SAN BERNARDINO COUNTY

Community Development and Housing Agency

San Bernardino County Citizen Participation Plan Program Years 2020-2025

April 21, 2020

For Consolidated Submission of HUD Housing and Community Development Grant Applications

Curt Hagman, Chairman, Fourth District Supervisor | Josie Gonzales, Vice Chair, Fifth District Supervisor |
Robert A. Lovingood, First District Supervisor | Janice Rutherford, Second District Supervisor | Dawn Rowe, Third District Supervisor |
Gary McBride, Chief Executive Officer

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INTRODUCTION

The following Citizen Participation Plan provides a framework and process by which the County's consolidated planning efforts comply with the citizen participation requirements published by the U.S. Department of Housing and Urban Development (HUD). This Citizen Participation Plan is prepared and implemented in accordance with the guidance provided in HUD Regulations 24 CFR Part 91.105.

The County of San Bernardino is entitled to receive annual grant funding from the Community Development Block Grant (CDBG), Home Investment Partnerships Act (HOME), the Emergency Solutions Grant (ESG) programs; the County also continues to administer Neighborhood Stabilization Program (NSP) funds allocated in prior program years. It is the policy of the County of San Bernardino to ensure adequate citizen involvement, with particular emphasis on participation by low- and moderate-income persons, in the planning, implementation, and evaluation of its housing and community development programs.

DEFINITIONS

Annual Action Plan: This document updates the Consolidated Plan on an annual basis and allocates one (1) year's funding (entitlement and program income) to specific projects and activities for the CDBG, HOME and ESG programs.

CAPER (Consolidated Annual Performance Evaluation Report): This document reports on the progress made in carrying out the Consolidated Plan and Annual Action Plan. The Department of Community Development and Housing prepares the report annually in accordance with 24 CFR Part 91.105.

Community Development and Housing Department (CDH): A department of the County of San Bernardino responsible for the administration of federal funds received from the U.S. Department of Housing and Urban Development (HUD). Funding sources include but are not limited to Community Development Block Grants (CDBG), HOME Investment Partnerships Act (HOME), and the Emergency Solutions Grant (ESG).

CDBG (Community Development Block Grant): A HUD grant program which provides for a variety of community development activities such as affordable housing, anti-poverty programs, and infrastructure development that benefit low- and moderate-income persons.

Citizen Participation Plan: The County's Citizen Participation Plan (CPP) sets forth the County of San Bernardino's policies and procedures for citizen participation for the planning, implementation, and assessment of the use of CDBG, HOME, ESG and other HUD grants and funding programs. The CPP provides an opportunity for the community to work in partnership with the County to identify needs and to allocate CDBG, HOME, ESG and other funds.

CBO (Community Based Organization): A public or private nonprofit organization of demonstrated effectiveness that is representative of a community or significant segments of a community and which provides social, educational, or related services to individuals in the community.

Community Planning and Development Program Monitoring Policies: The County has developed and implemented policies to monitor the use of funds and to measure the progress and effectiveness of its grant programs. These policies are in accord with HUD requirements.

Cooperating Cities: The thirteen (13) cooperating cities in the County that have entered into agreements with the County to receive entitlement grants for eligible CDBG, ESG, and HOME activities. Current agreements include the cooperating cities of Adelanto, Barstow, Big Bear Lake, Colton, Grand Terrace, Highland, Loma Linda, Montclair, Needles, Redlands, Twentynine Palms, Yucaipa, and the Town of Yucca Valley. The HOME Program Consortium includes these 13

cooperating cities plus the cities of Chino Hills and Rancho Cucamonga which cooperate with the County in the HOME program, but are independent entitlement communities for CDBG funds.

Consolidated Plan: The document that is submitted to HUD and sets forth the County's housing affordability strategy, community development plan and submissions for funding under any of the Community Planning and Development formula grant Programs (e.g. CDBG, HOME, ESG, etc.). This document is prepared in accordance with 24 CFR Part 91.

ESG (Emergency Solutions Grant): A HUD program that provides grant funds to eligible communities to address homeless issues. ESG funds may be used for street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, as well as administrative / reporting activities.

Fair Housing Plan: A HUD-required study related to fair housing and the County's responsibility to affirmatively further fair housing. Known currently as an Analysis of Impediments to Fair Housing Choice, the term Fair Housing Plan as used here shall also apply to the Assessment of Fair Housing or any other successor study or report for the purpose of evaluating the County's affirmative commitment to fair housing.

HOME (Home Investment Partnership Act Programs): A HUD grant that provides funds to retain or expand the supply of decent and affordable housing for low-income households.

HUD: The U.S. Department of Housing and Urban Development.

Low- and Moderate-Income Person: An individual from a household with a total income that does not exceed eighty percent (80%) of the median household income for the area (San Bernardino County) adjusted for family size. HUD calculates and publishes the income limits each year.

MAC (Municipal Advisory Council): An advisory body of local citizens elected by the community or appointed by the San Bernardino County Board of Supervisors (Board) with the purpose of representing the community to the Board.

Needs Assessment Report: Part of the Consolidated Plan process, this report examines current community needs and establishes priority needs and objectives for meeting housing, community development, and economic development goals. It also provides a basis for prioritizing project proposals for CDBG, HOME and ESG funding consideration.

Needs Assessment Survey: A tool used for the collection of input from the general public regarding community needs and priorities to inform the Consolidated Plan. The results of the Needs Assessment Survey are reported in the Needs Assessment Report.

Program Year: The twelve (12) month period in which HUD funds are to be spent by the County for eligible activities; usually the period beginning July 1 and ending June 30.

Proponent: An entity that has or is considering submission of a proposal for the use of CDBG funds.

Public Meeting: A meeting that is held to engage a wide audience in information sharing and discussion. They can be used to increase awareness of an issue or proposal, and can be a starting point for, or an ongoing means of engaging, further public involvement.

Public Hearing: A formal opportunity for a governing body or other entity to receive public opinion on subjects that may require action. Notices of public hearings are advertised through various forms of media.

Relocation: Assistance (e.g. financial or services provided) to a person or business that will be or is displaced as a result of an acquisition, demolition, conversion or rehabilitation activity supported with federal funds (e.g. CDBG, HOME, ESG).

Subrecipient: A non-federal entity that receives a subaward from a pass-through entity (e.g. County) to carry out part of its Federal program. The term does not include contractors providing supplies, equipment, construction or services subject to the procurement requirements in 24 CFR Part 85.36 or in 24 CFR Part 84, as applicable.

Substantial Amendment: A substantial amendment is a change to the jurisdiction's planned or actual activities as published in the Consolidated Plan or Annual Action Plan. The County has established and published in the Citizen Participation Plan thresholds to define what constitutes a substantial amendment.

THE CITIZEN PARTICIPATION PLAN ELEMENTS

Participation

The primary objectives of the HUD programs covered by this Citizen Participation Plan are to improve communities and neighborhoods by providing decent housing, a suitable living environment, and economic opportunities.

It is the policy of the County to encourage and facilitate the participation of all its residents, including minorities and non-English speaking persons, persons with disabilities in the planning processes for its HUD programs. The County also encourages the participation of service providers, government agencies, and others in the development of all HUD required consolidated planning documents including the Five-Year Consolidated Plan, Annual Action Plans, Fair Housing Plan, Substantial Amendments, and the Consolidated Annual Performance and Evaluation Reports (CAPER).

The primary purpose of the participation will be in needs identification, priority setting, funding allocations, and program recommendations related to the consolidated planning process. The County shall provide for and encourage citizen participation with particular emphasis on:

a. Low- and moderate-income persons; and,

b. Persons residing in predominantly low- and moderate-income neighborhoods or slum and blighted areas; and,

c. Persons residing in areas affected by the proposed use of HUD grant funds.

Throughout the unincorporated areas of San Bernardino County, there are significant populations of monolingual, Spanish-speaking persons residing in many of the very low-, low-, and moderate-income communities. The Department of Community Development and Housing will follow the Limited English Proficiency (LEP) plan at all Citizen Participation meetings. CDH will make every effort to ensure that non-English speaking persons have meaningful access to federally funded programs, services and written materials. For example, the Needs Assessment survey is available in both English and Spanish.

The Department of Community Development and Housing (CDH) will provide a bilingual staff member at all Citizen Participation meetings when such a need is anticipated or when such a request is made by a prospective attendee at least 72 hours prior to the scheduled meeting.

Additionally, the County is fully committed to compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended. Reasonable modifications enabling the full participation of residents with disabilities will be provided upon request with at least 72 hours' notice.

Public Hearings

The County must conduct at least two (2) public hearings per year to obtain the views and comments of residents, service providers, government agencies, and other stakeholders regarding the HUD-funded programs implemented within the County's HUD program area. The hearings generally address housing, social, and community development needs; proposed activities; and the review of program performance. The hearings will be conducted at a minimum of two (2) different stages of the program year. At least one (1) of these hearings must be held prior to the adoption of the proposed Consolidated Plan and/or Annual Action Plan (March/April). The second public hearing is usually conducted in conjunction with the request to submit the Consolidated Annual Performance and Evaluation Report (CAPER) in September.

Citizens must be given adequate notice of all hearings and meetings through advertisements in one of the County's adjudicated newspapers and/or other publications of general circulation, serving the community of affected citizens. Public hearings and community meetings will be advertised at least 14 calendar days in advance of the hearing and/or at the beginning of the official public comment period, whichever occurs first. Public notice shall indicate the date, time, place and purpose(s) of the hearing or meeting as well as disclose information that will contribute significantly to the public's understanding of the issues to be discussed at the hearings or meetings. The notices will also be posted on the Community Development and Housing website (www.sbcountycdh.com). Additional means of advertising will be utilized, as appropriate, including, but not limited to: mailing flyers, distributing or posting notices at libraries, parks, and other public areas; placing radio public service announcements; developing press releases; social media; and sending notices to community organizations. In areas where the County has determined that there is a substantial non-English-speaking population within its jurisdiction, the hearing or meeting notice will be published in English and in the appropriate other language(s) specified in the County's Language Access Plan.

The County will also follow the above 14-day public notification process for other actions for HUD programs that do not require public hearings and that are proposed for consideration by the Board of Supervisors.

The hearings will be held at times and locations convenient to potential and actual beneficiaries, with accommodation for persons with disabilities, when the need is anticipated, or it is requested, and language translation services shall be made available.

Table A, at the end of this document, summarizes the public notice requirements for the various reports and documents.

The cooperating cities that participate in the County's program are required to conduct their own Citizen Participation activities for their residents, especially low- and moderate-income residents. At a minimum, these cities will publicly notice and hold at least one public meeting to discuss

proposed uses of City's Community Planning and Development grant fund allocation. Cities are required to submit copies of public notices, agendas, and minutes of such meetings to the County as part of the Annual Action Plan process.

Access to Meetings

It is the policy of the County to plan and conduct public meetings related to the Consolidated Plan, Annual Action Plan, and Fair Housing Plan in the cooperating cities participating in the programs. These meetings shall be held at times and locations convenient to potential and actual program beneficiaries. When appropriate, these public meetings are to be conducted as part of regularly scheduled meeting of another community-based entity (e.g. MAC). It has been the County's experience that the use of an existing community-based forum for the public meetings ensures acceptable levels of participation from residents, service providers, government officials, and other stakeholders.

As part of the 2020-2024 Consolidated Plan effort, a series of public meetings were conducted in the Cooperating Cities and the unincorporated areas of the County to invite input from public agencies and other interested parties regarding housing and community development issues, needs or problems; to provide information on the consolidated planning process and applicable grant program; and to encourage the submission of project proposals. Attendees were also given the opportunity to complete the Needs Assessment Surveys. Prior to public meetings, County-wide notices were be published in newspapers of general circulation – including publications in Spanish – announcing the purpose, date, time, and location of the meetings. All meetings were held in locations accessible to persons with disabilities with additional accommodations available upon request. When the need was anticipated or a request was made, language translation services were be made available for non-English speaking residents.

Public Comments

It is the policy of the County to provide residents, service providers, government agencies, and other stakeholders a sufficient time period (not less than thirty [30]) days to review and comment on the proposed Consolidated Plan, Annual Action Plans, Fair Housing Plan, and Substantial Amendments and not less than fifteen (15) days to review and comment on the Consolidated Annual Performance and Evaluation Reports (CAPER). All public notices invite interested persons to submit comments. Contact information will be provided on all public notices, at public meetings, as well as on any of the documents or materials being considered. All comments will be reviewed and considered. Documents presented for approval by the Board of Supervisors will include a summary of all comments received during the public comment period and a summary of comments not accepted and the reasons therefore.

Strategic Plan Development

Public meetings and hearings for development of the Consolidated Plan shall be held with representatives of Cooperating Cities, public agencies, MACs, and organizations, as well as interested citizens. During the preparation of the Consolidated Plan, meetings are held to consider the County's regional strategy for the use of these federal funds. These meetings shall confirm the development planning process and will be held to obtain citizen views and proposals on needs and priorities for a consistent strategy.

The following program information is provided to the public:

a. The estimated amount of HUD grant funds available to the County including program income for community development and housing activities; and,

b. The eligible program activities that may be undertaken with these funds; and,

c. The unincorporated areas and locations proposed for utilizing the available funding; and,

d. The proposed allocation of federal funds to participating non-profit organizations, cities and unincorporated areas, and basic eligible program categories and proposed funding allocations for local funding programs.

Substantial Amendments

From time to time, it may be necessary for the County to process a "substantial amendment" to the Five-Year Consolidated Plan or an Annual Action Plan to allow for new CDBG, HOME, or ESG-funded activities; modification of existing activities; or other program administrative actions.

Any proposed amendment that is considered a "substantial amendment" is subject to the full Citizen Participation process, requires formal action by the Board of Supervisors, and approval by HUD. A thirty (30) day public notice is published to provide the opportunity for the public to review and comment on the proposed substantial amendments. The County will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR Part 91.105 (c)(3). A summary of these comments and views, including comments or views not accepted (and the reason why) shall be attached to the substantial amendment.

The County of San Bernardino is required by HUD [24 CFR Part 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a *Substantial Amendment*. The following criteria will be used by the County – if any one criterion applies, a substantial amendment will be required:

1. A new activity not previously listed and described in the Consolidated Plan/Annual Action Plan;

2. When a proposal is made to amend the description of an existing activity in such a way that the newly described purpose, scope, location, or beneficiaries differ significantly from the original activity's purpose, scope, location, or beneficiaries;

3. An increase in the amount of HUD federal funding allocated to an existing activity when the following apply:

    a. an increase in funding for a CDBG public service-type activity in an amount greater than $75,000 over the current funded amount; or,

    b. an increase in funding for an Emergency Solutions Grant activity in an amount greater than $100,000 over the current funded amount; or,

    c. an increase in the funding for other activities (public facility improvements, code enforcement, acquisition, etc.) in an amount greater than $500,000 over the current funded amount; or,

    d. an increase in the funding for HOME eligible activity in an amount greater than $1,000,000 over the current funded amount.

    Table B, at the end of this document, summarizes the Substantial Amendment criteria.

4. In an effort to efficiently utilize CDBG and HOME funds, the County will consider the reprogramming of unspent CDBG and HOME balances from completed and cancelled CDBG- and HOME-funded activities to other eligible activities. Activities under the stated thresholds may be cancelled for cause and funds reprogrammed without resulting in a substantial change. Examples of cause are:

    a. Cancellation requested by the subrecipient.

    b. Determination of CDH that insufficient funding prevents accomplishment of the activity.

    c. Determination by CDH that the project cannot be carried out in a timely or eligible manner.

In the event that any of the above "administrative" reprogramming actions are over the threshold limits, and come under the "substantial amendment" criteria, the proposed actions are subject to the Citizen Participation process and will require formal action by the Board of Supervisors, and notification to HUD.

Substantial amendments will generally be considered only twice in each program year, typically in the Spring and Fall. However, as necessary to meet County objectives and needs, HOME funding proposals may be considered throughout the year and may cause the substantial amendment criteria to be triggered at other points in the program year.

Emergency Plan Amendments

In the event of a local, state, or federally declared emergency or disaster, it may be necessary for the County to reprogram funds to meet urgent community needs. Where program funds covered by the County's Consolidated Plan and/or Annual Action Plan may be expended to carry out eligible activities to address the County's disaster response, the CPP's public notice and public comment period requirements may be expedited upon receipt of a waiver from HUD.

Amendments to Citizen Participation Plan

During the County's administration of the HUD programs, it may become necessary to amend the Citizen Participation Plan. Any proposed amendment to the Citizen Participation Plan requires a thirty (30) day public notice, formal action by the Board of Supervisors, and approval by HUD.

Access to Information

The County shall provide opportunities for residents, public agencies, and other interested parties, including those most affected, with reasonable and timely access to information and records relating to the jurisdiction's Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan.

Standard documents will be available for public review at the County of San Bernardino, Department of Community Development and Housing, 385 N. Arrowhead Avenue, 3rd Floor, San Bernardino, California 92415-0043 and the web site, www.sbcounty@cdh.com. These materials will also be available in a form accessible to persons with disabilities, upon request. A reasonable number of free copies of the plan will be provided to citizens and groups that request it; additional copies may be obtained on a first come, first served basis from CDH in accordance with CDH's fee policy for copies. Comments, questions or suggested amendments should be directed to the CDH Director at 909-387-4705.

Standard program documents that shall be made accessible for public review and comment throughout the preparation process include: the proposed and final Consolidated Plan, Annual Action Plans, Consolidated Annual Performance Evaluation Reports (CAPER), Substantial Amendments, Needs Identification Report, and this Citizen Participation Plan.

It is the policy of the County of San Bernardino to maintain and provide access to all applicable and appropriate records pertaining to the administration of the CDBG, ESG, and HOME programs. Records retention is a component of the County's HUD Program File Management System. Accordingly, the County will maintain and provide access to documentation and records for a period of five (5) years following grant closeout.

Relocation

The County's policy is to administer the Community Development Block Grant, Home Investment Partnership Act, and Emergency Solutions Grant programs without displacement. In the event

displacement is unavoidable, the County and/or other responsible party(s) will comply with the regulations of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended, and Section 104(d) of the Housing and Community Development Act of 1974, as amended.

Consistent with the goals and objectives of activities assisted under the Act, the County of San Bernardino will take appropriate steps to minimize the direct and indirect displacement of persons from their homes.

Fair Housing Planning

Public meetings and hearings for development of the Analysis of Impediments to Fair Housing Choice (AI) shall be held with representatives of Cooperating Cities, public agencies, MACs, and organizations, as well as interested citizens. During the preparation of the Fair Housing Plan, at least two hearings will be held to obtain the views of the general public on fair housing-related data and affirmatively furthering fair housing in the County's housing and community development programs. The first public hearing shall be held before the draft AI is published for comment and will solicit input on fair housing issues in the county. The second public hearing will be conducted during or after the 30-day public comment period on the AI during which the County will address identified factors contributing to fair housing issues, and proposed fair housing goals and priorities for affirmatively furthering fair housing.

The draft AI will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the content and purpose of the draft AI, the dates of the public display and comment period, the locations where copies of the draft document can be examined, how comments will be accepted, and when the document will be considered for action by the Board of Supervisors.

No later than the date of the first public hearing on the AI, the HUD-provided data and other supplemental data will be made available to the general public. This may include a link to HUD's website where the data can be readily accessed.

The County may revise its AI under the following circumstances:

a. A material change occurs. A material change is a change in circumstances in the County that affects the information on which the AI is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the Plan no longer reflect actual circumstances. Examples include, but are not limited to:

    1) Presidentially declared disasters, under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), in the county that are of such a nature as to significantly impact the steps the City may need to take to affirmatively further fair housing

    2) Significant demographic changes

3) New significant contributing factors in the county, and

4) Civil rights findings, determinations, settlements (including voluntary compliance agreements), or court orders

b. Upon HUD's written notification specifying a material change that requires the revision.

Performance Reports

Each fiscal year the County is required to prepare and submit a performance report to HUD for the previous program year. The information compiled in this document is necessary to assess the progress on funding received by the County, Cooperating Cities, subreceipients, and other agencies or organizations. Data collected in the compilation of the performance report will be used to supply information to HUD and the public on the accomplishments and services provided. The information will include the number of people served, ethnicity, income category, objective and outcome, and type of service received, as well as the current status on housing, public facilities and improvements, and other projects. The information is also used to determine future funding considerations.

The County will conduct the second required public hearing before the County Board of Supervisors to review the Consolidated Annual Performance and Evaluation Report (CAPER). The final performance report will be available to citizens for review and comment at least fifteen days prior to submission to HUD. The hearing will be advertised in one of the County's adjudicated newspapers and/or other targeted publications of general circulation in English and Spanish at least fourteen days in advance of the hearing and/or at the beginning of the official public comment period, whichever occurs first, so that citizens will be provided reasonable notice to review and present comments on performance reports. A copy of the CAPER will be available at CDH for review and can be located on the following web site: www.sbcounty@cdh.com. The CAPER shall be submitted to HUD within ninety (90) days after the end of the program year. Final reporting documents will also be made available to any interested parties upon request.

Technical Assistance

Technical assistance is available as necessary to group and organization representatives of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under the Consolidated Plan.

Technical assistance is provided by CDH staff throughout the program year. Technical assistance may include but is not limited to application assistance, evaluation, activity implementation and monitoring phase is provided by CDH staff. CDH staff provides assistance at community meetings and during proposal preparation, evaluation, review, and monitoring. Although the staff members are the primary contact to the communities and service providers, all CDH resources will be made available.

Complaints

Residents or other interested parties may submit complaints related to the County's Consolidated Plan, AI, plan amendments and performance report. Complaints may be made in writing to: County of San Bernardino, Community Development and Housing Department, 385 N. Arrowhead Avenue, 3rd Floor, San Bernardino, California 92415-0043. CDH will receive, record and file all written complaints and grievances. A letter responding to each complaint or grievance will be written and sent to the party or parties from whom the complaint or grievance was received.

The complainant should state the nature of the complaint, what prior efforts have been made to resolve the problem and any other pertinent information which would help staff determine a solution. All complaints will receive careful consideration and a timely, substantive written response will be provided within 15 working days or as soon as possible otherwise.

TABLE A

CDBG PUBLIC NOTICE SUMMARY				
Type of Document	**Public Hearing**	**Hearing Notice**	**Public Comment Period**	**Notices in Public Areas**
Consolidated Plan and/or Annual Action Plan	1-2	Run a display notice in newspapers at least 15 calendar days prior to each hearing or at the beginning of the public comment period whichever is first.	30-day public comment period ending upon Board approval of the item.	Post notice listing all meetings/hearings for the planning/adoption phase with enough detail for the public to recognize the purposes of the meetings, draft document locations and dates for comment periods.
Substantial Amendments to Consolidated Plan and/or Annual Action Plan	2 (Spring & Fall depending on the need.)	Run a display notice in newspapers at least 15 calendar days prior to each hearing or at the beginning of the public comment period whichever is first.	30-day public comment period ending upon Board approval of the item.	Post notice describing amendment items and location of drafts for public review & comment.
Annual Performance Report/CAPER	1 (Sept.)	Run a display notice in newspapers at least 14 calendar days prior to the hearing or at the beginning of the public comment period whichever is first.	15-day public comment period ending upon Board approval of the item.	Post notice identifying purpose of hearing, comment period, & location of drafts for public review and comment.
▶Display ads will be run in one of the County's adjudicated newspapers in key publications in the impacted areas. **▶Documents and drafts for public comment will be available on the CDH Website, which will also provide updates to the process and links to other information.**				

TABLE B

SUMMARY OF SUBSTANTIAL AMENDMENT CRITERIA	
1) An activity not previously listed or described in the Consolidated Plan or Annual Action Plan.	
2) Amending an existing activity so that the new purpose, scope, location, or beneficiaries differ significantly from the original activity.	
3) For a funding change or cancellation to an existing **CDBG** public service activity	An increase of more than **$75,000**
4) For a funding change or cancellation of an existing **CDBG** activity such as code enforcement, public facilities improvements	An increase of more than **$500,000**
5) For a funding change or cancellation of an existing **ESG** activity	An increase of more than **$100,000**
6) For a funding change or cancellation of an existing **HOME** eligible activity	An increase of more than **$1,000,000**