



SUBSTANTIAL AMENDMENT TO THE 2008 DISASTER RECOVERY ACTION PLAN (DR) & DISASTER RECOVERY ENHANCEMENT FUND (DREF)

The Government of Puerto Rico is responsible for publishing the State Disaster Recovery Action Plan, which describes the proposed use of funds granted by the United States Department of Housing and Urban Development (HUD), in accordance with the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009 - Public Law 110-329, approved on September 30, 2008.

This Law contemplates the assistance for the disaster recovery process in the areas affected by the event occurred in September 2008, and needs were not covered by other sources of funds. Because of this, the President declared a major disaster under Title IV of the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C 5121, et seq.). On February 13, 2009, HUD published the guidelines in the Federal Register with docket number FR-5256-N-01 (the Notice).

This document is the twelfth (12) amendment to the State Disaster Recovery Action Plan of the Government of Puerto Rico with CDBG Disaster Recovery funds related to Tropical Storm Kyle. As established in the regulation, the Government of Puerto Rico must publish significant changes to the approved Action Plan.

This document constitutes the official notification and publication of the Action Plan. The Department of Housing of the Government of Puerto Rico (the Department) is amending its Action Plan for the 2008 Disaster Recovery Program in the following aspects:

- Modify the basic and competitive funds allocation.
- Establish the State's allocation for the administration of the Program.
- Modify the activities and allocation under the Disaster Recovery funds.
- Create a new mitigation activity for the municipality of Lajas under DREF Program. This activity consists of replacing four (4) bridges in Lajas Arriba Ward, as a mitigation measure to make housing units less prone to damage and/or flooding.
- Create a new acquisition activity for the municipality of Villalba under DREF. The municipality cancels the construction of housing to create the aforementioned activity.
- All other sections of the Plan remain unchanged.



PUBLIC PARTICIPATION

According to federal regulations, Federal Register Vol. 74 No. 29 of February 2009, notification to the public is required regarding changes that substantially amend an Action Plan. For its part, HUD granted a waiver regarding the requirements for citizen participation, which allows for a period of publication of not less than seven (7) calendar days for comments from citizens. This amendment was published on January 18, 2019, in the Department's official website along with a summary of the proposed amendment. Citizens have a comment period of seven (7) days, which ends on January 24, 2019.

In addition, a printed copy of this amendment will be available in our office, located at:

**Department of Housing
Juan C. Cordero Dávila Bldng.
Federal Programs (CDBG) 4th floor
#606 Barbosa Ave.
San Juan, Puerto Rico**

Comments should be directed to Fernando A. Gil Enseñat, Esq., Secretary of the Puerto Rico Department of Housing, to the following address:

**Department of Housing
PO Box 21365
San Juan, Puerto Rico 00928-1365**

CHANGES TO THE ACTION PLAN

The Government of Puerto Rico originally received \$ 17,982,887.00 under Public Law 110-329, to assist in the long-term recovery of events occurred in September 2008. HUD approved the State Disaster Recovery Action Plan on September 17, 2009. Additionally, on September 28, 2010, HUD notified Puerto Rico of an additional Disaster Recovery assignment in the amount of \$ 12,000,000. This had to do with the identification of eligible activities under the Disaster Recovery Enhancement Fund (DREF). With these assignments, Puerto Rico received a total of \$ 29,982,887.00 to cover the unmet needs of September 2008's event.



METHOD OF DISTRIBUTION

A total of \$ 449,572.26 is set aside for the State's disaster recovery grant administration. These funds are used for the administrative costs of the Program.

Following the priorities established in the Action Plan, the Department of Housing will distribute the amount of \$ 17,533,314.74 (\$ 17,982,887 - \$ 449,572.26) between eligible municipalities, using a basic allocation of \$ 9,597,698.52 and a competitive fund of \$ 7,935,616.22. This reallocation of funds will allow the completion of pending activities.

The State has recaptured balances (surplus) from different activities/municipalities of the CDBG-DR and DREF Program (described in more detail in the tables below). These funds were recaptured in accordance with the Recapture Policy established in the Action Plan.

RECAPTURE POLICY

Any funds recaptured from the participating municipalities, will be distributed to other municipalities that participated under the Program. This may include any funds willingly returned by the municipalities. The method of redistribution is to be governed by the general performance of the municipalities (expenditure rate and project's balance) within the Disaster Recovery Program, or by specific need criteria (disaster related unmet needs and already identified projects), according to the Program's purpose and objective.



CHANGES IN THE ALLOCATION OF FUNDS

DISASTER RECOVERY

State Administrative Funds	\$449,572.26
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Recaptured Amounts from 2008 Disaster Recovery Municipalities (Basic Allocations)

Municipality	Activity Number	Recaptured Amount	Total activity funds [after recapture]
LAJAS	08-AB-DR-36-003	\$273,291.24	\$0.00
SABANA GRANDE	08-AB-DR-55-001	\$774.69	\$10,625.00
SABANA GRANDE	08-AB-DR-55-007	\$3,080.33	\$27,722.90
SABANA GRANDE	08-AB-DR-55-008	\$0.40	\$39,359.60
YAUCO	08-AB-DR-68-002	\$106,931.00	\$153,069.00
YAUCO	08-AB-DR-68-ADM	\$293.75	\$16,997.49
Total Recaptured Funds (DR-Basic Allocation)		\$384,371.41	

Recaptured Amounts from 2008 Disaster Recovery Municipalities (Competitive Funds)

Municipality	Activity Number	Recaptured Amount	Total activity funds [after recapture]
GUAYANILLA	08-FC-DR-27-001	\$10,550.00	\$149,450.00
LAJAS	08-FC-DR-36-002	\$536,000.00	\$64,000.00
PATILLAS	08-FC-DR-50-001	\$15,933.72	\$184,066.28
YABUCOA	08-FC-DR-67-001	\$871.40	\$199,128.60
SANTA ISABEL	08-FC-60-001	\$0.05	\$399,999.48
YAUCO	08-FC-DR-68-001	\$1,569.50	\$154,432.35
YAUCO	08-FC-DR-68-005	\$110,098.15	\$207,000.00
Total Recapture Funds (DR-Competitive Funds)		\$675,022.82	
Total DR Recaptured Funds (BA + CF)		\$1,059,394.23	



Reallocation of Funds to DR Activities (BA & CF)

Activity Number	Actual Allocation	Transferred funds from Recapture	Total activity funds
08-AB-DR-07-004 ARROYO	\$1,549,402.46	\$384,371.41	\$1,933,773.87
08-FC-DR-07-002 ARROYO	\$140,498.90	\$123,121.58	\$263,620.48
08-FC-DR-10-002 CABO ROJO	\$405,058.44	\$551,901.24	\$956,959.68
Total DR Reallocated Funds		\$1,059,394.23	



CHANGES IN THE ALLOCATION OF FUNDS

DREF

Recaptured Amounts from DREF Activities

Municipality	Activity Number	Recaptured Amount	Total activity funds [after recapture]
ARROYO	08-DREF-07-001	\$35.00	\$106,425.00
ARROYO	08-DREF-07-002	\$620.00	\$17,920.00
GUANICA	08-DREF-25-001	\$145,655.40	\$594,344.60
GUAYANILLA	08-DREF-27-001	\$46,035.00	\$693,965.00
GUAYANILLA	08-DREF-27-002	\$33,730.42	\$0.00
JUNCOS	08-DREF-35-001	\$423,439.92	\$226,560.08
JUNCOS	08-DREF-35-002	\$150,000.00	\$0.00
MAUNABO	08-DREF-44-001	\$73,178.00	\$0.00
NAGUABO	08-DREF-47-001	\$506,100.00	\$232,400.00
NAGUABO	08-DREF-47-002	\$1,900.00	\$59,600.00
PATILLAS	08-DREF-50-001	\$42,643.00	\$772,137.00
UTUADO	08-DREF-62-001	\$3,062.00	\$282,638.00
VILLALBA	08-DREF-66-001	\$457,385.00	\$0.00
YABUCOA	08-DREF-67-001	\$155,244.90	\$689,455.10
YABUCOA	08-DREF-67-002	\$5,250.00	\$36,750.00
Total Recaptured Funds (DREF)		\$2,044,278.64	

Reallocation of Funds to DREF Activities

Activity Number	Actual Allocation	Transferred funds from Recapture	Total activity funds
08-DREF-07-003 ARROYO	\$275,000.00	\$156,284.00	\$431,284.00
08-DREF-10-001 CABO ROJO	\$986,202.00	\$485,851.40	\$1,472,053.40
08-DREF-36-001 LAJAS	\$0.00	\$1,043,393.24	\$1,043,393.24
08-DREF-66-003 VILLALBA	\$0.00	\$318,750.00	\$318,750.00
08-DREF-66-002 VILLALBA	54,000.00	\$40,000.00	\$94,000.00
Total DREF Reallocated Funds		\$2,044,278.64	