy of the entire plan(s).]

### **ATTACHMENTS AND SUPPORTING DOCUMENTATION**

Applicants **must** complete the *Attachments and Supporting Documentation Checklist* found in the CDBG application. The *Checklist* includes the required as well as optional attachments and supporting documentation for the CDBG application. Applicants **must** fill out the *Checklist* to note all the documents attached. Also, the cover pages at the end of the CDBG application **must** be used to separate each set of supporting documents. By using the *Checklist* and the cover sheets provided as well as following the **required** document order will help ensure the application is complete, documents can be located, and the application review process is efficient.

Fillable forms and sample documents may be accessed electronically on the [DEHCR – Bureau of Community Development – CDBG Planning \(CDBG-PLNG\) Program](https://energyandhousing.wi.gov/Pages/AgencyResources/CDBG-PLNG.aspx) website at: <https://energyandhousing.wi.gov/Pages/AgencyResources/CDBG-PLNG.aspx>