

Appendix A: Citizen Participation Plan

Introduction

In 1994, the U.S. Department of Housing and Urban Development (HUD) issued new rules consolidating the planning, application, reporting, and citizen participation processes of three formula grant programs: Community Development Block Grants (CDBG), Home Investment Partnerships (HOME), Emergency Shelter Grants (ESG). The new planning process, which now includes the formula grant program Housing Trust Fund (HTF), was intended to more comprehensively fulfill three basic goals: to provide decent housing, provide a suitable living environment, and expand economic opportunities.

Provision of decent housing may involve assisting homeless persons to obtain appropriate housing and assisting persons at risk of becoming homeless; retaining and improving affordable housing stock; increasing the availability of permanent or transitional affordable housing for low- and moderate-income households, particularly to members of disadvantaged minorities, without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability; increasing the supply of supportive housing, which combines structural features and services needed to enable persons with special needs, including persons with HIV/AIDS and their families, to live with dignity and independence; and providing housing affordable to low-income persons that is accessible to job opportunities.

Providing a suitable living environment might entail improving the safety and livability of neighborhoods; increasing access to quality public and private facilities and services; reducing the isolation of income groups within a community or geographical area through the spatial de-concentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods; restoring and preserving properties of special historic, architectural, or aesthetic value; and conserving energy resources by promoting planning and thoughtful design.

Expanding economic opportunities can involve creating and retaining accessible jobs; establishing, stabilizing, and expanding small businesses (including microbusinesses); providing public services concerned with employment; providing jobs involved in carrying out activities under programs covered by the Consolidated Plan to low-income persons living in areas affected by those programs and activities; ensuring the availability of mortgage financing for low-income persons at reasonable rates using non-discriminatory lending practices; increasing access to capital and credit for development activities that promote the long-term economic and social viability of the community; and creating empowerment and self-sufficiency opportunities for low-income persons to reduce generational poverty in federally assisted and public housing.

The Consolidated Plan for Housing and Community Development is a three-part planning process required by HUD. It comprises developing a 5-year strategic plan, preparing annual action plans (including annual allocation plans for the HTF program), and submitting annual performance reports to construct the framework whereby Montana can identify its housing, planning, infrastructure, economic, and homeless needs. The process helps identify resources that will be employed and actions to be taken that will address needs, as well as aids in the review and evaluation of the State's progress toward achieving its strategic goals. Completing these documents on time and in a manner that is acceptable to HUD ensures program funding.

The Consolidated Plan process begins with the Citizen Participation Plan (CPP). The objectives of the CPP are to ensure that the citizens of Montana, particularly persons of low and moderate income, persons living in slum and blight areas, persons or units of local government experiencing impacts related to urgent needs, housing agencies, and other interested parties, are provided the opportunity to participate in the planning and preparation of the Consolidated Plan, including amendments to the Annual Action Plan (AAP) and Consolidated Annual Performance and Evaluation Report (CAPER). In doing so, the CPP sets forth general policies and procedures for implementing and carrying out the Consolidated Planning process, such as how the Consolidated Plan will be developed, dates and milestones along which the process will proceed, and methods for citizens to offer the State assistance and guidance in the formulation of the plan. Furthermore, the provisions of the CPP fulfill statutory and regulatory requirements for citizen participation specified in HUD’s rules for the Consolidated Plan, as well as the HOME, CDBG, ESG, and HTF programs. In Montana, the participation process will be developed and monitored by a Consolidated Plan Coordinating Committee consisting of representatives from the Montana Department of Commerce (Commerce) and the Montana Department of Public Health and Human Services (DPHHS).

Purpose of the Citizen Participation Plan

This CPP sets forth the State of Montana’s policies and procedures for citizen participation during the Consolidated Planning process. In order to ensure maximum participation in the Consolidated Plan process among all populations and needs groups, and in order to ensure that their issues and concerns are adequately addressed, the State of Montana will follow the standards herein during development of its Consolidated Plan documents including the 5-Year Consolidated Plan, AAPs and HTF annual allocation plans prepared during the 5-year Consolidated Plan period, and CAPERs documenting the State’s performance during each year of the 5-year Consolidated Plan period.

The CPP provides citizens an opportunity to evaluate and comment on the State’s Consolidated Plan documents, including this CPP. Reasonable notice and comment periods will be provided for all Consolidated Plan activities. Standards for noticing and accepting comments in normal and urgent need situations such as COVID-19 are outlined throughout this CPP. Alternative formats of the Consolidated Plan documents are available upon request. The State will make reasonable accommodations for persons with disabilities or who have a limited English proficiency and who wish to participate in the process or need an alternative accessible format of notices, documents, or presentation materials. Consolidated Plan documents and relevant presentation materials, which will be provided in advance of hearings, will be posted on Commerce’s website: <https://commerce.mt.gov/conplan>. Citizens can submit comments pertaining to the Consolidated Plan electronically at DOCConPlan@mt.gov or by mail to the Montana Department of Commerce, Community Development Division at 301 S. Park Avenue, P.O. Box 200523, Helena, Montana, 59620-0523.

For more information, visit Commerce’s website at <https://commerce.mt.gov/conplan>.

Relevant Areas

The term “entitlement areas” refers to cities and counties that qualify to receive one or more HUD formula grants. These areas must complete a Consolidated Plan separately from the State’s to receive funding and include Billings, Great Falls, and Missoula. For purposes of this CPP, “non-entitlement” refers to cities and towns that do not file Consolidated Plans individually or as part of a consortium and are not eligible to receive formula funding from HUD directly. Individuals wishing to contribute to the Consolidated Planning process in entitlement areas should contact housing and community

development specialists in these cities and counties. This CPP is concerned only with activities associated with the State’s HUD allocation and those areas of Montana where such activities may occur.

Encouraging Citizen Involvement

Public Notice and Outreach

An informed citizenry is critical to effective and responsive housing and community development programs. Efforts to educate residents and empower participation are an ongoing element of the Consolidated Planning process.

Notice

To notify interested citizens about the Consolidated Plan and related activities, such as the AAP or the CAPER, the State will utilize display advertisement notices in newspapers of general circulation and Commerce’s and/or DPHHS’s websites and listservs. Such notices will specify a public comment period and be published at least 15 calendar days prior to public hearings. When activities are in response to an urgent need like COVID-19, the State may utilize electronic media rather than display advertisements and may waive the 15-day notice requirement and provide what it deems to be reasonable notice. All notices will be written in plain, simple language and direct efforts will be taken to publish and/or post information at locations that will elicit maximum low- and moderate-income and minority participation.

Outreach

Public education and outreach will be facilitated through the use of public advertisements that describe the Consolidated Planning process, opportunities for citizen participation, and available funding through the CDBG, HOME, ESG, and HTF programs. When education and outreach are necessary due to an urgent need such as COVID-19, the State may choose to publish virtual advertisements (e.g., telephone blast messages, text messages, emails, Facebook ads, Twitter/Instagram ads, YouTube videos) and forgo display advertisements in newspapers. All outreach will be written in plain, simple language and direct efforts will be taken to publish and/or post information at locations that will elicit maximum low- and moderate-income and minority participation.

Mailing List

The State's Consolidated Plan mailing list includes social service organizations, local jurisdictions, low-income housing consumers, neighborhood groups, previous participants and commentators, businesses, developers, and other interested parties. Individuals and organizations can subscribe to the Consolidated Plan listserv and other Commerce mailing lists at https://public.govdelivery.com/accounts/MTDOC/subscriber/new?qsp=MTDOC_2.

Surveys, Meetings, and Other Outreach

The Consolidated Plan offers many opportunities for citizen participation. The State may use surveys, general feedback or listening meetings for specific programs, and other means to solicit input in the development of Consolidated Plan documents. The State will particularly encourage participation of persons with special needs and/or persons who are often underrepresented in the public process (low-income, persons of color, non-English speaking persons, persons with disabilities, persons who are homeless). The State will make reasonable accommodations and provide Consolidated Plan documents in alternative formats upon request. The State will also encourage the participation of statewide and regional institutions and organizations that are involved in or affected by the formula grants throughout

the development and implementation of the Consolidated Plan. Participation will be solicited and encouraged through the activities detailed below.

Public Hearings and Input Meetings

Public hearings and input meetings allow the State to engage citizens in the Consolidated Plan process. All public hearings will be held at a time and accessible location (physical or virtual) convenient to potential and actual beneficiaries, and with accommodation for persons with disabilities. To accommodate non-English speaking persons, alternative formats of Consolidated Plan documents will be provided upon request. Any person needing a reasonable accommodation must contact Commerce prior to a public hearing or the end of the public comment period.

At least one public hearing will be held *before* the publication of the draft Consolidated Plan and at least one public hearing will be held *after* the publication of the draft Consolidated Plan. Together, the hearings must address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing consistent with the Assessment of Fair Housing (AFH), and a review of program performance. The primary purpose of the first public hearing is to gather citizen input and use it to inform the development of the Consolidated Plan. The primary purpose of the second public hearing is to solicit comments on the published Consolidated Plan. As noted above, all public hearings will be announced at least 15 calendar days prior to occurrence. Furthermore, the public will be provided at least 30 calendar days to comment during plan development and plan review. Comment periods will begin the day after notice is advertised and each hearing will take place during its respective 30-day comment period.

In addition to public hearings, the State may involve the public in the development and/or review of the Consolidated Plan via focus groups, virtual meetings, and other means. See below for more information.

Regional or Interest Area Hearings, Focus Groups, and Other Meetings

In addition to public hearings, the State may solicit input on housing and community development issues and needs at regional or interest area forums or focus groups. If these types of meetings are conducted, agencies, advocates, statewide and regional institutions and organizations, and community residents will be informed of the meetings through state agency websites, personal contact, media releases, and other methods that the State believes may be productive. All sites selected for the forums or focus groups will be accessible to disabled persons. The State will work with advocacy groups to accommodate special needs groups and non-English speaking attendees.

Forums will be conducted with the intention of providing Montanans the opportunity to voice their opinions and provide insight to the issues prevalent in their communities. The forums will also provide an opportunity for citizens and interested parties to obtain information about state housing and community development programs, administering agencies, and funding requirements.

Publication of Consolidated Plan Documents

The State will publish its draft Consolidated Plan documents for public review in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine contents and submit comments.

Except under extenuating circumstances such as COVID-19, the draft Consolidated Plan documents will be available at selected repositories for the full public comment period. A list of the repositories

appears at the end of this CPP. The draft Consolidated Plan documents will also be available for viewing on Commerce’s website at <https://commerce.mt.gov/conplan>. Although interested parties will be encouraged to use the repositories’ copies or view documents on the Internet, a reasonable number of hard copy Consolidated Plan documents will be available upon request.

Citizens or groups that have subscribed to Commerce’s Consolidated Plan listserv will be notified by e-mail of document availability for comment.

The draft Consolidated Plan will describe the amount of assistance the State expects to receive, or has received, and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income and the plans to minimize displacement of persons and to assist any persons displaced.

The State will openly consider any comments made by individuals or groups received verbally or in writing, including e-mail, during the Consolidated Planning process or at public hearings. A summary of the written and public hearing comments will be included in final Consolidated Plan documents, along with the State’s response to each comment.

Public Comment on the Consolidated Plan Documents

Prior to the adoption of the 5-year strategic Consolidated Plan and its associated AAPs including HTF annual allocation plans, the State will make available to interested parties the draft documents for a comment period of no less than 30 calendar days. When Consolidated Plan activities are in response to an urgent need like COVID-19, the State may waive the 30-day comment period requirement and provide the public a minimum 5-day comment period. Notification of the availability of the 5-year strategic Consolidated Plan, AAP, and HTF annual allocation plan will occur as outlined above.

Before submitting a CAPER to HUD, the State will make available to interested parties the proposed CAPER for a comment period of no less than 15 calendar days. When Consolidated Plan activities are in response to an urgent need like COVID-19, the State may waive the 15-day comment period requirement and provide the public a minimum 5-day comment period. Notification of the availability of the CAPER will occur as outlined above.

All Consolidated Plan documents will be available on Commerce’s website for the full, prescribed public comment period. Hard copies of the documents will be available upon request. The State will consider any comments of individuals or groups received verbally or in writing, including e-mails, or at public hearings. A summary of the written and public hearing comments and the State’s responses will be included in the applicable final Consolidated Plan documents.

Public Access to Records

The State will provide all interested parties with access to information and records related to the State’s 5-year strategic Consolidated Plans, AAPs, and CAPERs, as well as the State’s use of assistance under all programs covered by the Consolidated Plan during the preceding 5 years. The public will be provided with reasonable access to housing assistance records, subject to laws regarding privacy and obligations of confidentiality.

Consultation with Organizations and State Agencies

When preparing Consolidated Plan documents, the State will actively consult with public and private agencies that provide housing, health and social services in order to ensure that the interests and needs of all groups are adequately addressed. This consultation may occur through regional and interest area forums, interviews conducted with such organizations (especially those that provide services to special needs populations), and incorporation of data and reports produced by such organizations into the Consolidated Plan documents.

Amendments to the Consolidated Plan

There are two types of amendments to the Consolidated Plan: administrative or minor amendments and substantial amendments. Pursuant to HUD regulations, a substantial amendment to the Consolidated Plan occurs whenever the jurisdiction determines one or more of the following criteria have been met:

- Amendment substantially (15% or more) changes the allocation priorities or its method of distributing HUD formula grant funds;
- Amendment utilizes formula grant funds (including program income) to carry out an activity not previously described in the action plan; or
- Amendment changes the purpose, scope, location, or beneficiaries of an activity.

Such changes, prior to their implementation, are reviewed under various federal or local requirements, particularly rules on procurement and/or policies on the allocation of public resources. Substantial amendments to Consolidated Plan documents are subject to a formal citizen participation process. Notice and the opportunity to comment will be given to citizens through public notices in local newspapers and other appropriate means. A public comment period of not less than 30 calendar days will be provided prior to implementing any substantial amendment to a Consolidated Plan document. When an amendment is in response to an urgent need like COVID-19, the State may waive the 30-day comment period requirement and provide the public a minimum 5-day comment period.

State staff will prepare a summary of all comments received in writing and, in cases where any citizens' views are not accepted, provide reasons for the decision. This documentation will be attached to the substantial amendment, which will be available to the public and submitted to HUD. After the program year has elapsed by 6 months, the Commerce Director, at his/her discretion, may reallocate up to 15% of the annual HUD CDBG, HOME, or HTF award that has not been expended or awarded to state grantees, in between normal grant application cycles, to expedite necessary projects and meet the expenditure of funds consistent with HUD regulation and the objectives of the programs.

Occasionally, public comments or events warrant an amendment to Consolidated Plan documents. Montana uses substantial amendment criteria to determine the need to amend the Consolidated Plan. The State's substantial amendment criteria include a change in the described method of distributing funds to local governments or nonprofit organization subrecipients to carry out activities. The application process for subrecipients and criteria for selecting subrecipients are elements of the "method of distribution."

"Administrative amendments" are those that are not considered substantial in nature and chiefly pertain to minor, administrative modifications of the programs. Thus, they do not require in-depth citizen participation.

Citizen Participation in the Event of a Substantial Amendment

In the event of a substantial amendment to the Consolidated Plan, the State will comply with the following citizen participation process:

1. The State will notify citizens of the availability of the draft substantial amendments, a minimum 30-day comment period (unless waived, then a minimum 5-day comment period), and, if in the State's judgment a public hearing is warranted, the time and location of the public hearing through newspapers of general circulation.
2. Depending on which of the formula grant programs is affected, the substantially amended sections of the Consolidated Plan will be made available on Commerce's website: <https://commerce.mt.gov/conplan>. Hard copies will also be available upon request.

Consideration of Public Comments on the Substantially Amended Plan

In the event of substantial amendments to Consolidated Plan documents, the State will openly consider any comments from individuals or groups. Comments must be received in writing, including e-mail, or verbally at public hearings if hearings are conducted. A summary of the comments received on the substantial amendments will be included in the final, substantially amended Consolidated Plan documents. A summary of all comments not accepted and reasons for their dismissal will be included in the final, substantially amended Consolidated Plan documents.

Changes in Federal Funding Level

Changes to federal funding levels that affect the distribution of funds identified in the Consolidated Plan documents will not be considered either an administrative amendment or a substantial amendment.

Complaints and Grievances

Citizens, administering agencies, local governments and other interested parties may submit complaints regarding violations of this CPP or federal regulations regarding the preparation of the Consolidated Plan documents or amendments to the documents.

Citizens may also present complaints and grievances orally or in writing at the community meetings, and/or public hearings. All public comments, including complaints and grievances, made either orally or in writing within the 30-day public comment period (or 5-day public comment period if the 30-day public comment period requirement is waived), will be included in the final Consolidated Plan documents. Such complaints or grievances shall be directed to the Consolidated Plan representative, Jennifer Olson (or successor), Division Administrator, Montana Department of Commerce, Community Development Division at 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620-0523; 406-841-2770; or DOCConPlan@mt.gov or DOCCDD@mt.gov.

Timely Response to Complaints or Grievances

Within 15 working days of receiving a complaint, the State will respond to the complainant in writing. A copy of the State's response from the Consolidated Plan representative will be transmitted, concurrently, to the complainant and to the Commerce Director or DPHHS Director, as programmatically applicable. If, due to unusual circumstances, the Consolidated Plan representative finds that he/she is unable to meet the prescribed time limit, the limit may be extended by written notice to the complainant. Such notice must include the reason for the extension and the date by which a response is expected to be generated, which may be based on the nature and complexity of the complaint.

Public review materials and performance reports will include data, as appropriate under confidentiality policy and regulations, on any written complaints received and how each was resolved.

Citizen Participation Requirements for Local Governments Receiving CDBG (Small Cities Development Program) Funds from the State

Units of general local government must provide for and encourage citizen participation as prescribed at 24 CFR 570.486. All Small Cities Program applicants for CDBG funds are required to provide citizen notification and involvement in planning and implementation of the proposed projects through one or more public hearings and other informational efforts. Public hearings must be held at times and in places that are convenient to all stakeholders. The needs of persons with disabilities and non-English speaking persons should be considered for the dissemination of information and the location of public hearings and meetings must be accessible to persons with disabilities. In addition, applicants are required to conduct a community development survey to allow for citizen input on the housing and community needs of the jurisdiction.

Availability of the Citizen Participation Plan

Copies of this CPP may be obtained by contacting Commerce or visiting Commerce’s website: <https://commerce.mt.gov/conplan>. Upon request, the State will make this CPP available in an alternative format accessible to persons with disabilities or non-English speaking persons.

Repositories

Copies of the draft Consolidated Plan documents can be reviewed at the following repositories across the state (**Table A-1**). Except in extenuating circumstances, repositories will have hard copies of documents available for review during the public comment period. Repositories will not have responsibility to receive public comments on the draft documents, as those must be submitted to Commerce as described earlier.

Table A-1 – Consolidated Plan Repositories

Entity	Address	City
Montana Department of Commerce	301 S Park Ave	Helena
Montana Department of Public Health and Human Services	111 N Last Chance Gulch 5th Floor	Helena
Action for Eastern Montana HRDC Districts I, II, III	2030 N Merrill Ave PO Box 1309	Glendive
Community Action Partnerships of NW Montana HRDC District X	214 Main St PO Box 8300	Kalispell
District IV HRDC	2229 Fifth Ave	Havre
District 6 HRDC	300 1st Ave N #203	Lewistown
District IX HRDC	32 S Tracy Ave	Bozeman
District XI HRC	1801 S Higgins	Missoula
Great Northern Development Corporation	233 Cascade St	Wolf Point
Homeward	1535 Liberty Ln Ste 116A	Missoula
Living Independently for Today and Tomorrow	1201 Grand Ave Ste 1	Billings

Entity	Address	City
Montana Community Development Corporation	229 E Main St	Missoula
Montana Fair Housing	519 E Front St	Butte
Montana Human Rights Bureau	33 S Last Change Gulch	Helena
Montana Independent Living Project	825 Great Northern Blvd Ste 105	Helena
Montana Independent Living Project	3475 Monroe Ste 100	Butte
Montana Independent Living Project	3825 Valley Commons Dr Ste 2	Bozeman
Montana State Library	1515 E Sixth Ave	Helena
Mountain Plains Equity	2101 Overland Ave	Billings
NeighborWorks Montana	509 First Ave S	Great Falls
North Central Independent Living Services	1120 25th Ave North	Black Eagle
Opportunities, Inc. District V HRDC	905 First Ave N	Great Falls
Rocky Mountain Development Council	200 S Cruse	Helena