



AMERICAN SAMOA GOVERNMENT



Department of Commerce

COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) ACTION PLAN

INCORPORATING SUBSTANTIAL AMENDMENT #1

As approved by HUD on [], 2022

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This document is American Samoa’s CDBG-DR Action Plan, incorporating changes made to the partially approved initial Action Plan through Substantial Amendment 1. This version of the Action Plan is effective as of [] CDBG-DR Action Plan Version Tracker

Current Version of the Action Plan	
As of	Substantial Amendment 1.1
Date Effective	10-3-22

Document	Draft Proposed for Public Comment on	Approved by HUD on
Non-Substantial Amendment 1.1	n/a	XX-XX-22
Substantial Amendment 1	27-Jul-22	XX-XX-22
Initial Action Plan	21-Oct-20	12-Jan-21*

* Partial Approval

I. INTRODUCTION

American Samoa was devastated by Tropical Cyclone Gita, also known as DR-4357. In December 2019, the U.S. Department of Housing and Urban Development (HUD) announced an allocation of \$23 million in CDBG-DR program funds to the Territory of American Samoa. This allocation was in accordance with Public Law 116-20, signed by President Trump on June 6, 2019, to address the unmet needs and long-term recovery efforts due to widespread damages caused by Tropical Storm Gita. Flooding from heavy rain, power outages, and damaged buildings (residential and commercial) from strong winds were widespread across American Samoa, where rainfall in excess of 150 mm (6 inches) was reported. Tualauta District has the most extensive plain area of Tutuila. It is the fastest-growing district on the island, with an area of approximately 9.91 square miles, about 21% of Tutuila Island. Tualauta District has a population of 22,827, about 46% of the territory’s total population, based on the U.S. Census 2020 Census of American Samoa. It has the most significant number of businesses, residential buildings, schools (both private and public), and government facilities, including the Tafuna Correctional Facility and Pago Pago International Airport. The district is the primary industrial zone of the island. The post-disaster evaluation modeled existing conditions of the American Samoa drainage system and included recommendations to improve drainage capacity in several areas, including Tualauta County.

A. Purpose and Authorization of CDBG-DR Funds

On January 27, 2020, the Department of Housing and Urban Development (HUD) announced in the Federal Register notice the allocation of \$3.8 billion of CDBG-DR funds to assist in long-term recovery from major disasters in 2017, 2018, and 2019. Utilizing the best available data, HUD determined an allocation for the American Samoa of \$23,039,000 from this appropriation and identified the American Samoa Department of Commerce as its administrative agency for the funds. The Federal Register Notices FR-6182-N-01 and FR-6239-N-01 and applicable prior notices require that funds be used only for specific disaster-related purposes and that a grantee submits a plan before the obligation of funds detailing the proposed use of all funds within six years. The grant agreements have been signed with the Federal Award Date of March 25, 2022. The period of performance start date is March 25, 2022, with the performance end date of March 25, 2028. To comply with HUD requirements, this Substantial Amendment to the Action Plan further describes the Territory’s strategy for utilizing

limited CDBG-DR funds to address unmet infrastructure needs within the most disaster-impacted areas of the territory resulting from a Tropical Cyclone and flooding event events. Addressing this infrastructure need will benefit the territory's housing and economic development unmet needs.

AS DOC published the Initial Action Plan for public comment on October 27, 2020. Its 30-day public comment period ended on November 27, 2020. The Initial Action Plan described the allocation of \$23,039,000 to programs designed to address unmet needs resulting from the 2018 Tropical Cyclone Gita, primarily focusing on the Rehabilitation of Homes, Infrastructure & Economic Development. As partially approved, a need arose to provide a Substantial Amendment to the previously partially approved Action plan and is now required to amend the initially submitted Action Plan by the Federal Registrar and all related HUD requirements.

Initially, the focus of the original Action Plan was heavily placed on the Rehabilitation of Homes. This is still an ongoing areas of recovery and remains a top priority for the Department of Commerce. It is further described in this document how DOC intends for housing recovery needs to be satisfied with identified funding sources. Nevertheless, with the evolution of time and planning, protecting the homes of those impacted by Tropical Cyclone Gita by focus on unmet infrastructure needs has become a priority. The shifting of emphasis to protect those impacted by Cyclone Gita heavily relies on developing, strengthening, and solidifying the drainage system for the next 15- to 20-year storm events.

The follow table indicates the budgetary changes to the initial Action Plan, as partially approved, proposed by the first Substantial Amendment:

ASG Grant			
	Initial Action Plan	Amendment	Difference
Total Award	\$23,039,000	\$ 23,039,000.00	\$0
Administration	\$ 1,151,950	\$ 1,151,950.00	\$0
Planning	\$3,455,850	\$	\$(3,455,850.00)
Program	\$18,431,200.00	\$ 21,887,050.00	\$ 3,455,850.00

Table 1-1: CDBG-DR Budget

The rationale for these changes in allocated funds comes is presented by the following information, as well as an update to the original unmet needs assessment. As time has evolved, ongoing weather pattern changes and nuance flooding prompted a shift in focus of the CDBG-DR funds to solely invest in the protection of land and property by improving and building the Tualauta Drainage. Since Tropical Cyclone Gita, impacted homes continue to face the issue of overflowing water from a poor drainage system. The majority of homes in Tualauta County are made of concrete foundations and cylindrical materials. It will cost a single- family household an estimated\$150,000 of labor and materials, including elevation work to the structure alone to protect its home and property. Suppose the marked area has a population of 11,845 and multiplies by \$150,000. In that case, it will cost the CDBG-DR an estimated \$1.7 billion to construct and rehabilitate all structures and properties of these beneficiaries.

According to the National Weather Service, the following table shows a compilation report of Flash Flooding Warning and Advisory Products of the year issued since Gita. The area mapped for the Tualauta Drainage project is always at risk of water damage during these flash floods and flood advisories.

Year	Flood Advisory	Flash Flood Warning	Annual Rainfall in Inches
2018	77	54	158.97

2019	67	41	144.47
2020	91	72	191.39
2021	75	42	110.86

Table 1-2: Flash Flood Warning & Advisory Products 2018,2019,2020,2021

As time lapsed, the urgency has shifted from the focus on the rehabilitation of homes to now protecting properties and homes and to ensure housing rehabilitation efforts made to date are sustained against future storms. Initially, Home Rehabilitation was the focus of our CDBG DR efforts; however, as aforementioned, investing in Infrastructure activities such as the Tualauta Drainage Project reflect a shifting of priorities to protecting homeowners, renters, multi-family homeowners, and others alike. Other financial resources have been made available through funds administered by the American Samoa Government (ASG) to assist families with housing needs.

DOC, through the Emergency Rental Assistance Program (ERAP), expended approximately \$2 million in rental and utility assistance as of June 30, 2022. The Tualauta district has the most rental units, and tenants enrolled in ERAP. The assistance is for up to 12 months, subject to an extension. This program has served over 200 families and counting.

ASG has identified funds from American Rescue Plan Act (ARPA) funds and launched the Maota Affordable Loan Project (MALP), administered by the Development Bank of American Samoa. The total allocation is \$8 million, and funds will go towards improving and building quality, affordable homes. The MALP program is one of the many programs underway to help meet the community’s needs and increase their quality of life. The program is available to all residents of American Samoa. Public meetings for MALP were held in June 2022.

B. Planning, Coordination, and Consistency

DOC has been identified as the administrating agency of the CDBG-DR Program. Other key stakeholders include the Governor’s Office (GO), the Department of Public Works (DPW), and the Office of Disaster and Petroleum Management (ODAPM). A working team that includes staff from these Offices has been established to prioritize implementing the Tualauta Drainage project by meeting regularly and sharing timely information and updates.

The plans for the Tualauta Drainage were developed by DPW Engineers and shared with the working group. DOC also has an in-house Engineer who has reviewed and is working alongside DPW staff to understand the plans fully. FEMA has completed an Environmental Assessment for the project and is now available for review. With the full approval of the Substantial Amendment, DOC will begin to compile and put together a Scope of Work for the project to prepare for the procurement process.

Additionally, the American Samoa Government has developed a Hazard Mitigation Plan, which has been approved by FEMA, and is effective as of June 2020. This Plan assesses risks and vulnerabilities the Territory faces, and provides a framework for informed decision-making regarding prioritization of mitigation projects that will ensure the protection of life and property.

Based on the planning and coordination undertaken by the American Samoa Government, as evidenced in the Demographic Profile of Impacted Area and Analysis section below, the impacts on members of protected classes, areas of racial and ethnic concentrations, and areas of concentrated poverty were taken into account in the proposed project in the Tualauta District.

C. Impact of Disaster

CDBG-DR funds under Public Law 116-20 are allocated directly to the American Samoa Government (ASG). As the American Samoa administering agency for HUD’s Community Development Block Grant (CDBG) program over the years, the American Samoa Department of Commerce (ASDOC) is also the designated grantee for CDBG-DR. Like the administration of CDBG funds, the ASDOC will ensure CDBG-DR funds are intended to benefit low -and-moderate- income households, although limited to eligible activities of:

- Immediate Disaster Relief
- Long-term Recovery
- Restoration of Infrastructure and Housing
- Economic Revitalization; and,
- Hazard Mitigation.

DOC’s methodology to determine American Samoa’s unmet needs and calculate funding allocation by the Federal Register Notices is based on home inspection data for FEMA’s Individual Assistance Program and Public Assistance Program. This also includes Small Business Administration (SBA) disaster loan program. HUD calculated unmet housing needs as the number of housing units with unmet needs times the estimated cost to repair those units fewer repair funds already provided by FEMA and SBA.

Ultimately, funding for drainage improvements will reduce flooding and alleviate structural damage to homes and businesses.

It is estimated that 50 percent of American Samoan residents were facing some level of loss to property due to the tropical storm, and the rehabilitation of homes is still a remaining area of need. Over time, funding sources have been identified to address unmet housing needs. A breakdown total of homes and businesses will be met by the following funding sources in Table 1-4 below.

Item	Beneficiary	Funding Source	Department	Amount
New Home	Home-owner, multi-family home, Single Family homeowner	HUD Home Loan Program	DOC, DBAS	Maximum \$60,000 per beneficiary
Home Rehabilitation	Home-owner, multi-family home, Single Family homeowner	Low-Income Home Loan “Le Maota” Program	DOC, DBAS	Maximum \$60,000 per beneficiary
Rental Assistance	Renters, Single Family households, multi-family household	CARES Act, ERAP	DOC, DBAS	Maximum \$2,000 monthly per beneficiary

Relocation and Buyout	Home-owner, Renter, Family Household, Multi-family Household	ARPA, CARES Act	DOC, DBAS	No Limit
Business Grant Assistance	Business Owners, Entrepreneurs, Small-Business Owners	ARPA, CARES, CDBG	DOC	Limit based on eligibility scale.

Table 1-4: Identified funding sources to meet housing needs benefiting all CDBG DR beneficiaries

This assistance is being applied broadly, providing assistance to homeowners, tenants, and low-income populations. The distribution of this assistance covers what would otherwise be a remaining unmet housing need for CDBG-DR funding. Based on known applicant data, there is no adverse treatment of protected classes or disadvantaged communities in distributing this assistance.

D. Long-Term Recovery Efforts

American Samoa’s long-term recovery from Tropical Storm Gita is focused on restoring its critical infrastructure, revitalizing the economy and incorporating resiliency and sustainability in housing structures across the territory to mitigate damages from future disasters.

The proposed Tualauta Drainage project fits in with long-term recovery efforts by mitigating the flooding in Faleniu, Malaeimi, Nu’uuli, and Tafuna Villages, all located in the Tualauta District.

The proposed improvement of the stream channel is to establish better hydraulic capacity, stop nuisance flooding and delineate stream bank lines to prevent more encroachments due to developments and minimize sediment transport.

E. Protection of People

DOC is committed to protecting vulnerable populations and prohibiting discrimination based on race, color, national origin, religion, sex, sexual orientation, familial status, and disability. In the delivery of the CDBG-DR grant, DOC will strive to ensure that all the Tualauta Drainage will benefit all residents and not negatively impact vulnerable or protected classes of people

A. Accessibility Requirements

DOC will comply with all accessibility standard, as required by the American Disabilities Act (ADA), in the delivery of CDBG DR project-The Tualauta District and program activities.

B. Addressing Displacement

DOC currently anticipates that the Tualauta Drainage System Project will result in no displacement of persons or entities. However, if future actions are pursued with CDBG-DR funds which may have such an impact, DOC will stive to minimize or mitigate the displacement of persons of across all classes to include homelessness, low-income, and other vulnerable populations or entities. DOC will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended, as well as implementing at 49 CFR Part 24, except where waivers or alternative requirements are provided. To this end, DOC has in effect a residential-anti displace and relocation assistance plan for the administration of CDBG entitlement program funding and will follow its provisions and requirements in connection with any activity assisted with funding under the CDBG -DR Program.

C. Disaster and Hazard Resistant Housing for All Income Groups

DOC does not intend to pursue any housing-related projects or activities with the CDBG-DR funds. However, DOC acknowledges that many populations may encounter heightened difficulty in securing housing that is resistant to Disaster events or natural hazards. Often LMI households, particularly those that include children, people who are elderly, or or people of disabilities, may experience increased challenges. Should DOC pursue future housing-related programs with CDBG DR funds, it will strive to aid these targeted populations or neighborhoods.

D. Protection and Assistance for Homeless, Low-Income, and Other Vulnerable Populations

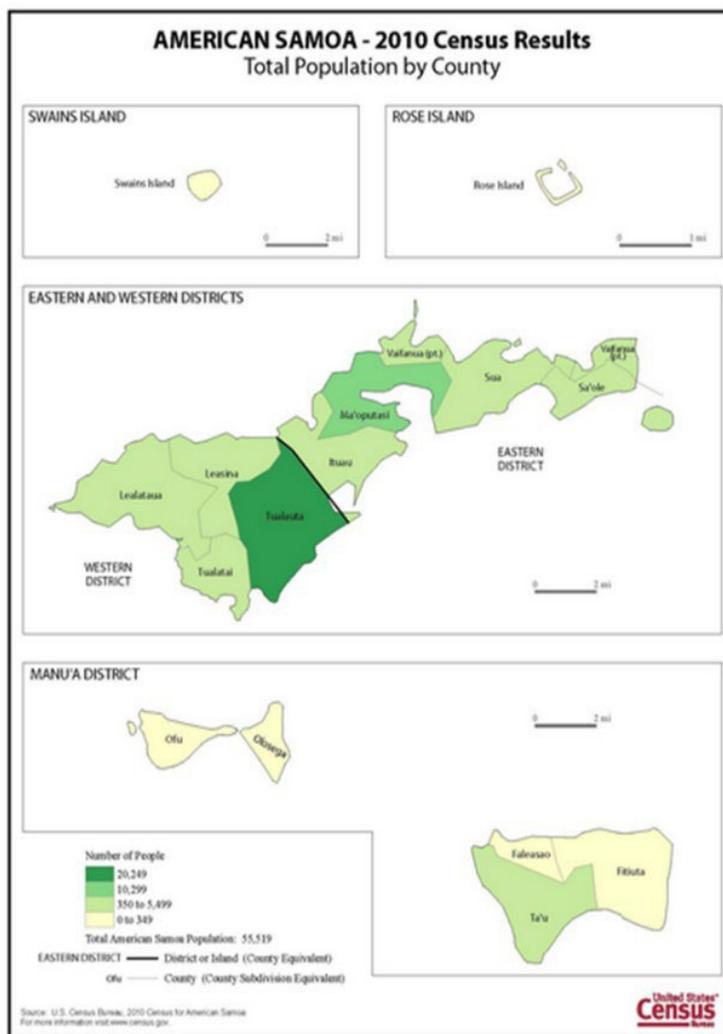
DOC does not intend to pursue housing or social services related projects or activities with the CDBG-DR funds specifically aimed towards assisting the homeless, low-income individuals, or other vulnerable populations. All efforts anticipated to be implemented with DR funding have an area-wide benefit and considered infrastructure that builds incident response capabilities.

However, DOC is committed to being part of a collective effort with the community, and private sector to provide needed resources and public services to assist residents experiencing homelessness, low-income populations, and other vulnerable populations. DOC will continue to work closely with organizations that serve the needs of these populations. DOC is leading efforts to provide solutions to housing insecurity in coordination with the Development Bank of American Samoa (DBAS) and Department of Human and Social Services homeless service providers, and faith-based organization to expand shelter opportunities and assistance to the homeless and at-risk populations. There are several programs and projects underway, through DOC and its partners, to provide additional supportive housing, prevent homelessness, address, address emergency shelter needs, and develop transitional housing and supportive programs for transitional housing.

II. DEMOGRAPHIC PROFILE OF IMPACTED AREA & ANALYSIS

The US Census, AS DOC 2018-2019 Statistical Yearbook, and FEMA Tropical Cyclone Gita Assessment Data were used to analyze the characteristics of the American Samoa Territory as a whole and in comparison, the Tualauta District area marked for the project area. The AS DOC utilized the best available data, which varies in terms of detail and the dates when published, in the conducting of its analyses. To best represent the physical areas impacted by Tropical Cyclone Gita, the following data was extracted from the FEMA Assessment Report, Annual Statistical Yearbook 2018-2019, and US 2020 Census data. DOC heavily depends on the 2018-2019 Statistical Annual Yearbook and internal programmatic data provided through various community development and community services programs to analyze and identify concentrations of a specific population or housing characteristics.

A. Total Population and Age



While the entirety of the American Samoa Territory was impacted by Tropical Cyclone Gita and eligible for FEMA Individual Assistance and to apply for Hazard Mitigation grants, as well as qualified a the most impacted and distressed (MID) to qualify for CDBG-DR assistance, the Tualauta District was heavily impacted by the 2018 Tropical Cyclone Gita and makes up 42% of the Territory's population. According to the 2020 US Census Data, the estimated total population of the Tualauta District was 22,827 people, This is approximately 45.9% of the total population (49,710) and 49% of the total number of families (4,080) in the Territory (2018-2019 American Samoa Statistical Yearbook). Tualauta District has a higher population density than the Territory as a whole. The average household size for owner-occupied housing units in Tualauta County was 7.84 people, while the average for renter-occupied units was 8.24. In comparison, there were 9,339 households in the Territory as of the 2020 Census, for an average of 5.3

persons per household across the Territory. The median age of Tualautua residents was 35.2, with 32% of the population under 18 and 54.5% over the age of 65.

Median Age & Age Structure. Table 2-1 illustrates the age composition of American Samoa's population as of June 2016. About 33.3% of the population is below the age of 15, and the median age is 23 (SPC 2017).

Table 2-1 American Samoa Age Structure, 2010 Age July 2010

Age Group	Number	Percent
0-14	18,800	33.3%
15-24	11,700	20.7%
25-59	20,800	36.9%
60+	5,100	9.0%
Total	56,400	100.0%

Males	28,700	51%
Females	27,700	49%

Note. Data adapted from "Population projections by PICT.xls," from the Secretariat of the Pacific Community PRISM (2017).

Compared to the Territory as a whole, the residents who benefit from the construction of the Tualauta District drainage project consist of a larger older population. Older residents are a category of protected classes who will benefit from the investment in the Tualauta drainage project. Young persons in the district are approximately represented in the same proportion as within the Territory, recognizing some variance in how data is tabulated.

B. Race, Ethnicity & Language

In American Samoa, although diverse, the most predominant races and ethnicities are the following: Samoan (99.07%), Philippines (0.2%), and Other (0.10%). American Samoa's racial composition differs from other territories and states' racial compositions. The most significant difference is the more significant percentage of residents of all Samoans and a significantly smaller percentage of non-Samoan ethnicities, a ratio percentage of 99:1. Table 2-3, shows that Tualauta District does not contain any racial concentrations of note that differ substantially from the Territory. The impacted and marked area for the project site has a higher number of Samoans, a lower number of non-Samoans, and two or more races compared to the Territory.

Data on primary languages other than English and limited English proficiency (LEP) speakers of these languages are not challenging to tabulate for the marked area of the project site and impacted area, as well as the Territory as a whole. Table 2-3 describes the language spoken by most of the island, with 1% of the total population not speaking English. Therefore, it is determined that LEP access needs are not prevalent. Program materials, including this Action Plan, are available in translation for the non-English speaking and LEP population.

(See Table below, intentionally left blank)

Characteristic	Total	% of Total
LANGUAGE SPOKEN AT HOME		
Population 5 years and over	48,908	100%
English only	1,921	4%
Language other than English	46,987	96%
Samoan	43,329	89%
Tongan	1,300	3%
Other Pacific Island languages	1,471	3%
Asian languages	672	1%
Other languages	215	0%
FREQUENCY OF ENGLISH USAGE		
Population 5 years and over	48,908	100%
English only	1,921	4%
Speak other languages	46,987	96%
Less frequently than English	1,898	4%
Equally often as English	10,919	22%
More frequently than English	33,600	69%
Does not speak English	570	1%

Table 2-3: Language Characteristics of American Samoan Population, US 2010 Census

Looking at population changes over time, the American Samoa-born population remained above 50 percent, and the trend of foreign-born has increased from less than 20 percent in 1960 to over 40 percent in the 2010 census. Most foreign-born were from neighboring Samoa, accounting for 30 percent, followed by the US-born population with 6 percent. The resident population remained ethnically Samoan at 95 percent, according to the 2018-2019 Annual Statistical Yearbook.

C. Education

The number of educational institutions in American Samoa remained at 109 in 2018. There were 30 Pre-Schools, 33 Kindergarten Programs, 33 Elementary Schools, 12 High School Schools, and one Community College. Private schools made up about 35% of all educational institutions in American Samoa.

The marked area for the drainage or Tualauta County includes villages where most schools are located. The village of Mapusaga/Malaeimi is where the Community College is located, where the drainage culvert runs underground and through the parking structure and main building. The stream continues along the road crossing over route 001 and drains across from one of the largest Private Schools in the Tualauta District. The drainage then crosses under a bridge connecting a public school elementary with an enrollment of 1,200 students.

Public high schools in American Samoa experience about a 94% graduation rate as of School Year 2015-2016 (ASDOE 2017). Most of American Samoa's population is bilingual (CIA 2017). The table 2-4 describes the levels of educational attainment for the American Samoa population over the age of 25 as of 2010.

<i>Educational Attainment for Population 25 years and older in American Samoa, as of 2010 Highest Level Achieved</i>	Total
Less than 9th grade	1,777
9th grade to 12th grade, no diploma	2,868
High school graduate (includes equivalency)	12,510
Some college no degree	3,953
Associate's degree	2,225
Bachelor's degree	1,669
Graduate or professional degree	905
Total	25,907

Table 2-4: Education Attainment Summary, US Census 2010

D. Vulnerable & Special Needs Population

As a close-knit and family-oriented community, multi-generational homes and multi-family households are prevalent in American Samoa. These households risk vulnerabilities during disaster events and commonly face more challenges during recovery efforts. No outcome data is available to show these household's resiliency as families come together to support and assist recovery efforts. However, the best available data can be highlighted through the assessments provided by the Department of Human & Social Services during the initial evaluations after Tropical Cyclone Gita. What is recognized is the amount of recovery support that is mainly needed for multi-generational families for necessities, medicinal needs, and mobility. Based on the best available data, 2018-2019 Annual Statistical Yearbook, the rates of household members per household is higher in the Tualauta District versus the Territory, it is reasonable to conclude a higher concentration of multigenerational housing occupancy in the district.

Through various assessment reports provided by the Department of Human & Social Services, there was a variety of assistance and coordination to support families with elderly and children to find shelter and temporary assistance during Tropical Cyclone Gita. This was an indication and vital piece of first-hand reporting on the number of vulnerabilities for families with children, the elderly, and especially with special needs.

Regarding the homeless population in the impacted areas, it is very small. Overall, the homeless population in American Samoa has been less than 1% of the overall total population, including preceding Tropical Cyclone Gita. Most homelessness in the Territory occurs in the form of individuals staying with other family members in informal arrangements for indefinite periods of Gita, emergency shelters housed a total of 1,114 individuals, none of whom are in need of direct shelter assistance at the current time. The Tualauta District drainage investment would help protect existing facilities currently identified for use as emergency shelters.

E. Housing & Economic Hardship

During Tropical Cyclone Gita, DHSS assessments provided the best available data for determining financial hardships during recovery efforts faced by multi-general households, multi-family housing residents, renters, and homeowners, whether due to loss of their belongings and due to the loss of employment. These types of setbacks can deplete these families' personal resources as the government moves to provide relief assistance. Faith-based and non-profit organizations have assisted with efforts to support families that faced economic and housing hardships immediately following Tropical Cyclone Gita. One of the most frequently used temporary shelter relief locations is the Private School along Route 001, where the Tualauta drainage flows. This project will protect a community resiliency resource to continue to be accessible for those seeking shelter during storms and disasters.

Tropical Cyclone Gita hit Tualauta District with hurricane winds and flood that affected many households. These households generate income way below the minimum rate of the mainland.

Household & Family Income. Table 2-5 below illustrates American Samoa residents' household and family income as of 2009. Per capita income in American Samoa was \$6,311 in 2009 (US Census 2010).

Household Income Levels in American Samoa, 2009

Income Level	Household Income	Family Income
Less than \$2,500	504	398
\$2,500 - \$4,999	182	153
\$5,000 - \$9,999	1087	935
\$10,000 - \$14,999	1203	1072
\$15,000-\$19,999	1126	1048
\$20,000-\$24,999	922	856
\$25,000-\$29,999	739	712
\$30,000-39,999	1169	1087
\$40,000-\$49,999	740	692
\$50,000-\$59,999	574	545
\$60,000 - \$74,999	526	484
\$75,000-\$99,999	467	440
\$100,000 or more	449	412
Median Income	\$23,892	\$24,706
Total reported households/families	9,688	8,834

Table 2-5: Household income level, 2009 Income; US Census 2010

STATISTICAL YEARBOOK 2018 & 2019

Table 10.10. HOUSEHOLD INCOME IN 2009 FOR DISTRICT AND COUNTY, AMERICAN SAMOA: 2010

District County	House- holds	Less than \$2,500	\$2,500 to \$4,999	\$5,000 to \$9,999	\$10,000 to \$14,999	\$15,000 to \$24,999	\$25,000 to \$29,999	\$30,000 to \$39,999	\$40,000 to \$49,999	\$50,000 to \$74,999	\$75,000 to \$99,999	\$100,000 to more	Median h-hold income (\$)	Mean h-hold income (\$)
DISTRICTS														
American Samoa	9,688	504	182	1,087	1,203	2,048	739	1,169	740	1,100	467	449	23,892	34,254
Eastern District	3,982	218	82	485	497	806	327	491	305	430	192	149	23,350	32,736
Mamafa District	282	30	7	40	43	76	20	28	13	17	6	2	17,614	22,053
Swains Island	6	1	-	-	1	1	-	2	-	1	-	-	27,500	27,161
Western District	5,418	255	93	562	662	1,165	392	648	422	652	269	298	24,705	36,012
COUNTIES														
Ituau	818	46	15	110	90	168	65	104	68	72	49	31	23,276	32,858
Ma'oputasi	1,782	96	34	238	224	377	137	204	127	190	86	69	22,398	32,619
Sa'ole	406	24	10	51	52	82	36	57	25	46	13	10	22,647	29,584
Sua	543	33	11	45	67	96	47	72	54	68	25	25	27,438	35,877
Vaifanua	433	19	12	41	64	83	42	54	31	54	19	14	24,583	32,005
Faleasao	38	3	3	1	4	13	1	4	2	5	1	1	22,000	28,622
Fituata	66	8	2	9	11	16	8	8	1	3	-	-	17,917	18,833
Ofu	55	6	1	8	7	16	4	7	3	3	-	-	18,438	20,904
Olosega	45	4	-	9	11	8	3	2	4	2	2	-	13,125	21,544
Ta'u	78	9	1	13	10	23	4	7	3	4	3	1	16,500	22,682
Swains Island	6	1	-	-	1	1	-	2	-	1	-	-	27,500	27,161
Lealataua	875	39	16	93	103	181	60	119	79	99	42	44	25,430	34,866
Leasina	297	14	8	26	42	76	28	41	17	30	7	8	22,426	29,332
Tualatai	589	29	10	76	56	143	44	58	51	64	29	29	23,125	34,185
Tualauta	3,657	173	59	367	461	765	260	430	275	459	191	217	25,062	37,123

SOURCE: 2010 American Samoa Census Profile

Table 2-6:

Household Income for District and County (2009)

The Department of Housing and Urban Development (HUD) develops income limits based on Median Family Income estimates and Fair Market Rent area definitions for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county. The income limits are used to determine eligibility of LMI program participants. The table below (Table 2-6) indicates the best available income data for households in American Samoa, including in the Tualauta District, within which the service area for the drainage project to be funded with CDBG-DR will be located. Based on this data, greater than 51% of households in the district have a household income which would qualify as low- and moderate-income and meet the low- and moderate-income service area (LMA) requirement for national objective. For the most recent income limits for CDBG program, DOC will utilize income limit information published at www.hudexchange.info/resource/5334/cdbg-income-limits/

III. IMPACT & UNMET NEED ASSESSMENT

A. Disaster Impact Overview

Gale force winds of over 50 miles per hour (mph) with gusts up to 145 mph were recorded for Tropical Storm Gita. It brought 30 inches of torrential rainfall, severe flooding, landslides, and over \$16 million of destroyed crops across the island.

A Presidential disaster declaration for American Samoa allowed FEMA to provide individual and public assistance to the Territory. During the initial assessment, over 5,400 homes were identified to have been impacted by the tropical storm. Aside from residential homes, small businesses and public infrastructure (roads, airports, seaports, utilities, and telecommunications) were seriously damaged.

The activation of ASG's Emergency Operations Center (EOC) enabled central collaboration for staff and resources from various agencies and non-government organizations to respond to people's emergency needs as a result of Tropical Storm Gita.

The ASG operated 24 emergency shelters consisting of public-school buildings and community church halls across the Territory for the community to seek refuge during severe weather. This also included the coordination and delivery of food, water and other necessities for immediate relief.

Health assessments were also done during American Samoa's state of emergency for Tropical Storm Gita. Four medical teams (1 Physician, 1 Dentist, 1 Nurse, and 2 Certified Nurse Assistants) were deployed during the storm. As a result, they assisted 2,114 patients, 50 of whom had medical needs related to Tropical Storm Gita. The medical teams also documented five dengue fever cases, 4,000 registered senior citizens, 629 individuals with special needs, and 439 Community Health Center referrals.

The American Samoa Department of Commerce initiated the request to obtain data on applicant information, damage assessments and monetary assistance pertaining to the Presidential declared disaster FEMA-DR-4357 and SBA 15446-15447 (AS-00007). This was done in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended. The data tables in this section were a compilation of multiple sources of data to best describe the Impact & Unmet Need Assessments.

B. Economic Impact and Recovery

The initial CDBG-DR Action Plan for American Samoa also included an assessment of economic impact. While that section of the initial Action Plan is not being amended in this Substantial Amendment, language from the initial Action Plan is included here for reference: The Department of Commerce (DOC) issued an economic impact report for Tropical Storm Gita on February 28, 2018. The report details the assessment of Gita's economic impacts by three main categories, and in terms of impacts to: 1) individuals, businesses, and government. The report further states the detail breakdown of direct versus indirect impacts relevant to each category. Direct impacts are referred to as the "nominal value of property that was either destroyed or damaged during the cyclone" and while indirect impacts refer to "current and future losses to income and revenues."

According to the DOC report, American Samoa had over \$26 million worth of damages or 4% of its nominal gross domestic product (NGDP) for 2017.

Category	Values of Damages	% of Gross Domestic Product
Total Individual Impact	\$17,086,078	2.6%
Direct Individual Impact	\$14,995,177	2.3%
Structures	\$10,159,889	
Personal Property	\$4,835,288	
Indirect Individual Impact	\$2,090,901	0.3%
Loss of Wages	\$1,623,482	
Loss of Rental Income	\$467,419	
Total Business Impact	\$2,254,178	0.3%
Direct Business Impact	\$1,468,000	0.2%
Structures, Equipment, and Inventory	\$1,468,000	
Indirect Business Impact	\$786,178	0.1%
Loss in Corporate Profits	\$786,178	0.1%
Total Government Impact	\$6,984,175	1.1%
Structures and Infrastructure	\$6,984,175	
Total Direct Impact	\$24,233,529	3.7%
Total Indirect Impact	\$2,090,901	0.3%
Total Impact	\$26,324,430	4.0%

Table 3-1: Total Direct and Indirect Impacts of Cyclone Gita on American Samoa

Aside from destroyed and damaged homes as a result of Gita, some individuals also suffered loss of wages and rental income. Workers were either temporarily or permanently displaced immediately after the tropical storm.

Businesses including commercial, industrial and non-profit entities were also destroyed or sustained major damages to structures, equipment, and inventories that also led to the displacement of at least 148 workers on island. Additionally, a short-term slowdown in personal consumption was anticipated as well as low corporate profits.

Government, on the other hand, experienced damages in its infrastructure. Debris removal clean-up efforts were immediately underway after the storm, which also cost the ASG millions of dollars.

Overall, damages to individual homes, government properties were devastating and were forecasted to result in diminished consumer spending in 2018.

The following table provides an estimated breakdown of damage for private properties and private individuals.

Private Damages	Estimated Cost
Assessed Damage to Homes	\$23,494,989
Personal Property	\$24,166,600
Structures, Equipment, and Inventory	\$1,888,800
Income and Profit Losses	\$5,931,041
Crop Losses	\$16,336,443
Total	\$71,817,873

Table 3-1: Private Damages & Estimated Costs, Impacts of Cyclone Gita on the Economy of American Samoa

C. Impact on Public Services

A Joint Task Force was immediately activated on February 9, 2018, to operate on a 24-hour basis and to conduct assessments throughout the state of emergency. The Joint Task Force was comprised of emergency service providers, including –

- Lyndon B. Johnson (LBJ) Tropical Medical Center
- Emergency Medical Services (EMS)
- Department of Health (DOH)
- Department of Human and Social Services (DHSS)
- Office of the Protection and Advocacy
- Territorial Administration on Aging (TAOA)
- Red Cross

The emergency shelters housed a total of 1,114 individuals. The Department of Human and Social Services (DHSS) was assigned to administer all active emergency shelters since Tropical Storm Gita until they closed on February 27, 2018. When the emergency shelters closed, residents received temporary shelters (tents/tarps) or had alternate arrangements.

Public Damages	Estimated Cost
Gita-Related Government Project Costs	\$387,943,296
Immediate Response and Recovery Support	\$920,113
ASG Overtime Pay	\$1,008,936
Total	\$389,872,345

Table 3-3: Public Damages and Estimated Costs; Impacts of Cyclone Gita on the Economy of American Samoa, FEMA Reports, ASG Department assessment report

Public services were impacted when public buildings and critical infrastructure (utilities) were damaged. This also meant a lot of debris removal efforts to ensure public services could resume services back to normal. Restoring protective emergency services, which predominantly included restoring power to critical locations, cost about \$63,000. It was later determined that about \$7 million worth of government property damages were sustained by various agencies as described in the original Action Plan. Additionally, according to the most recent publicly available data, FEMA has obligated \$1,778,764 in Categories A and B Public Assistance funding for emergency work, which consists of Debris Removal and Emergency Protective Measures taken to save lives, protect public health and safety, or eliminate immediate threats. Currently, no public services are anticipated as needed to facilitate the delivery of the proposed Tualauta Drainage project.

D. Housing Related Impact & Need

According to FEMA’s most recent publicly available information (as of August 12, 2021) for DR-4357-AS, FEMA has approved 6,080 applications for Individual Assistance, covering \$20,543,787 in approved assistance for individuals and households, including \$13,584,223 for Housing Assistance and \$6,959,564 for Other Needs Assistance. In addition to FEMA Individual Assistance, the Small Business Administration has approved over \$11 million in loans.

The Disaster Recovery Center (DRC) was in charge of registering survivors for assistance. It also included streamlining the process to implement a pre-registration process that documented 9,883 applicants as of May 1, 2018. The DRC identified 7,816 for Other Needed Assistance (ONA) and Housing Assistance (HA), with 682 for Small Business Administration for both business and residential assistance.

There are no public housing projects in American Samoa, so there was no impact of the Tropical Cyclone upon the public housing population in the Territory.

Property Damage Assessments done by the American Samoa Department of Homeland Security (ASDHS) with assistance from FEMA revealed significant impacts on housing properties across the Territory. The level of housing impacts is listed in the following table.

Level of Housing Impact	Number of Homes/Households
Affected	1,792
Minor	1,992
Major	1,329
Destroyed	382
TOTAL	5,495

Table 3-4: Level of Housing Impact Summary

At the current point in time, the information indicated in the table above is the best available data on affected homes once AS DOC updates data-sharing agreements for more detailed information, such as specifically which homes are awaiting assistance or have had needs fulfilled by other means, AS DOC intends to update this information in future amendments.

Some of the most impacted communities from Tropical Storm Gita are in Nu’uuli and the other villages whose housing stock will benefit from the protections provided by the Tualata Drainage project.

American Samoa officials have directed the public, calling on impacted individuals and households to apply the financial assistance they have received from FEMA for the restoration of housing. FEMA resources have gone towards addressing impacted housing. FEMA’s initial estimates were that 90.0% of impacted residences were owner-occupied, 38% were low-income, and 9% carried insurance.

Additionally, although 646 households were approved under SBA’s Home Loan Program, approximately 916 applicants were declined, 201 were withdrawn, and 1,087 are in process.

According to the ASG Treasury, SBA funded \$10,612,600 worth of Individual Housing Program assistance while FEMA’s ONA/HA funded \$20,543,787. Thus, a total of over \$31.1 million worth of Individual Housing Program assistance was provided for American Samoa.

E. Infrastructure and Public Services Impacts

Infrastructure and public services were impacted when public buildings and critical infrastructure (utilities) were damaged. This also meant many debris removal efforts to ensure public services could resume services back to normal. Restoring protective emergency services, which predominantly included restoring power to critical locations, cost about \$63,000. It was determined that about \$7 million worth of government property damages were sustained by various agencies, as listed in the following Table 3-5:

ASG Agency	Debris Cleanup	Emergency Protective Measures	Public Buildings	Utilities	Total
Community College			\$244,000		\$244,000
Power Authority	\$88,436	\$63,438		\$1,719,677	\$1,871,551
Telecommunications Agency				\$3,223,440	\$3,223,440
Agriculture	\$2,800		\$340,044		\$342,844
Education	\$41,960		\$611,000		\$652,960
Parks & Recreation	\$64,000				\$64,000
Public Works	\$221,880		\$363,500		\$585,380
TOTAL	\$419,076	\$63,438	\$1,558,544	\$4,943,117	\$6,984,175

Table 3-5: Estimates of Impacts to Government Facilities

The flooding caused by Tropical Storm Gita also indicated the extent to which the infrastructure of existing drainage systems was inadequate to provide adequate levels of protection from the flooding caused by rainfall and runoff. The needs associated with improving drainage systems that did hydraulic channel flows from Gita to an adequate level of resilience are extensive. The proposed Tualauta Drainage Project is one of the projects that will address the impacts to infrastructure from Tropical Storm Gita while providing benefits by protecting housing. Other drainage resilience measures for infrastructure projects are anticipated, particularly to the West of the Tualauta District. While the Tualauta Project is proposed to address risks associated with a 15-year storm event, there would be additional costs associated with any flood measures that provide a full level of protection against 25-year or 50-year flood events. Costs for drainage include looking at damage assessments conducted by FEMA for the flooding of 2003, as well as the cost of drainage and road improvements for 1996-2009, recognizing drainage systems and roadways were impacted by Tropical Storm Gita.

FEMA funding for Public Assistance, which is used to address public services and infrastructure needs, is funded at the 90% Federal cost-share level.

For Public Assistance, only 38 entities had obligated projects; only 6 were component units, 4 Private non-profits (PNPs), and 28 Government departments and agencies. Out of 103 projects, only nine were funded, 68 were pending final review and approval by FEMA, and 26 (22 ASG departments/agencies, 2 Component Units, and 2 PnPs) were pending ASG approval. To date, ASG has received \$62,361,241.27 in federal disaster assistance.

ASG received \$3,314,753 in other disaster-related grants and federal programs besides SBA and FEMA.

F. Impacts on Vulnerable Populations

As the recipient of CDBG-DR funds, the American Samoa Government ensures its federally funded programs meet the needs of its vulnerable population or clientele. Thus, programs like CDBG-DR also account for the needs of vulnerable populations, specifically regarding accessibility and including individuals with disabilities in disaster recovery efforts.

Vulnerable populations include the elderly, persons experiencing homelessness or at risk of homelessness, families with children, especially those with a household income below 30 percent of the area median income, and persons and their families who require supportive housing, such as persons with disabilities, alcohol or other drug addiction, and persons with HIV/AIDS.

The determination of the most impacted and distressed communities started with FEMA and SBA damage assessments and has been expanded through the analysis of population characteristics tied to CDBG-DR funds and described in the Substantial Amendment. The proposed use of CDBG-DR funding in the Tualauta Drainage project provides benefits to low-to-moderate income groups, addresses the housing needs of vulnerable populations by recognizing where other areas of financial assistance are available to cover needs, protects the housing in the service area of the drainage project, and allows ASG to demonstrate that it is affirmatively furthering fair housing and equality in its recovery efforts.

G. Unmet Need Calculation

To identify the unmet need, the total amount of financial recovery assistance provided to date or anticipated was reduced from the total estimate of damages, recovery costs, and overall economic impact. Recovery areas with a remaining unmet need are eligible for CDBG-DR funding. Where there are multiple sources of data estimating impacts from Tropical Storm Gita in different areas of recovery, the most applicable or relevant resource was selected. Unmet needs in various sectors are identified in the tables below:

The overall housing unmet need is calculated by estimating the various areas of housing impact from Tropical Storm Gita and reducing anticipated sources of funding. The primary data sources for this analysis are the Impacts of Cyclone Gita on the Economy of American Samoa report of 2018 (see Appendix A), and DOC's estimates of anticipated financial assistance (see Section I. C. Impact of Disaster above). One of the significant areas of update for the Substantial Amendment is the taking into account of additional sources of funding to address initial housing recovery needs not previously identified or made available in the initial action plan.

Unmet Needs Assessment	Impact and Financial Assistance Estimates	Source/Notes
Housing Impacts	\$49,550,389	
Assessed Damage to Homes	\$23,494,989	Impacts of Cyclone Gita on the Economy of American Samoa
Personal Property	\$24,166,600	Impacts of Cyclone Gita on the Economy of American Samoa
Structures, Equipment, and Inventory	\$1,888,800	Impacts of Cyclone Gita on the Economy of American Samoa
Less Housing Sources of Funds	\$49,156,387	
Small Business Assistance	\$8,612,600	SBA Estimated total of \$10,612,600 less \$2,000,000 estimated f
FEMA - Individual Assistance (IA) Housing Assistance	\$13,584,223	FEMA IA data
FEMA - Individual Assistance (IA) Other Needs Assistance (ONA)	\$6,959,564	FEMA IA data
New Home (HUD Home Loan Program)	\$5,000,000	AS DOC, DBAS - estimate of \$60,000 max per beneficiary
Le Maota Affordable Loan Program (MALP)	\$8,000,000	AS DOC, DBAS
Rental Assistance (CARES Act, ERAP)	\$2,000,000	AS DOC, DBAS
Relocation and Buyout (ARPA, CARES Act)	\$5,000,000	AS DOC, DBAS - with no limit on assistance, assumption of full need fulfilled
Resulting Housing Unmet Need	\$394,002	

Table 3-6: Total Estimated Housing Unmet Needs Summary, 2018 Tropical Cyclone Gita-FEMA Assessment Report

For economic impacts and the remaining economic recovery unmet needs associated with Tropical Storm Gita, there is a projected remaining unmet need, primarily associated with economic losses from the impacts of the storm. ASG will pursue other sources of funding more appropriate to the need that CDBG-DR funds, while recognizing that certain economic impacts from the storm may not ever be fully offset.

Economic Impacts	\$26,612,563	
Income and Profit Losses	\$5,931,041	Impacts of Cyclone Gita on the Economy of American Samoa
Crop Losses	\$16,336,443	Impacts of Cyclone Gita on the Economy of American Samoa
Loss of Wages and Rental Income	\$2,090,901	DOC Economic Impact Report
Direct Business Impact and Loss of Profits	\$2,254,178	DOC Economic Impact Report
Less Economic Sources of Funds	\$7,000,000	
SBA Disaster Loans	\$2,000,000	SBA Estimated Total of \$10,612,600 portion for Businesses
Business Grant Assistance	\$5,000,000	AS DOC - with priority designation, assumption of needs fulfilled
Insurance	\$0	
Resulting Economic Unmet Need	\$19,612,563	

Table 3-7: Total Estimated Economic Development Unmet Needs Summary

For infrastructure and government services, costs and impacts from Tropical Cyclone Gita are largely taken from the economic impact report. Direct storm impacts do not include the costs of resilience measures in terms of making damaged or impacted infrastructure more resilient to withstand future disasters. AS DOC has applied a 15% resilience rate factor to estimated damage costs in order to calculate a projected resilience cost, recognizing the difficulty of identifying precise resilience cost estimates. This is the recovery area with the largest remaining unmet need.

Infrastructure and Government Services	\$455,048,014	
Gita-Related Government Project Costs	\$387,943,296	Impacts of Cyclone Gita on the Economy of American Samoa
Immediate Response Support and ASG Overtime Costs	\$1,929,049	Impacts of Cyclone Gita on the Economy of American Samoa
ASG Agency Impacts	\$6,984,175	See Table 3-5
Resilience / Mitigation	\$58,191,494	Calculated at 15% of Project Costs as Estimate for Incorporating Hardening, Mitigation, and Resilience Scope into Infrastructure projects
Less Sources of Funds	\$32,983,255	
FEMA Public Assistance	\$10,081,032	90% Federal Cost Share of \$11,201,147
Insurance	\$14,322,000	Federal disaster assistance estimates
Hazard Mitigation Grant Dollars	\$4,746,750	75% Federal Cost Share of Obligated \$6,329,000
Intergovernmental Service Agreement (IGSA)	\$518,720	Federal disaster assistance estimates
Non-FEMA/SBS Disaster-Related Grants	\$3,314,753	Federal disaster assistance estimates
Resulting Infrastructure and Services Unmet Need	\$422,064,759	

Table 3-8: Total Estimated Infrastructure and Public Facilities Unmet Needs Summary

H. Total Unmet Need

The unmet need across the various areas of recovery for American Samoa, including where CDBG-DR grant funds are programmed in order to address these needs is summarized in the following table:

Unmet Needs Assessment	Total Damages/Impact/Projection of Need	Funding Available/Estimated	Resulting Unmet Need	CDBG-DR Funding Going Towards Unmet Need	% of CDBG-DR Funding Going Towards Area of Need
Housing	\$49,550,389	\$49,156,387	\$394,002	\$0	0%
Economic Development	\$26,612,563	\$7,000,000	\$19,612,563	\$0	0%
Infrastructure / Public Facilities	\$455,048,014	\$32,983,255	\$422,064,759	\$21,887,050	95%
TOTAL	\$531,210,966	\$89,139,642	\$442,071,324	\$21,887,050	
CDBG-DR Administrative				\$1,151,950	5%
CDBG-DR Total				\$23,039,000	100%

Table 3-9: Total Unmet Needs Summary

Infrastructure and Government Services	\$455,048,014	
Gita-Related Government Project Costs	\$387,943,296	Impacts of Cyclone Gita on the Economy of American Samoa
Immediate Response Support and ASG Overtime Costs	\$1,929,049	Impacts of Cyclone Gita on the Economy of American Samoa
ASG Agency Impacts	\$6,984,175	See Table 3-5
Resilience / Mitigation	\$58,191,494	Calculated at 15% of Project Costs as Estimate for Incorporating Hardening, Mitigation, and Resilience Scope into Infrastructure projects
Less Sources of Funds	\$32,983,255	
FEMA Public Assistance	\$10,081,032	90% Federal Cost Share of \$11,201,147
Insurance	\$14,322,000	Federal disaster assistance estimates
Hazard Mitigation Grant Dollars	\$4,746,750	75% Federal Cost Share of Obligated \$6,329,000
Intergovernmental Service Agreement (IGSA)	\$518,720	Federal disaster assistance estimates
Non-FEMA/SBS Disaster-Related Grants	\$3,314,753	Federal disaster assistance estimates
Resulting Infrastructure and Services Unmet Need	\$422,064,759	

Table 3-8: Total Estimated Infrastructure and Public Facilities Unmet Needs Summary

H. Total Unmet Need

The unmet need across the various areas of recovery for American Samoa, including where CDBG-DR grant funds are programmed in order to address these needs is summarized in the following table:

Unmet Needs Assessment	Total Damages/Impact/Projection of Need	Funding Available/Estimated	Resulting Unmet Need	CDBG-DR Funding Going Towards Unmet Need	% of CDBG-DR Funding Going Towards Area of Need
Housing	\$49,550,389	\$49,156,387	\$394,002	\$0	0%
Economic Development	\$26,612,563	\$7,000,000	\$19,612,563	\$0	0%
Infrastructure / Public Facilities	\$455,048,014	\$32,983,255	\$422,064,759	\$21,887,050	95%
TOTAL	\$531,210,966	\$89,139,642	\$442,071,324	\$21,887,050	
CDBG-DR Administrative				\$1,151,950	5%
CDBG-DR Total				\$23,039,000	100%

Table 3-9: Total Unmet Needs Summary

IV. PROPOSED USE OF CDBG-DR FUNDS

A. Economic Revitalization

In addition to direct damages and impacts to housing and infrastructure, American Samoa's economy was severely impacted by Tropical Cyclone Gita. These damages were not as complex as housing and infrastructure, but some physical impacts and the resulting loss in business during and after the event. The two primary industries impacted were agricultural and technology-related. Crops and other agricultural products were assessed and deemed damaged by flooding and therefore required assistance with revitalization. In addition, agricultural lands will also be protected by drainage for future economic development. Technological-related industries such as network and internet providers had limited connectivity as first responders utilized bandwidth for disaster relief efforts.

No CDBG-DR funds out of the American Samoa Government's allocation are being proposed to go towards addressing economic revitalization based on the unmet needs assessment.

B. Restoration of Housing

As aforementioned in the Disaster Impact Analysis, remaining housing needs will be met by identified sources of funding that are currently ongoing within the Territory. It is reported that DBAS awarded 87 households qualifying for HUD loan programs. See Section I.C., Impact of Disaster.

This Substantial Amendment reallocates CDBG-DR funding that was going to go to housing recovery in the initial Action Plan that was not previously approved. The Tualauta Drainage infrastructure project funded with CDBG-DR is a resilience project that projects housing.

C. Community Resilience

DOC is committed to addressing immediate recovery needs and planning for resilience improvements that will provide long-term recovery benefits and mitigate the impacts of future disasters. The recovery activities DOC and other various departments have completed to date, combined with the recovery projects outlined in this Substantial Amendment to the initial Action Plan, contribute significantly to ASG's overarching long-term recovery and resilience strategy.

Following Tropical Cyclone Gita, the territory began planning efforts to identify opportunities to promote long-term recovery. DOC coordinated planning efforts include strategies for addressing unmet housing needs, social & mental health resilience, and economic recovery and resilience. Through the development of island-wide disaster response assessments with DHSS, DPW, OPAD, and DOH, these efforts included a comprehensive review of the Territory's infrastructure to identify vulnerable and ineffective systems that may have contributed to the increased disaster and flooding damages.

Additional infrastructure and facility improvements to support long-term recovery for the Territory, especially Tualauta District, were identified with assistance from the Department of Public Works and the ODAPM. The findings of this analysis informed the update to the DPW's Tualauta Drainage Plan. As part of the recovery from Tropical Cyclone Gita, the Territory seeks to leverage multiple sources of funds to accomplish these critical projects to instill long-term resilience in the Tualauta district and apply a lens for hazard mitigation opportunities that build strength with funding not tied to disaster recovery across the island.

The CDBG-DR investments in the Tualauta Drainage project, which is classified as Infrastructure, go towards furthering community resilience.

D. Infrastructure

The proposed Tualauta Drainage infrastructure project will alleviate the flooding in Faleniu, Malae'imi, Nu'uuli, and Tafuna Villages, all located in the Tualauta District, American Samoa. The project is composed of constructing a new flow diversion structure at Leaveave Stream upstream of the Bridge at Route 001-Main Road and making improvements to the existing natural stream channels of Mapusagatuai, Taumata, and Vaitele Streams. Mapusagatuai Stream will be extended to connect to the current stream channel of Taumata Stream. These streams will eventually discharge under an existing bridge and through a double 24" diameter ppe culvert crossing at Route 016-Industrial Park Road. The proposed project has an approximate total length of 2.7 miles, and it would include a series of lined reinforced concrete open channels with box culvert crossings for access roads and driveways.

The Tualauta Drainage project contributes to the long-term recovery of the impacted communities within the Tualauta District by improving the stream channel to establish better hydraulic capacity, stop nuisance flooding and delineate stream bank lines to prevent more encroachments due to developments and minimize sediment transport. The benefits of the project are to mitigate the impacts of severe rainfall, inland flooding, and landslides upon the population of the identified villages in the Tualauta District. By doing so, the project contributes to the long-term recovery and restoration of housing by adding an additional layer of flood protection to primarily low- and moderate-income residents that would only otherwise be achieved through the very expensive elevation of multiple residential structures or through the destabilizing relocation or displacement of vulnerable residents, which is disruptive to maintaining community fabric and generally undesired.

The project does not include activities that will result in the displacement of any individuals, including protected classes. DOC plans to minimize the displacement of persons on its CDBG-DR program and will evaluate and monitor any potential displacements. For any potential road closures or other potential restrictions of access occurring during the course of construction, DOC and other local partner departments, will notify residents and commuters of detours and alternative access plans consistent with standard information and communications procedures for the Territory.

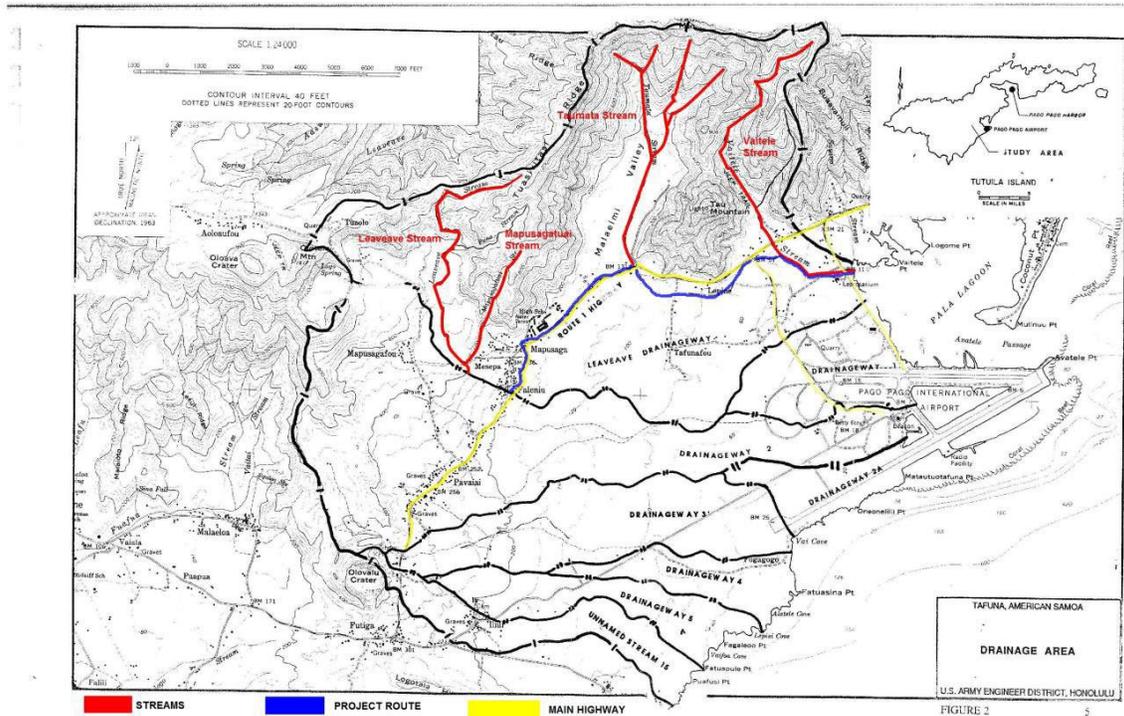
The proposed flood mitigation project is to match the hydraulic capacity of the existing bridges on Route 001-Main Road; however, the approach structures will be reconstructed by widening and trimming existing features to re-establish original bank lines to provide for 15-year storm event working area limits and to provide more remarkable scour protection and improved conveyance capacity.

The Leaveave Stream is the beginning of the proposed project (-14.325310,-170.745583). The 15-year average recurrent interval (ARI) storm event stream flow will be diverted to Mapusagatuai Stream (Lat. 14.0324134S, Long. 170.744177W). The diversion of the 15-year ARI stream flow from Leaveave is made by constructing a reinforced concrete wall to redirect the flow to the new alignment using a series of sizes of single barrel box culverts. The stream flow diversion is necessary due to untraceable stream alignment or stream bank lines approximately 2,000 linear feet downstream of Route 001 (Refer to Tafuna Plain Drainage Study done by U.S. Army Corps of Engineers, Pacific Division, October 1994). The length of the proposed diversion drainage structures is approximately 1,245 linear feet.

Mapusaga-tuai Stream is along Route 001 - Main Road. The stream starts at Lat. 14.324134S, Long. 170.744177W and ends at Lat. 14.317972S, Long. 170.735337W. This stream receives the storm events flow of up to 15-year ARI magnitude discharge from Leaveave Stream's release and Taumata Stream's release. This stream is approximately 3,500 linear feet.

Taumata Stream begins at the Malaeimi Valley. However, the proposed stream improvement begins downstream of Route 001-Main Road, which has a Lat. 14.317949S, Long. 170.735299W and ends at Lat. 14.316755S, Long. 170.722893W. This stream is approximately 6,310 linear feet. The Vaitele Stream improvement will start downstream of Route 001- Main Road with Lat. 14.316399S, Long. 170.723119W and ends at the existing outfall with Lat. 14.317717S, Long. 170.717030W. The proposed stream improvement is approximately 3,245 linear feet.

Table1-3: Topographic Map Tualauta District



As described above, the Tualauta Drainage project was identified as the primary recipient of CDBG-DR funds as proposed in this Substantial Amendment. The justification for this investment includes the fact that of all the areas in the Territory impacted by Tropical Cyclone Gita, the Tualauta District has the greatest number of residential buildings, schools, government facilities, and businesses. The proposed project will create stormwater drainage infrastructure improvements to six streams along a 2.7-mile course, resulting in better hydraulic capacity, the reduction of nuisance flooding, and the protection of residents against a 15-year storm event.

The proposed project will mitigate flooding in Faleniu, Malae’imi, Nu’uuli and Tafuna Villages, all of which are located in the Tualauta District. The project design will incorporate nature-based infrastructure into its scope, as indicated by areas where the existing streambed will be restored, as compared to having culvert, supporting structures, and retaining walls put in place throughout the length of the project. This project addresses an unmet Infrastructure need not addressed by other sources of funding. By providing additional drainage capacity, this CDBG-DR funding infrastructure activity provides additional protection to homes against various flood-related hazards, and as such advances long-term resilience goals. Additionally, this project will be coordinated with other planned Territory investments in enhancements to drainage capacity. The mitigation measures that come with this project allow for the planned growth for the Tualauta District and Tafuna plain. The mitigation that occurs through this drainage improvement project allows for coordination with community stakeholders at the local level across multiple villages. This stormwater drainage work is done in accordance with mitigation planning goals, and is coordinated with related drainage projects in neighboring jurisdictions.

The Tualauta Drainage project is funded in its entirety with CDBG-DR funds, except for the portion of design costs already incurred by the Department of Public Works, also used to inform the environmental review of the project. The project is currently at the level of conceptual design. The Tualauta Drainage project is a complete drainage project in and of itself. The project is designed to be integrated with future drainage projects, particularly the adjacent drainage project in Fagaima, which is currently proposed for CDBG-MIT funding.

The entirety of American Samoa is the most impacted and distressed area (MID) from Tropical Cyclone Gita. This project is located in the MID. All of the funding is going towards the MID, thus meeting the requirement that at least 80% of funds address unmet needs in the MID area.

The Tualauta Drainage project will follow Section 3 requirements, as described at 24 CFR 135, to provide economic opportunities for low- and very low-income persons. DOC will develop policies and procedures for the Tualauta Drainage project which will include details on how DOC will work with contractors and subrecipients to understand and follow Section 3 implementation and reporting requirements. As an infrastructure project partially located in the floodplain, the Tualauta Drainage project will meet the requirements of 24 CFR Part 55 "Floodplain Management and Protection of Wetlands."

Construction of the project is anticipated to last one year and three months, but construction is not anticipated to initiate until after design is complete, followed by procurement, pre-construction work, environmental review approvals and permits . The project is currently in the design phase.

Responsible Entity: ASDOC is partnering with DPW to advance the Tualauta Drainage project. DPW is currently advancing architectural and engineering services, which will inform the bid and award process for construction services based on the final design. As the CDBG-DR grant recipient, ASDOC will work with DPW as a subrecipient of CDBG-DR funds.

Environmental Review: The Tualauta Drainage project has undergone an Environmental Assessment review under the approval of FEMA, which ASDOC will rely upon in securing approval to use grant funds under the environmental procedures, whose requirements are outline in 24 CFR part 58.

Allocation: ASDOC is proposing allocating \$21,887,050 in CDBG-DR funds towards this project.

National Objective: Based on the service area of the drainage protections, this project is anticipated to meet the Low- and Moderate-Income National Objective through a Low-and Moderate-Income Service Area (LMA) analysis. Factors taken into account include the geographic area and primarily residential benefit as well as the demographics of the villages benefitting from the flood protection the drainage enhancements provide.

Eligible Activity: This project meets the criteria of the Public Facilities and Improvements eligible activity as described at 24 CFR 570.201(c), which covers the acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvement

E. Planning

As indicated in this Substantial Amendment, ASDOC is proposing to reallocate \$3,455,850 in Planning costs from the initial Action Plan, towards other Program activities, primarily the Tualauta Drainage infrastructure project. This is based on programmatic decisions and an evaluation of Planning needs, which had originally been budgeted for 15% of the total CDBG-DR award, the maximum amount of funding. This funding amount was not based on the total anticipated need. As of this Substantial Amendment, CDBG-DR funds are allocated towards Planning activities.

F. Administrative

This Substantial Amendment does not propose reallocating an administrative funding approved in the initial Action Plan to other projects or activities.

DOC is allocating \$1,151,950 towards administrative activities, the maximum 5% of the overall CDBG-DR grant that can go towards Administration. These funds will support ASDOC staff in the management and oversight of the CDBG-DR grant, as well as support other administrative functions such as office space and supplies, and equipment. Pre-award costs, meaning costs incurred before the signing of a grant agreement with HUD, are eligible for reimbursement with allocated administrative funds.

G. Duration of Funding

The CDBG-DR Program requires that all funds be utilized within six years of grant agreement. Based on HUD's partial action plan approval, the current grant agreement was approved on March 25, 2022 , and funding will expire on March 25, 2028. The expenditure of funds is anticipated through the first Quarter of 2028.

V. RECOVERY GOALS & COMMITMENTS

A. Basis for Funding Allocations

Overall, the basis for the funding allocation award to the American Samoa Government for the Community Development Block Grant – Disaster Recovery program is to meet the priority unmet need. The CDBG-DR allocation will be used to administer and implement approved CDBG- DR activities. The infrastructure activity, Tualauta Drainage, is being proposed as ASG’s only CDBG-DR funded activity, aside from Administrative costs. This is the priority of unmet needs tied to Tropical Cyclone Gita. ASG intends to maximize the use of funds to administer and implement this project.

The Administrative funds will be used to administer the CDBG-DR program, including covering personnel salaries, supplies and equipment, advertisements, travel, contractual services, and other eligible expenses. Federal and local rules and regulations will apply to all fiscal transactions. Internal controls have been put in place to ensure accountability. All Administrative costs are required for internal review and approvals before being processed on DRGR. Proper justification is required for every payment request.

Project Costs: The allocation of project costs will be used to implement and deliver the approved activity. ASG intends to follow the procurement process outlined in the approved financial certifications. The plans for the Tualauta Drainage were worked on by the Engineers of the Department of Public Works and reviewed by DOC’s CDBG-DR Engineer. Project funds will cover the contract(s) costs for executing the Tualauta Drainage according to the activity’s scope of work.

B. CDBG-DR Budget Summary

Changes have been made to the original budget. This was based on a review of the program needs at the time of the submission of this Substantial Amendment. It has been determined that the 15% of eligible funds for Planning costs is no longer a need. Therefore, planning costs are being requested to be transferred to Program costs. Therefore, the substantial change in the budget is that Program funds will increase by over \$3 million, and there will no longer be any funds allocated to Planning.

ASG Grant			
	Original	Amendment	Difference
Total Award	\$23,039,000	\$ 23,029,000.00	\$0
Administration	\$ 1,151,950	\$ 1,151,950.00	\$0
Planning	\$3,455,850	\$	\$(3,455,850.00)
Program	\$18,431,200.00	\$ 21,887,050.00	\$ 3,455,850.00

Table 5-1: CDBG-DR Budget

C. National Objectives

Section 104(b)(3) of the Federal Register Notice pinpoints that the national objectives are to be

achieved in the CDBG program by ensuring that each funded activity meets one of the following three:

- Benefiting Low- and Moderate-Income (LMI) Persons
- Preventing or Eliminating Slums or Blight
- Meeting Urgent Needs

The statute also states that each grant recipient must ensure that at least 70% of its expenditures must be used for activities qualifying under the first national objectives benefiting Low- and Moderate-Income Persons.

In this case, as determined in the Demographics section 2. A, it is determined that national objectives met within the project service area for the project based on a low-and moderate income services area (LMA) analysis, where greater than 51% of the household benefiting from the project investment are LMI Persons.

D. CDBG-DR Project Plans

The Department of Public Works, in conjunction with the District's Representatives and Village Council, will implement a regular semi-annual compliance program to ensure proper project maintenance. Department of Public Works will assume responsibility for system maintenance once the work is complete. The Civil / Highway Division of the department will regularly monitor the structure's integrity. The Maintenance and Operations Division of the department will carry out any maintenance measures, repairs/issues, and concerns about improvements. Maintenance includes removal of debris from the debris basins, swale, and laterals on a 6- month basis; or as needed following major storms. An annual inspection of the debris barriers, swale, culverts, riprap, and laterals and mowing of the swale and banks along the lateral. No CDBG-DR funds will be used for the maintenance or operations of the Tualauta Drainage project.

The proposed project is an improvement by hardening and redefining the natural waterway and promoting better conveyance of the stream runoff to the existing outlet. The proposed project also includes rehabilitating the existing identified wetlands and the improvements that act as temporary detention basins, enhancing the aquifer's natural recharger. All of these measures can be considered green infrastructure or nature-based solutions. Further, these two wetland areas minimize the size of the design structures so as not to affect adjacent properties. The proposed systems do not alter the base flood elevation of the existing streams. In other words, the proposed improvements will not force the stream flow to rise above the base flood elevations reflected on the FIRM Map if the 1% chance of storm is equaled or exceeded. Further, the hardening of the stream banks is to protect the stream easements from future encroachments due to developments that are becoming rampant, especially on Tafuna Plain, where the industrial zone of Tutuila Island is located. Defining or hardening the stream bank line will protect lives and properties from nuisance and the consistent flooding impacts during every heavy normal rainfall.

E. Leverage of Funds

All CDBG-DR planning and project dollars will be committed to developing and completing the Tualauta Drainage project to improve and protect beneficiaries and target the unmet need of LMA and LMI persons.

As part of the Territory's ongoing recovery efforts, ASG-DOC leverages CDBG-DR funds with the

following sources of funds which may include but are not limited to:

- Low-Income Housing Tax Credit Programs;
- HOME Program;
- Medicaid Funded Provision of Medical Services;
- FEMA PA;
- New Market Tax Credit Programs;
- Historic Tax Credit Programs;
- Live Performance Tax Credits Programs;
- HUD 242 Loan Program;
- Private Resources (Developers/Non-Profit Organizations); and
- State Capital Outlay Program.

Additionally, ASDOC's allocation of \$1,470,000 in Community Development Block Grant—Mitigation (CDBG-MIT) is proposed to go towards an drainage project which will be located adjacent and immediately to the West of the CDBG-DR funded Tualauta Drainage project.

F. Public Infrastructure

Flooding caused by normal frequency rains that impact the island of Tutuila will be alleviated because four (4) out of the six (6) streams will have enhanced flow characteristics due to the proposed improvement proposed project's conceptual design and preliminary study object are based on the FIRM Map and the actual scenarios of very heavy rains. According to the FIRM Map and the existing condition, the proposed project does not change the stream alignment but restores it based on its original configuration. The proposed Tualauta Drainage project addresses flooding associated with an anticipated 15-year storm. The alternatives of addressing a 25-year storm event and 50-year storm event were evaluated by looking at flooding parameters and development restrictions that would be enforced to prevent future encroachments to drainage features. The 25- or 50-year storm event construction requirements could become add-on improvements to the proposed Tualauta Drainage project, recognizing additional benefits come with additional costs. The BCA was very conservative, with only those structures constantly getting flooded being considered, and information regarding residential buildings, businesses, elementary schools, and village access roads not included. Damage assessments completed by FEMA during the 2018 flooding of Tropical Cyclone Gita and the cost of drainage and road improvements for 2018 are the only elements considered in the calculation of the BCA. If left unaddressed, the costs of managing flooding, which will reoccur, before the designed life of the project, without implementing the project, will likely be more expensive and will not address the actual flooding within the Tualauta District.

G. Program Income

Any program income resulting from the Tualauta Drainage Project derived from CDBG-DR funds will be re-allocated to the purposes for which this plan has been developed. By doing so, DOC will ensure that program income will aid in the continuing recovery process for the marked area for the project and allow maximum benefits to be accomplished by using CDBG-DR funds. It is not anticipated that the Tualauta Drainage project will generate any revenue at this time.

H. Performance

When the Tualauta Drainage Project moves through implementation, the CDBG-DR staff will evaluate performance reports and determine any corrective action as needed. Based on performance, the CDBG-DR Staff and DOC management may determine the need to modify the existing project. This effort will work in conjunction with the ongoing needs assessment and will resolve any adjustments, enhancements, or improvements to the overall project and its implementation. All changes to proposed CDBG-DR-funded activities will be documented in this substantial amendment to this Action Plan.

I. Citizen Participation

The American Samoa Government must ensure adequate citizen involvement by providing everyone an opportunity to be part of the planning, implementation and evaluation process of its CDBG-DR funding allocation.

To ensure CDBG-DR funds are awarded and implemented timely, the Citizen Participation requirements for American Samoa's CDBG-DR funding does not mandate public hearings. Accordingly, the provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, and 24 CFR 91.115(b) and (c) are waived. However, the Citizen Participation requirements for CDBG-DR in American Samoa are as follows:

a) Participation

The Citizen Participation Plan for CDBG-DR mandates ASG to encourage and facilitate the participation of all its residents, including minorities and non-English speaking persons, and persons with disabilities, in the planning process for its CDBG-DR funds. Service providers, government agencies, and others in developing the CDBG-DR Action Plan and Amendments (substantial or non-substantial) are also encouraged to participate.

Participation is highly encouraged in discussions about identified needs, prioritization, funding allocation, and recommendations relevant to the unmet needs of the territory as a result of Tropical Storm Gita. The ASG shall provide for and encourage citizen participation with particular emphasis on:

- 1) Low-and-moderate-income persons;
- 2) All persons residing in American Samoa as a low-moderate income area; and,
- 3) Persons residing in areas affected by the proposed use of CDGB-DR grant funds.

ASG shall ensure that limited English proficiency (LEP) populations have meaningful access to federally funded programs, services, and written materials.

The territory is also committed to complying with Section 508 of the Americans with Disabilities Act (ADA) by providing reasonable modifications enabling full participation of residents with disabilities upon request. As a recipient of HUD financial assistance, any sub-recipients, partners, or grantees must ensure appropriate steps to communicate effectively with individuals with disabilities.

American Samoa's CDBG-DR Action Plan was coordinated through the Governor's Office and in collaboration with key ASG agencies, including the: Office of Disaster Assistant and Petroleum Management, Department of Human and Social Services, Department of Homeland Security, Department of Public Works, the American Samoa Community College, the American Samoa Power Authority, the American Samoa Telecommunications Authority, the LBJ Tropical Medical Center, Port Administration, and Treasury. These agencies were involved in immediate disaster recovery efforts for

the territory and are all deemed as stakeholders to review and determine the unmet priority needs of American Samoa as a result of Tropical Storm Gita.

b) Public Comments

The initial Action Plan was required to be posted to the ASG CDBG-DR website for a minimum of 30 days. ASG is required to provide residents, service providers, government agencies, and other stakeholders ample time, not less than 30 days, to review and/or comment on the proposed use of CDBG-DR funds.

For the initial Action Plan, public notices were published via newspaper of general circulation to announce the purpose, time and for a 30-day public comment period, which began on Thursday, October 22, 2020, and ended on Monday, November 23, 2020, at 4:00pm, with comments directed to the CPD Director. For the first Substantial Amendment, the 30-day public comment began on Wednesday, July 27, 2022, and ended on Friday, August 26, 2022, at 4:00pm, with comments directed to the CDBG-DR Coordinator. As required by 24 CFR Part 91, interested persons were invited to submit comments in writing. Contact information is provided on all public notices as well as on any of the documents or materials being considered. All comments are reviewed with documented responses incorporated in the Action Plan.

c) Availability and Accessibility of the CDBG-DR Action Plan

A copy of the CDBG-DR Action Plan and any amendments are available at the Department of Commerce and on the agency's disaster recovery website. A copy of the plan is also made available upon request. When the need is anticipated or requested, language translation services shall be made available for LEP residents as well as accessible for persons. This will also include performance reports and any substantial or non-substantial amendments.

Public comments on the CDBG-DR Action Plan are welcome within the 30-day comment period as required by 24 CFR Part 91. A copy of the Action Plan can be accessed on the DOC recovery website and a hardcopy can be reviewed at the Department of Commerce. Translation into and out of native language (Samoan) that is widely spoken will be provided.

When the need is anticipated or requested, language translation services shall be made available for Limited English Proficiency (LEP) populations as well as accessible means for persons with disabilities. This will also include performance reports and any substantial or non-substantial amendments.

For physically accessibility and reasonable accommodations, as a recipient of CDBG-DR funds must make auxiliary aids, services, or special accommodations available to applicants for and beneficiaries of CDBG-DR funds. DOC will limit barriers to participation and providing reasonable accommodations as needed to make program materials accessible to persons with disabilities. DOC will clearly provide communications through its disaster recovery website at <http://www.cnmi-cdbgdr.com> and will respond to requests for interpretation or language access and TTY and relay services. Public hearings will be made virtually, which includes the use of audio, captioning, and access technologies, or held in buildings that are compliant with the Americans with Disabilities Act (ADA). Copies of the Action Plan and program materials will be accessible at the DOC offices, and DOC will provide sign language assistance, special assistance for those who are visually impaired, and other access when requested.

DOC will furthermore work with local non-profit and community-based organizations such as the American Red Cross to ensure information is accessible to all interested parties regardless of disability status.

d) Consultation

For the initial CDBG-DR Action Plan, stakeholder meetings were held among ASG agencies and non-government organizations who were involved in disaster recovery during Gita to discuss potential projects for CDBG-DR funding consideration based on a complete unmet needs' assessment. Everyone came with their proposed projects in mind, with the ultimate priority was housing and infrastructure for long-term recovery from Gita. Subsequent information, as reflected in the first Substantial Amendment, focused investments on infrastructure, which also provided protections to housing stock.

e) Substantial Amendments

There are times when it may be necessary for ASG to process a 'substantial amendment' to its CDBG-DR Action Plan to allow for new project activities; modification of existing activities or other program administrative actions.

Any substantial amendment is subject to the CDBG-DR Citizen Participation Process, and requires formal action by the ASG and final approval from HUD. A thirty (30) day public notice is published to provide an opportunity for the public to review and comment on the proposed substantial amendment(s). ASG will consider all written and verbal comments received from the public. A summary of these comments will be included in the final submission to HUD. The summary will include unacceptable comments and reasons why they may be deemed unacceptable.

In accordance with 24 CFR Pat 91.505(b), the grantee must identify the criteria for determining if a proposed action is considered a 'Substantial Amendment.' The following criteria will be used by ASG - if any one of the following criteria applies:

- i. A new activity not previously listed and described in the CDBG-DR Action Plan;
- ii. When a proposal is made to amend the description of 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;
- iii. An increase in the amount of CDBG-DR funds allocated to an existing activity when the following apply:
 - a. An increase in funding for a CDBG-DR public service type activity in an amount greater than \$500,000 over the current funded amount; or,
 - b. An increase in funding for other activities (housing, infrastructure, and economic revitalization) in an amount greater than \$1,000,000 over the current funded amount.
- iv. In an effort to efficiently utilize CDBG-DR funds, ASG will consider reprogramming unspent funds from completed and canceled activities to other eligible activities. Activities under the

territory's thresholds may be canceled for cause and funds reprogrammed without resulting in a substantial change. Examples of causes are:

- Cancellation requested by the subrecipient (if any);
- Determination that insufficient funding prevents accomplishment of the activity; and,
- Determination that the project cannot be carried out in a timely or eligible manner.

In the event that any of the above administration reprogramming actions are over the threshold, and fall under the 'substantial amendment' criteria, the proposed actions are subject to the Citizen Participation process and will require formal action by the ASG, and notification to HUD.

f) Language Access

According to the best available data, the US Census 2020, of the population in American Samoa, 96% (46,987) speaks language other than English meaning the population is speaking English and another language while only 1% (570) does not speak English. The Territory of American Samoa contains a high concentration of people who speaks English as describe in the Frequency of English Usage detailed in the US Census data of 2022 resulting in the most prevalent languages are spoken in American Samoa are English and Samoan at 96% percent. This data represents all residents including the marked area for Tualauta District representing a majority of all residents.

Based on the US Census 2020 Language Frequency Data, DOC have determined since there is a very small amount of people who do not speaking any English (570) representing 1% of the population's Limited-English Proficient (LEP). Language for the LEP persons can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by DOC. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities may violate the prohibition under Title IV against discrimination on the basis of national origin. DOC will take affirmative steps to communicate with people who need services of information in a language other than English and Samoan.

In order to determine the level of access needed by LEP persons, DOC in its administration of CDBG-DR funded activities will balance four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the CDBG-DR program (2) the frequency with the LEP persons come in contact with the CDBG-DR Program (3) the nature and importance of the program, activity, or service provided by the CDBG DR program to people's lives; and (4) the resources available to the Territory and associated costs. Balancing these four factors will ensure meaningful access by the LEP persons to critical services in a way that is consistent, appropriate, and meaningful.

For oral interpretation in languages other than English, DOC will utilize a language for telephone interpreter services and/or partnered services with various organizations such the American Samoa Community College Language Department, American Samoa High Court and Arts & Humanities Council that have established a language provision. Due to the low percentage of LEP persons as 1% of the population island-wide and considering the CDBG DR funded activity of infrastructure with area benefit rather than individual or household

beneficiaries, DOC will not be providing written language translations of vital documents other than English. DOC will make every effort to provide public information to LEP persons in the administration of CDBG DR-funded activities by offering translated written notice in the primary language of LEP persons regarding the right to receive a competent oral interpretation of any written materials at no cost by providing oral interpretation in languages other than English when requested.

g) Non-substantial Amendments

ASG shall notify HUD at least 5 business days before an amendment becomes effective for a CDBG-DR Action that is deemed non-substantial. All CDBG-DR Action Plan amendments must be numbered sequentially and posted on the website.

h) Public Website

The CDBG-DR Action Plan, amendments (substantial and non-substantial), performance reports, citizen participation requirements, policies & procedures, procurement policies, and list of activities or projects described in the action plan will be made available online for public access at <https://www.doc.as.gov/cdbg>. Contracts will also be posted as defined in 2 CFR 200.22. The DOC website shall dedicate a section to the CDBG-DR funds for the territory.

The CDBG-DR grant award outlines the policies and procedures to facilitate that process and maximize public participation when putting together this substantial amendment to the initially submitted CDBG-DR Action Plan.

The American Samoa Government and all its constituents included in the CDBG-DR program will not discriminate against individuals with disabilities or any other classification protected by federal or territorial law in its services, programs, or activities. DOC will meet accessibility standards, provide reasonable accommodation to persons with disabilities in accessing services and information, and consider the functional needs of persons with disabilities in all processes of CDBG-DR program activity.

In practice, in-person public hearing events conducted as part of HUD-funded CDBG-DR activities will take place at an ADA-accessible location. Events held online or will provide accommodation to individuals with disabilities to ensure information is accessible. ASG will ensure digital information posted on its disaster recovery website complies with Section 508 of the Rehabilitation Act of 1973.

ASG will ensure access for individuals with limited English proficient (LEP) by provided translations of information and program materials, as is consistent with its Citizen Participation Plan, to ensure language is not a barrier to accessing benefits or services, understanding and exercising necessary rights, complying with applicable responsibilities, or understanding other information provided by DOC.

VI. PRE-AWARD IMPLEMENTATION PLAN

A. Financial Controls

The Single Audit Act, which standardizes requirements for federal auditing programs, requires a review of all federal programs by an independent Certified Public Accountant (CPA) for compliance with program requirements and proper expenditure of funds. The ASG and DOC finance department coordinates the conduct of a single audit with the Territorial Auditor Office. The single audit report completed for each fiscal year is submitted to the Governor of American Samoa and a copy to the Department of Commerce. It is available to the public on the ASG and DOC's websites.

B. Procurement

The Tualauta Project, which involves the reconstruction and new construction, will be required to meet Section 8 Housing Quality Standards detailed under local Construction Standards and the Fair Housing Accessibility Standards. Developments must also meet all local building codes or standards that may apply.

To improve the protection of County residents and property, site visits will be conducted regularly during construction to verify that the proper materials and construction standards are being applied during the project. As will all permitted construction, the Tualauta Drainage project will be inspected during these site visits using a detailed checklist to ensure all applicable construction standards are followed.

C. Prevention of Duplication of Benefits

Part of the process of duplication of benefits procedures includes verifying necessary and reasonable costs. This helps ensure that funds are efficiently and effectively utilized. They are determining critical and reasonable, appropriate applications to any project or program receiving funding, including adequate grant awards to fund the Tualauta Drainage Project and administrative funds.

D. CDBG Public Access Website

The American Samoa Department of Commerce houses the CDBG-DR grant under the Urban Planning Division. The CDBG-DR shares the public access via DOC's website. A webpage is dedicated to the AS CDBG-DR Program, at which a direct link is available on the DOC's landing page. To access the website, please visit <https://www.doc.as.gov/>.

E. Capacity Assessment

To improve the protection of beneficiaries and property, site visits will be conducted regularly during drainage construction to verify that the proper materials and standards are being applied during the project. As will all permitted construction, projects will be inspected during these site visits using a detailed checklist to ensure all applicable construction standards are followed.

F. Staffing

A Community Develop and Block Grant Project Coordinator will assume all coordination and monitoring responsibilities to complete the grant's life and the project's completion. The work of the Project Coordinator is supported by the staff identified in DOC's Capacity Assessment and Implementation Plan.

G. Criteria for Eligibility

Similar to CDBG, projects funded under CDBG-DR must meet one or more of the CDBG National Objectives such as:

- Benefiting low-and-moderate-income persons;
- Eliminating slums and blight (although generally not used in disaster recovery); and,
- Urgent Need

In accordance with 24 CFR § 570.482, CDBG-DR funds may only be used for activities including housing, public services, real property improvements, public facilities and economic development. The use of CDBG-DR funds for other allowable activities include mitigation as defined by waivers and alternative requirements as stipulated in applicable Federal Register Notices. Typically, CDBG-DR funds are used to address unmet needs that other federal programs have not yet addressed. CDBG-DR funds can also be used as match for state and federal funding with certain restrictions. Each CDBG-DR activity must do the following:

- Address a disaster related impact (direct or indirect) in a Presidentially declared area for the covered disaster;
- Be a CDBG eligible activity; and,
- Meet a CDBG National Objective

It is deemed ineligible to use CDBG-DR funds for projects in which other federal funds are already available for.

H. Applicable Laws and Regulations

The CDBG-DR grant is subject to comply with other applicable laws, both federal and local. A summary of specific laws and regulations are provided herewith with reference to the Community Development Block Grant and disaster recovery

Robert T. Stafford Disaster Relief and Emergency Assistance Act

Commonly known as the Stafford Act, the Robert T. Stafford Disaster Relief and Emergency Assistance Act was signed into law on November 23, 1988, which amended the Disaster Relief Act of 1974. The Stafford Act constitutes the statutory authority for most federal disaster response activities especially as they pertain to FEMA programs. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, among other things, establishes various authorities that the executive branch may exercise in an "emergency. The Act defines an "emergency" as any circumstance in which the President determines

that federal assistance is necessary to supplement state and local efforts to protect public health and safety

Public Law 116-20

Congress passed Public Law 116-20 on June 6, 2019, titled the 2019 Appropriations Act, making \$2,431,000,000 in CDBG-DR funds available for major disasters occurring in 2017, 2018, or 2019. American Samoa received an allocation of \$23,039,000 under Public Law 116- 20.

Federal Register Notices

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

Allocates funding to grantees

- Limits spending funds to the most impacted and distressed areas
- Describes waivers and alternative requirements governing the allocation
- Lays out the process grantees must follow prior to executing their grants
- Describes ongoing requirements for financial management and reporting

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

Fair Housing, Accessibility and Equal Opportunity

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

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

- The Age Discrimination Act of 1975
- Title IX of the Education Amendments Act of 1972
- Section 3 of the Housing and Urban Development Act of 1968

All activities undertaken with federal funding received from HUD are subject to the laws enforced by the FHEO. Together, federal and state laws prohibit housing discrimination based on a person’s race, color, religion, ancestry/national origin, sex, familial status, physical or mental disability, marital status, age, HIV infection, sexual orientation, and gender identity.

Cross-Cutting Federal Requirements

Other applicable federal requirements include the National Environmental Policy Act through an Environmental Review; understanding the Flood Insurance requirements for federally funded projects; applying labor standards like the Davis Bacon Act and related laws; fostering Section 3 of the Housing and Urban Development Act of 1968 for economic development opportunities; upholding the Federal Funding Accountability and Transparency Act; complying with the Federal Financial Management and Procurement Act as well as Lead-Based paint regulations along with the Uniform Relocation Assistance and Real Property Acquisition Act.

APPENDICES

Appendix A: Impact of Cyclone Gita on the Economy of American Samoa

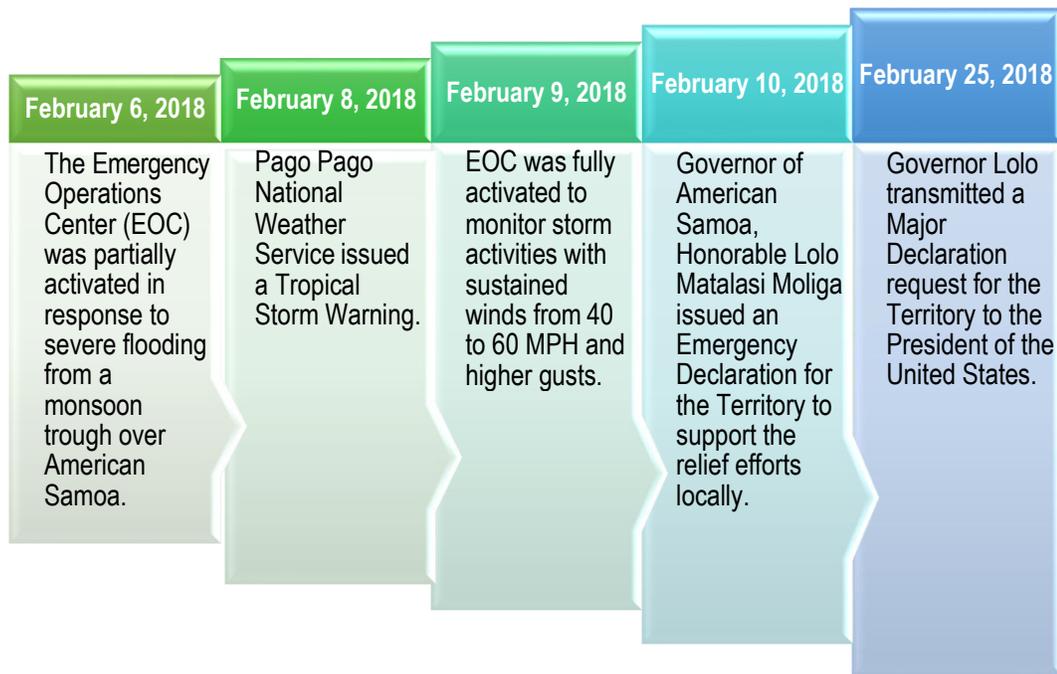
This appendix is available as a separate document and is considered as part the Action Plan.

Appendix B: Summary of Initial Storm Impacts and Response Efforts

This content was previously included in the initial Action Plan and has been moved to this Appendix as part of the first Substantial Amendment to provide transparency to stakeholders while allowing the text of the Action Plan itself to now focus on proposed recovery activities.

Home Visited	868
Survivor Interactions	3,953
Survivor Registrations	1,842
Case Updates	405
Case Inquiries	123
Whole Community Referrals	1,662
Other AFN Registrations	549

The following chart is a sequence of local emergency response in reference to weather conditions that impacted American Samoa prior to Tropical Storm Gita, and eventually through the devastating impacts of the storm that led federal response through a Presidential major disaster declaration on March 2, 2018.



The activation of ASG’s Emergency Operations Center (EOC) enabled central collaboration for staff and resources from various agencies and non-government organizations to respond to people’s emergency needs as a result of TS Gita.

The ASG operated 24 emergency shelters consisting of public-school buildings and community church halls across the Territory for the community to seek refuge during severe weather. This also included the coordination and delivery of food, water and other necessities for immediate relief.

Between March 23, 2018 and April 19, 2018, Disaster Survivor Assistance (DSA) Access Functional and Unmet Needs (AFN) assessments were conducted and yielded the following results:

Crisis counseling programs were provided immediately for the community to receive service program assistance that lasted between April and June 2018. Regular crisis counseling services continued between July 1, 2018 and April 9, 2019. The data for crisis counseling services are as follows:

Immediate Service Program		Regular Service Program	
Individual Counseling	3,487	Individual Counseling	3,487
Group Encounters	173	Group Encounters	173
Brief Education	873	Brief Education	746

The American Samoa Government allocated \$500,000 of its local funds for a Disaster Relief Food Assistance Program. Due to limited funding, the team prioritized benefit for the neediest households that were impacted by the tropical storm. An intake application process took place on October 9-22, 2018 to review all applications for assistance. The dissemination of food assistance benefits began on

December 21, 2019 as soon as funding became available to the American Samoa Government. The following data is an overall view of the clients or beneficiaries served by the DHSS.

Disaster Relief Food Assistance Program

Total Applied	7,359 individuals or 1,937
Total Approved	2,325 from 903 households
Total Benefits Issued	2,178 individuals (147 didn't claim benefits due to being away from the territory for the holidays or deceased when benefits were issued by December 21, 2018)
Value of Benefits	\$185 / person
Budget Allocation	\$70,000 for Administrative Costs \$430,000 for Benefits

Disaster Case Management Programs were also provided although it delayed due to challenging issues that the program did not launch until February 2019. As a result, 206 cases were identified and all needed 100% home repairs. Only 6 cases were closed with 200 pending. Disaster cleanup efforts can also trigger emotional stress and strain on families. The overwhelming feeling that each survivor cannot control the situation can cause emotional crisis. Village and community homes which we commonly refer to as guest houses are cultural spaces where village events occur. It is also the center of any community or village to gather to meet, celebrate, mourn or gather for a big family or village event. These traditional houses or guesthouses were not deemed eligible for repair and it led to an unmet need for many whose guesthouses were severely damaged by Tropical Storm Gita.

Outreach efforts were conducted by the Disaster Case Management program in collaboration between ASG (in this case the DHSS was the administering agency) and a non-government organization called the American Samoa Volunteer Agencies Active in Disasters (ASVOAD). Both groups worked towards identifying any and all unmet needs. The outreach programs enabled this public-private partnership to identify the types of available programs on island. These outreach programs included community groups like farmers and ethnic communities like the Fijian, Chinese, Korean, Tongan, and Filipino to ensure they all understand the available resources they can seek assistance based on their needs.

Appendix C: Certifications

Each grantee receiving a direct allocation of CDBG-DR funds as appropriated under Public Law 115-254 and Public Law 116-20, as described in the applicable Federal Register notices, must make the following certifications. These certifications were previously provided by DOC to HUD in a separate document and are now being included directly in the Action Plan for full transparency.

The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.

The grantee certifies that the Action Plan for Disaster Recovery is 11 under State and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG-DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice. The grantee certifies that activities to be administered with funds under this Notice are consistent with its Action Plan.

The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this Notice.

The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each local government receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).

Each State receiving a direct award under this Notice certifies that it has consulted with affected local governments in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the uses of funds, including method of distribution of funding, or activities carried out directly by the State.

The grantee certifies that it is complying with each of the following criteria:

(1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 2018 and 2019 pursuant to the Robert T. Stafford Disaster Relief and emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.).

(2) With respect to activities expected to be assisted with CDBG-DR funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.

(3) The aggregate use of CDBG-DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent of the grant amount is expended for activities that benefit such persons.

(4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG-DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).

The grantee certifies that it grant will conduct and carry out the grant in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations, and that it will affirmatively further fair housing.

The grantee certifies that it has adopted and is enforcing the following policies. In addition, States receiving a direct award must certify that they will require UGLGs that receive grant funds to certify that they have adopted and are enforcing:

- (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- (2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

Each State receiving a direct award under this Notice certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements of this notice. The grantee certifies to the accuracy of its Financial Management and Grant Compliance certification checklist (Public Law 115-56) or 116-20 Financial Management and Grant Compliance certification checklist, or other recent certification submission, if approved by HUD, and related supporting documentation referenced at A.1.a under Section VI and its Implementation Plan and Capacity Assessment and related submission to HUD referenced at A.1.b under Section VI.

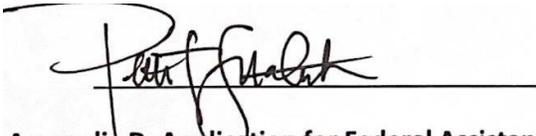
The grantee will not use grant funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the State, local, or tribal government or delineated as a special flood hazard area (or 100-year floodplain) in FEMA's most recent flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the State, local and tribal government land use regulations and hazard mitigation plan and the latest issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.

The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.

The grantee certifies that it will comply with environmental requirements at 24 CFR Part 58.

The grantee certifies that it will comply with applicable laws.

Signature of Official Responsible for CDBG-DR Recovery Implementation:

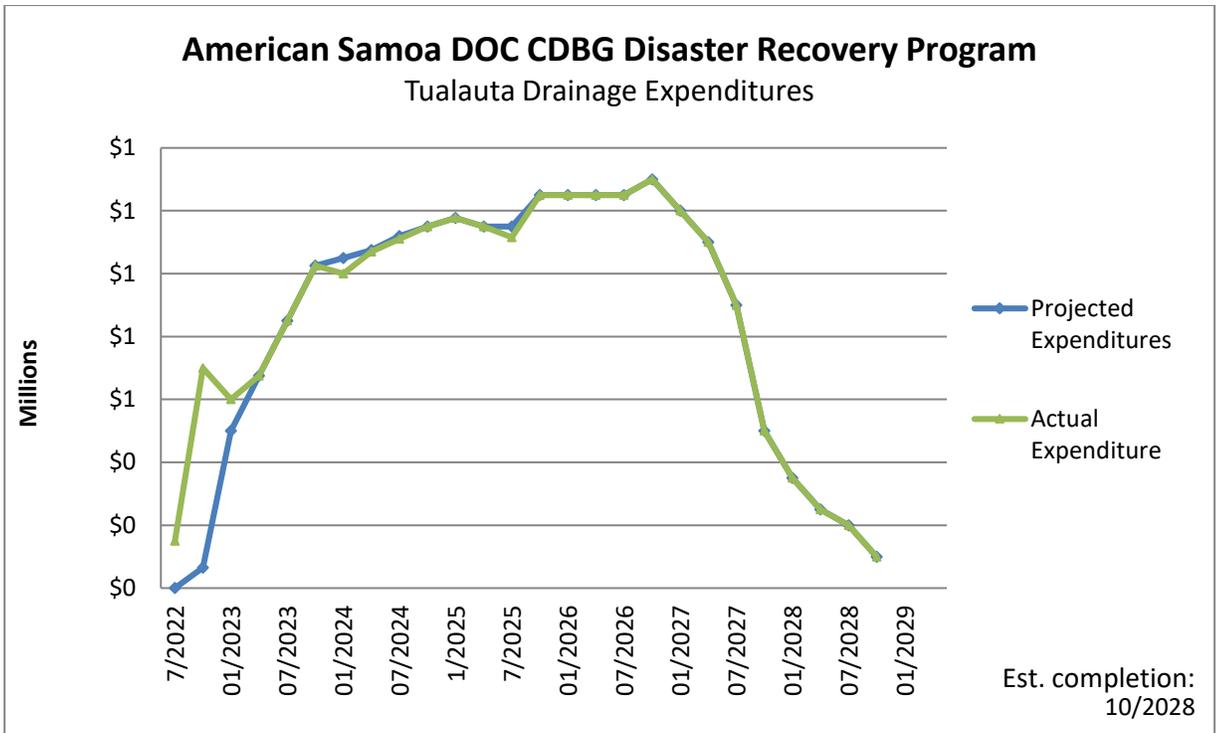
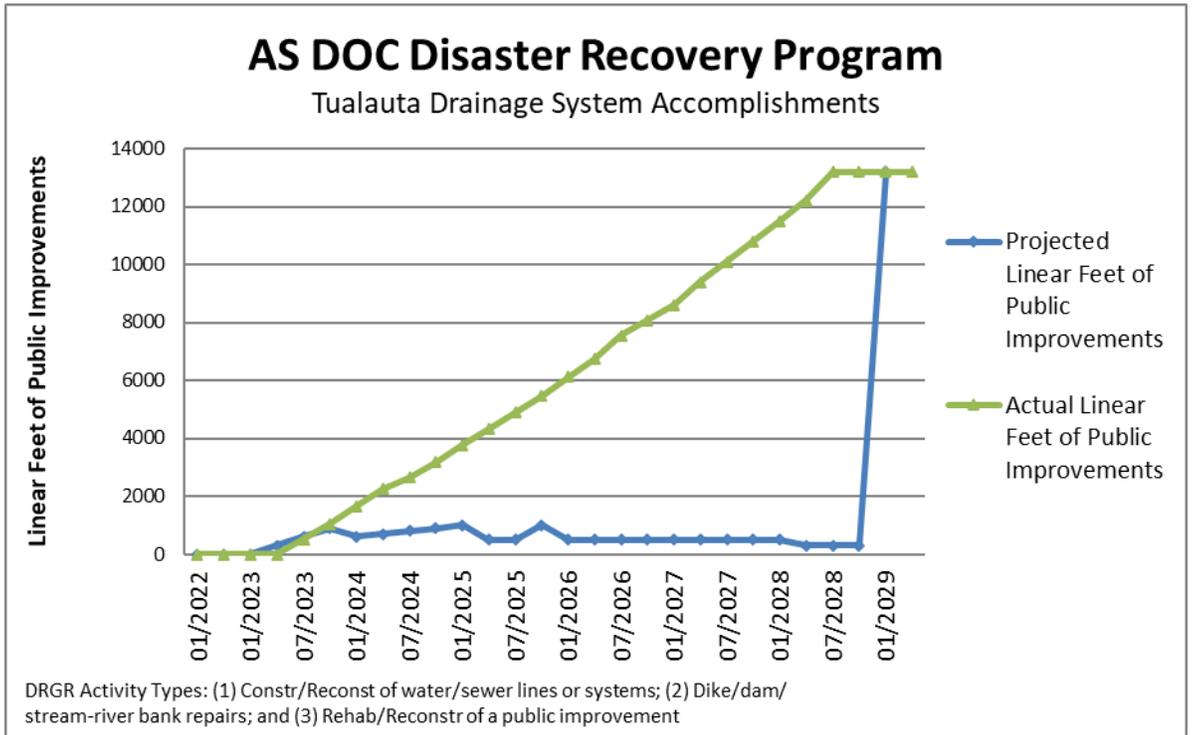


Appendix D: Application for Federal Assistance SF-424

Grantees are required to submit an Application for Federal Assistance SF-424 form. AS DOC submitted this to HUD at the time of submittal of the initial Action Plan, and which is being incorporated into the Action Plan for full transparency.

AS DOC intends to submit an updated SF424 that will supersede the previously submitted SF424

Appendix E: Projections for Expenditures and Performance Outcomes



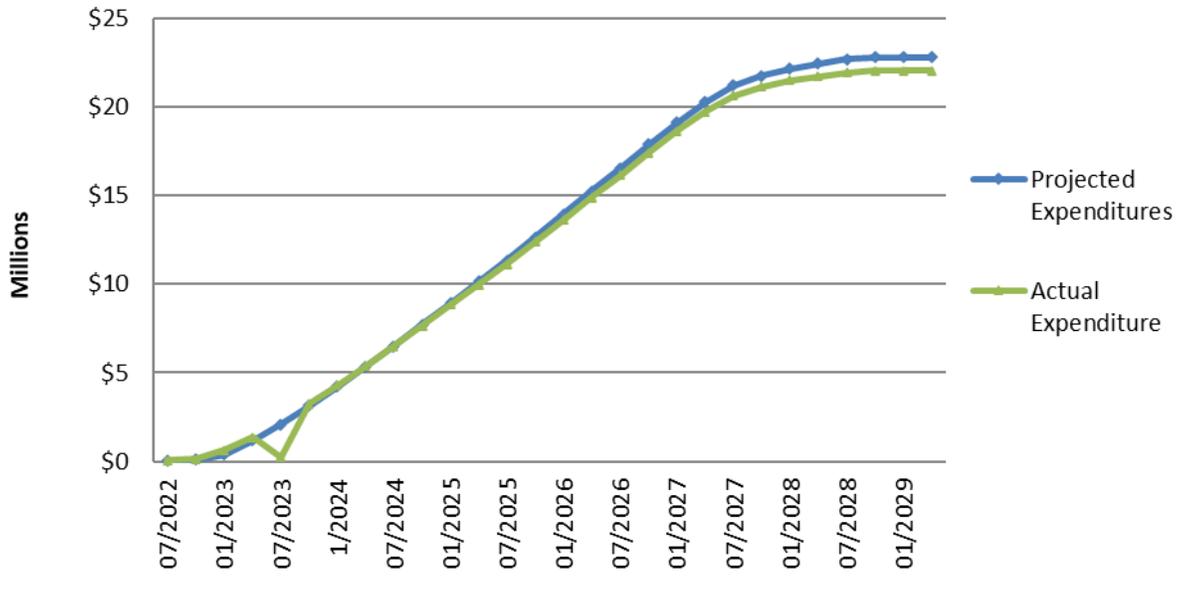
AS DOC Disaster Recovery Program

Administrative Expenditures



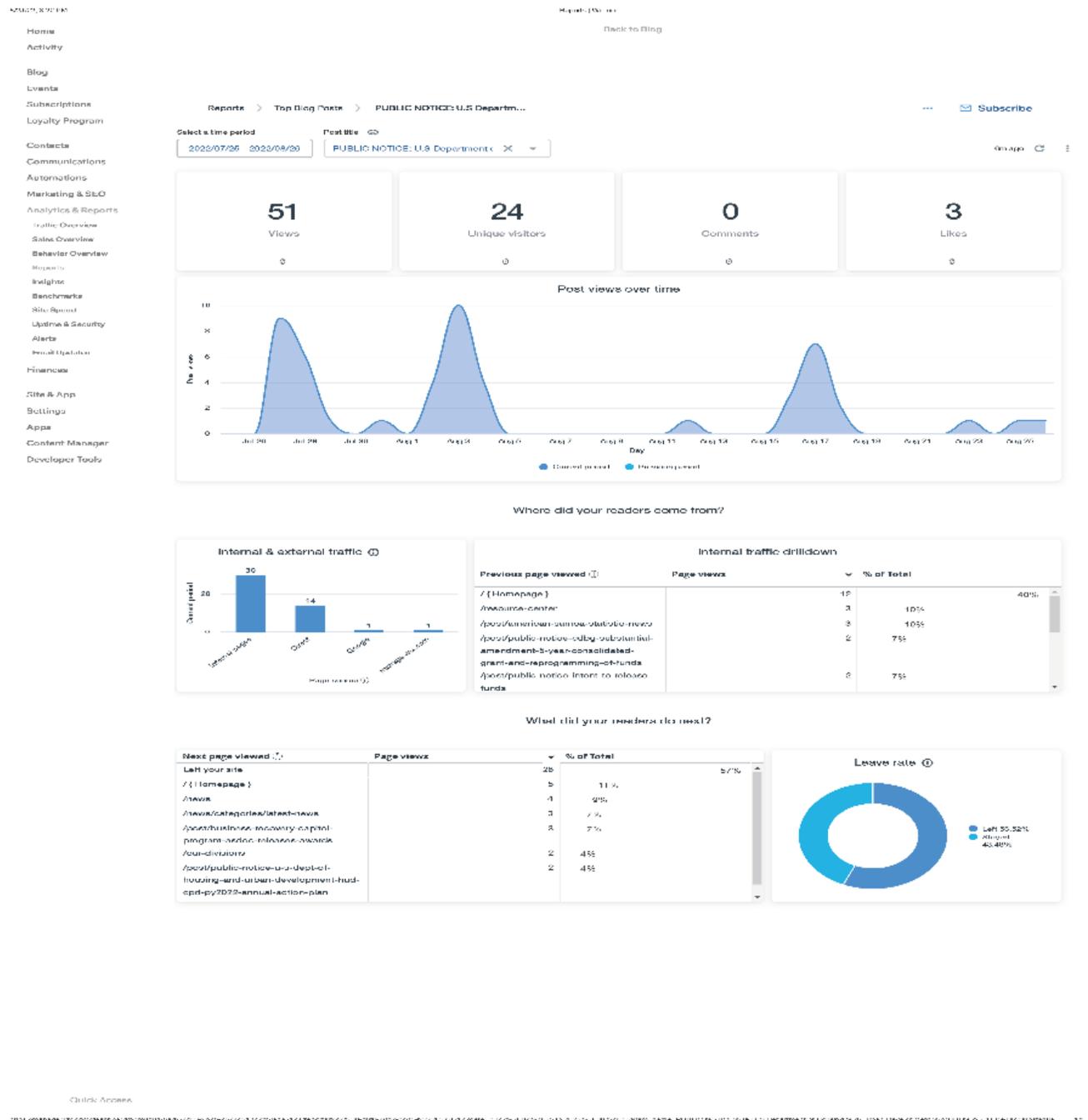
AS DOC CDBG DR Disaster Recovery Program

Total CDBG-DR Grant Expenditures



Appendix F: Summary of and Response to Public Comments

For the Substantial Amendment to the CDBG-DR Action Plan, the public comment period ran from July 27, 2022, to August 26, 2022. Again, AS DOC published public notices announcing the publication of the Substantial Action plan and requesting review and public comment (see, for example, the first



page of this document) and promoted the Substantial Amendment on its disaster recovery website. To provide additional outreach, AS DOC disaster recovery staff discussed and promoted the Substantial Amendment with staff in ASG government offices and departments who are engaged in the recovery efforts or are providing services through supporting and supplemental programs. Given the small size and tight-knit nature of communities in American Samoa, a word-of-mouth approach is effective, especially when information comes through organizations where there is already trust, and ties to the

community are strong. The citizen engagement and outreach, and promotion of the Substantial Amendment have been done consistently with ASG's Citizen Participation Plan.

During the public comment period for the CDBG-DR Action Plan Substantial Amendment, AS DOC received **no** public comments. No public comments were received. Therefore, no responses were reviewed. A website traffic report is attached to reflect all DOC efforts to gain public participation.

The American Samoa Department of Commerce posted the initial draft Action Plan on the ASG CDBG-DR website for public comment between October 22, 2020, and November 23, 2022. Information on submitting public comments via email and in person was prominently featured on American Samoa's disaster recovery website and within the Action Plan.

During the public comment period for the initial draft Action Plan, AS DOC received no public. DOC gauged public participation by announcing the public period via social media, Email Campaigns, and word of mouth.

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