

# PUBLIC COMMENTS

## STATE OF LA CDBG-MIT ACTION PLAN SUBMITTAL

December 23, 2019

Thank you to all parties submitting comments, questions and input on the state Action Plan for CDBG-MIT funding. The attention and diligence of all stakeholders participating in this process has greatly enhanced the Plan. To increase clarity regarding public comments on the Plan and the state's response, the state has grouped related comments into the below categories and responded accordingly. Similarly, where stakeholders submitted reference material or documents, the state has referenced and attached these documents herein for the public's awareness.

- I. **Action Plan Programs**
- II. **Administration and Timeline**
- III. **Most Impacted and Distressed (MID) Areas**
- IV. **Modeling**
- V. **Regional Watershed Management and Governance**
- VI. **Provisional Watershed Region No. 7**
- VII. **Development Patterns**
- VIII. **Collaboration**
- IX. **Watershed Projects Grant Program: Local and Regional – Round 1**
- X. **Location-Specific Projects**
- XI. **General Questions**

### I. ACTION PLAN PROGRAMS

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*Note: The following comments address the “Non-Federal Cost share Assistance” program in the subject Action Plan, and are grouped and answered collectively below.*

1. **PUBLIC COMMENT:** *Will there be a local match allotment through HUD funding for GOHSEP projects in Acadiana?*
2. **PUBLIC COMMENT:** *Will there be an opportunity to match projects from the HMGP?*
3. **PUBLIC COMMENT:** *Will the state provide a local match for HMGP projects?*
4. **PUBLIC COMMENT:** *East Baton Rouge Parish thanks Governor Edwards, his Administration and the Louisiana Office of Community Development for its support of the future resilience of Louisiana. EBR Parish is in full support of a regional, data-driven and coordinated approach to improving existing flood protection measures. We commit to being a partner and leader in those efforts, in conjunction with the Louisiana Watershed Initiative. Additionally, the critical assistance provided under the proposed Non-Federal Cost Share Assistance program included within this Action Plan provides local government with much-needed financial support to enact additional resilience measures, ultimately benefitting the resilience of our citizens and our region. EBR Parish commends the involved agencies for their work in developing the watershed approach. We fully*

*support this Action Plan, and request every appropriate consideration from HUD for its evaluation and approval.*

**RESPONSE:** The subject Action Plan includes a “Non-Federal Cost Share Assistance” Program that allocates \$96,988,107 to provide non-federal cost share assistance for eligible programs. These programs include: FEMA’s Hazard Mitigation Grant Program (25 percent non-federal cost share), FEMA’s Nondisaster Hazard Mitigation Assistance (HMA) Programs, Flood Mitigation Assistance (FMA) and PreDisaster Mitigation (PDM), USDA’s National Resources Conservation Service (NRCS) grant programs; and/or any other federal programs requiring a non-federal cost share, as applicable.

*Note: The following comments address the “Large-Area Buyouts and Traditional Nonstructural Mitigation” program in the subject Action Plan (within Program Area 2: State Projects and Programs), and are grouped and answered collectively below.*

5. **PUBLIC COMMENT:** *Buyout Program: 1. Good in rural Areas 2. Not good in developed areas due to buyout and vacant land in subdivision. What’s happens with the long-term maintenance of adjacent lots that got bought out in urbanized areas? Who’s going to maintain them?*
6. **PUBLIC COMMENT:** *Is there a home buyout program to help get homeowners out of flood-zones?*
7. **PUBLIC COMMENT:** *We need funding to conduct a building inventory to determine which building structures should be elevated. Will funding be allocated for this work?*

**RESPONSE:** The “Large-Area Buyouts and Traditional Nonstructural Mitigation Program” in the Action Plan (within Program Area 2: State Projects and Programs) is intended to facilitate the implementation of buyout and other non-structural mitigation projects (including the elevation of structures, subject to HUD compliance and OCD approval) to assist homeowners in reducing their exposure to flood risk. Similarly, non-structural mitigation projects, including buyouts may be eligible for funding thorough the Watershed Projects Grant Program, subject to each programs’ guidelines and OCD approval. Maintenance provisions should be considered and addressed in project proposals to enable sustainable long-term function of these sites.

*Note: The following comments address the “Flood-Ready Jobs” program in the subject Action Plan (within Program Area 2: State Projects and Programs), and are grouped and answered collectively below.*

8. **PUBLIC COMMENT:** *Will there be any resources allocated to train the next generation? I would love to hear more information about the training and apprenticeship programs to educate elementary and secondary students in watershed data collection, modeling, and resilient best practices.*

**RESPONSE:** The proposed Action Plan includes a “Flood-Ready Jobs Program” (within Program Area 2: State Projects and Programs) that is intended to prepare the next generation of watershed professionals and train the current workforce to use watershed models, construct mitigation projects, and implement flood-resilient development in order to maximize the long-term impact of the \$1.2 billion opportunity presented by the CDBG-MIT funds.

Note: The following comments **generally address program areas within the Action Plan.**

9. **PUBLIC COMMENT:** *I hope you are doing well and send congratulations on completing the Master Action Plan. It's a well put together document, is comprehensive and is well referenced. This comment letter on the Action Plan for the Louisiana Watershed Initiative is based on some of the things that Healthy Gulf has been emphasizing in our recent analysis of Army Corps Wetland fill permits. We have presented research in a talk we call "Floodplain Resilience in the Lake Pontchartrain Basin" which uses the last five years (2014-2018) of Clean Water Act 404 wetland fill permit applications from the Army Corps' publicly available databases. We looked at the parishes that ring Lake Pontchartrain and identified areas where the wetland fill permit applications have been concentrated.*
- While reading through the LWI Action Plan I noticed that some of the Parishes with the greatest flood risk, the greatest identified need for flood planning, large numbers of vulnerable citizens with repetitive losses are the ones we analyzed in our work. Tangipahoa was ranked high by LWI's Plan, as were Livingston and Ascension.*
- In our analysis and presentations:*
- We focused on the need for Parishes and the state to track wetland fill permits in areas where development has already placed much fill in the floodplain, and to take measures to avoid losing any further capacity for those floodplains to retain water. Flood risk management planning must follow the moving target of wetland loss, and;*
- We made the observation that the wetland mitigation done to compensate for these wetland losses is often of little utility in managing stormwater. Wetland mitigation banks are far from the wetlands being filled and mitigation itself focuses on habitats, but not necessarily on doing anything to replace the water storage that disappears when clay fill and slab on grade construction methods are used, and;*
- We emphasized that within CPRA's non-structural project area in St. Tammany Parish, wetland fill permit applications are being granted every year at an increasing rate after 2017 and that the identified cost to the state to do flood-proofing, elevations and buyouts keeps increasing as the floodplain is altered by more wetland filling. The identified project cost of \$1.61 billion which has neither been prioritized nor has any real funds appropriated to it will keep climbing as the floodplain is filled in and wetland functions are diminished, and;*
- We also pointed out that in some places in the Coastal Zone of St. Tammany Parish, LDNR Coastal Use Permits are requiring that new construction conforms to FEMA elevation standards and that pier construction is being mandated in some places by the state, and;*
- We identified thousands of acres containing inactive gravel mines upstream of heavily populated areas in the watersheds of the Bogue Chitto, Tangipahoa, Amite and Comite Rivers as places where some wetland function could be restored.*
- These points that we make above seem to conform to particular examples of possible projects in Program Area No. 1 from page 52 of the Action Plan:*
- 1. Watershed restoration and preservation...stormwater management and other innovative/replicable flood control activities;*
  - 4. Major capital projects that improve resilience to flooding, provide regional stormwater detention or other flood protection measures;*
  - 5. Capacity building toward implementation of resilient development standards and floodplain management regulations; and*
  - 6. Housing development using sound, resilient construction practices to mitigate long term flood risk.*

*Within the examples given for Program Area 2: State Projects and Programs, some of the themes we raised in our Floodplain Resilience analysis and mapping also resonate with the project types set forth on pages 55-57.*

*1. Regional Detention Retention Projects that would... detain and retain water capacity.*

*“These projects may include the creation or restoration of wetland functions.”*

*This example opens the door for dealing with improving wetland functions on thousands of acres of inactive gravel and sand mines and the improvement of the stability of streams and stream systems that have suffered for 50-80 years due to mines being captured by streams during high water and the attendant loads of sand and sediment gained by the streams.*

*2. Large- Area buyouts and traditional non-structural mitigation.*

*This example ties in with the non-structural projects and attendant costs that CPRA has already identified in its 2017 Coastal Master Plan. These costs are changing and increasing as the floodplains lose water storage capacity, and need to be updated to reflect the true expense to the state in addressing flood risk through non-structural projects.*

*4. Remote Lands Purchase Program.*

*This example seems to acknowledge the need to leave some high flood risk areas completely out of development. Not creating new subdivisions and businesses in problem floodplains is the best way to avoid the necessity to fix flooding problems later.*

*5. Resilience Gap Financing.*

*This example will help developers to build the right way if they must build in floodplains where adding more traditional clay fill and slab foundations will only accelerate an already expensive and difficult stormwater management problem. Incentivizing elevations on piers may be the only way to get developers to build in new ways that will allow their home and business buyers and everyone else to live more safely with water.*

*I did not see an example program in Program Areas 1 through 4 that identified the need to track wetland losses in areas of high flood risk and high development activity, such as some of the Northshore Parishes, or the need to then work with city, Parish or State level managers to either halt it, or deal with it with sensible policies. The need to visualize the “shrinking of the sponge” i.e., the capacity for remaining wetlands to function as well as they can to store water in areas having rapid growth, is clear and apparent, but this challenge needs to be defined if it is to be solved. Healthy Gulf could not find analysis by the Corps or the state that approached it by presenting even the most basic year to year summary statistics on this problem. So, we did. We believe this to be a looming problem in areas like those along the I-12 Corridor between St. Tammany and E. Baton Rouge Parishes. Some agency at some level needs to be keeping up with it and considering it in management decisions. If this wetland loss problem could be described and enumerated in an appropriate place within Program Areas 1-4, we feel that the Action Plan would be strengthened by doing so.*

*I would be happy to give our Floodplain Resilience powerpoint presentation to Alex Carter, you or any of the staff members who might be interested in seeing this problem the way we see it.*

*Here is a link to an article about our efforts so far:*

*<https://www.healthygulf.org/blog/protecting-the-sponge-community-meetings-on-floodplain-resilience-in-the-pontchartrain-basin>*

*Thank you for allowing us to comment on the Action Plan.*

**RESPONSE: The Action Plan notes that wetland loss is a mitigation challenge facing the state (see section titled “Ecosystem Integrity and Watershed Resilience” in the Action Plan). Wetland preservation and the preservation of natural retention or detention areas is a critical component of successful watershed management and, as per this input, the state has amended**

**the Action Plan to further ensure these concerns are appropriately addressed (see section titled “Watershed Monitoring, Mapping, and Modeling”).**

10. **PUBLIC COMMENT:** *The plan refers to the Coastal Master Plan and the LA SAFE plans numerous times, it appears that other plans that were completed by the USACE, other federal agencies, Parishes or local government plans have not been considered or reviewed and the plan states they want to build upon those efforts. In reviewing a few of the LA SAFE plans there were some resilient projects and some recommendations for future resiliency planning and efforts in building but they also had recommendations that stormwater management plans for internal drainage would need to be done. The breakdown of the funds discuss modeling and competitive projects but with so little money remaining for planning that would be divided across the state, it appears after the money is spent we will have modeling but no overall state water management plan and work will still be based upon a competitive basis. So unlike the Coastal Masterplan where coastal project are prioritized and the plan is followed and the State is making an impact by implementing the plan, this plan by nature could spend \$1.2B with projects so isolated that its cumulative effects become minor. With the state allocating such a large amount for state projects without the state having large riverine or inland flood risk related projects identified, to keep up with the spending plan, it makes the funding vulnerable to be spent on largely coastal projects the state has spent money to identify as those projects more closely meet the objectives, constraints and requirements.*

**RESPONSE:** **The Action Plan anticipates the development of statewide and regional Watershed Management Plans (see “Development of Statewide & Regional Watershed Management Plans” within the Program Area 4: Watershed Policy, Planning, and Local Capacity Assistance) as part of administering CDBG-MIT funding and enhancing long-term mitigation impact from these funds. This plan should result in the identification and implementation of projects throughout eligible areas of the state that address riverine and inland flood risk in addition to coastal flood risk.**

11. **PUBLIC COMMENT:** *I am providing this public comment on behalf of the International Code Council. Thank you for accepting Public Comments addressing the Louisiana Watershed Initiative’s Draft Master Action Plan for the Utilization of Community Development Block Grant Mitigation Funds (CDBGMIT) being made available by the U.S. Department of Housing and Urban Development (Draft Plan). I am a citizen of Louisiana and I represent the International Code Council (ICC) as a state and local government liaison to Louisiana. The International Code Council (ICC) is a non-governmental, nonprofit organization, driven by the engagement of 65,000 members, dedicated to helping communities and the building industry provide safe, resilient, and sustainable construction through the development and use of model codes (I-Codes) and standards used in design, construction, and compliance processes. All 50 states, federal agencies, and many global markets choose the I-Codes to set the standards for regulating construction and major renovations, plumbing and sanitation, fire prevention, and energy conservation in the built environment. Six of the I-Codes are adopted statutorily and are mandatory for enforcement by every Louisiana local government. The Code Council strongly supports the Draft Plan’s commitment to use funding to support community adoption of modern building codes (Program Area 4) and enforcement of codes (Program Area 1 & 4). Research has shown that mitigation through current code adoption and following proper code enforcement procedures are a key component to resiliency in the built environment. The National Institute of Building Sciences (NIBS) Mitigation Saves report found that for every dollar invested, the 2018 IBC and IRC provide \$11 in mitigation benefits against flood, hurricane, and earthquake risk. These codes provide \$6 for every \$1 invested in flood mitigation benefits, specifically. - The 2019 Mitigation Assessment Team*

*report following Hurricane Harvey found that National Flood Insurance Program (NFIP) regulations reduced average claim payments by almost half and following modern code flood mitigation requirements reduced the average claim payments by an additional 90%. Code enforcement is equally important. FEMA quantified the cost of Dade County's inadequate code enforcement as a quarter of the \$16 billion in insured losses from Hurricane Andrew.<sup>1</sup> Researchers found similar results about 15 years later: that implementing building codes at the local level by ensuring codes are properly administered and enforced provides an additional loss reduction value on the order of 15 to 25 percent.<sup>2</sup> The Draft Plan includes under Program Area 1, projects and programs that include "code enforcement activities." The section continues with "training and certification in resilient building methods" as an example of LWI projects and programs. The Code Council recommends clarifying that training of staff for all related code enforcement activities and certification of staff on these activities are eligible uses. The Code Council also urges that this Program Area clarify that recruitment of code administrative staff*

*1 Burby, R., Hurricane Katrina and the paradoxes of government disaster policy: Bringing about wise governmental decisions for hazardous areas (2006) citing FEMA Building Performance Assessment Team, Preliminary Report in Response to Hurricane Andrew, Dade County, Florida (1992). 2 Czajkowski, J. et. al., Demonstrating the Intensive Benefit to the Local Implementation of a Statewide Building Code (2017). (inspectors, plans examiners, building officials and permit technicians) is permitted along with building department accreditation, which helps departments evaluate their competence to meet nationally recognized standards and implement best practices for public safety. Within Program Area 4, the Code Council recommends the Draft Plan clarify that that code adoption costs could include staff time needed to review updates, travel reimbursement for committees evaluating updates, and necessary materials detailing the newly adopted requirements. Thank you for the opportunity for the International Code Council to submit our public comments and we stand by as a resource in your efforts implement the Louisiana Watershed Initiative's Master Action Plan for the Utilization of Community Development Block Grant Mitigation Funds.*

**RESPONSE: OCD will issue guidance on specific eligible activities and reimbursable expenses as each program within this Action Plan is mobilized.**

*Note: The following comments generally address **recommendations regarding equity, economic opportunity, the role of nonprofits, and title clearing**; and are grouped and answered collectively below.*

12. **PUBLIC COMMENT:** *HousingNOLA is a 10-year partnership between the community leaders, and dozens of public, private, and nonprofit organizations working to solve New Orleans' affordable housing crisis. The data indicates the need for 33,600 additional affordable units in the city by 2025 and the data clearly shows that wages have not come close to mirroring the dramatic rise in housing costs. For the 10 years immediately after the Hurricane, passionate citizens worked with non-profit, community-based organizations to rebuild their homes and regenerate their city in a more equitable fashion.*  
*To accomplish this vision, one of the areas HousingNOLA uses to benchmark its progress towards its goals in the housing and community development sector is how fair housing policies are being promoted and enforced throughout New Orleans. HousingNOLA suggests that the Office of Community Development include the following recommendations to the CDBG-MIT Action Plan for Watershed Initiative Funding Allocation: 1) specific requirements to prevent disparate impacts from watershed projects, 2) requiring all construction contracts hire from a pool of newly trained*

*workers from the CDBG-MIT funding allocation, 3) funding for a state administered program which provides legal aid for title clearing, 4) allocate funding to nonprofits in order to grow local capacity for resident leaders and community groups.*

*Recovery after Hurricane Katrina proved to be unequal in the city of New Orleans as well as reinforce a pattern of historical discrimination. HousingNOLA suggests a requirement that can be used to prevent and address disparate impacts and the reinforcement of historical discriminatory patterns. By creating models to analyze the potential socio-economic impacts prior to the implementation of watershed projects, not only can we work towards mitigating future harm from flooding events to our most at-risk citizens, often times low-income families, we can also account for areas that are often experiencing underinvestment or disinvestment.*

*Activities conducted as part of the CDBG-MIT allocation will provide local workers with development and employment opportunities from a set aside pool of resources. The aforementioned development training should include a requirement that for all construction contracts hire from the newly trained local workers.*

*New Orleans a historical city with homes that are often passed down from one generation to the next. However, these homes are sometimes passed down informally or without legal process. By providing a front end state funded and administered program to help residents attain clear title, we will allow low income families, who wouldn't necessarily have access to the civil legal aid, the tools they need to get access disaster recovery funds.*

*To continue with equitable investments in our communities, the action plan HousingNOLA recommends sets aside 1% of the total CDBG DR funds in the award for pass through funding to local nonprofit organizations. This investment will build up local capacity for disaster mitigation, recovery, and other measures to address the impacts of severe flooding. No one knows our unique communities better than our community members and leaders. They are trusted voices and resources in their community, but government-based decision-making conversations have largely overlooked, or disregarded, their knowledge and expertise. Local leadership will engage a broader resident base to participate in decision-making processes and expand their traditional ecological knowledge and experience-based expertise with the complex, and often technical, landscape of challenges and opportunities related to flood mitigation. Increasing the capacity of nonprofit organizations will have beneficial effects on not only the city of New Orleans but the state as a whole. It is critical to recognize the expertise and gaps of the organizations doing this work locally to create flexible pathways for success with resources that commend their knowledge and support their needs.*

13. **PUBLIC COMMENT:** *HousingLOUISIANA appreciates the opportunity to comment on the Action Plan for the Utilization of Community Development Block Grant Mitigation Funds. We work on an annual Statewide Listening Tour with partners in nine of the Regional Housing Planning Areas across the state to collect policy priorities prior to the Legislative Session. HousingLOUISIANA asks the Office of Community Development to add our following suggestions to the Action Plan; require comprehensive analyses to model and predict disparate impacts, provide front end title clearing programs by the State, and expand the capacity of regional and watershed based nonprofits statewide. HousingLOUISIANA finds it necessary that any CDBG-MIT funding allocation addresses the challenges of disparate impacts by acknowledging engrained inequities and developing policies that are designed to address historic issues. Watershed management will create social and economic impacts, however if properly predicted, these impacts can work to address the historic and existing patterns of discrimination. All watershed and project analyses should include analysis of such disparate impacts and all projects should be designed with specific mandates that work to prevent discrimination and undo any discriminatory patterns.*

*To help lower income families gain access to disaster recovery funds, there has to be a State administered and funded program meant to help residents with the process of title clearing. Low income families that are heirs to generational property, that has been passed down informally, lack the ability to access disaster recovery funding. By implementing a State program with the purpose of title clearing, we can make disaster recovery processes more equitable.*

*Louisiana has been victim to many disasters, and many more to come. Funding to support increased capacity for community-based organizations involvement in the Louisiana Watershed Initiative would be critical to supporting the long-term impacts of this work and to mitigating the effects of future disasters. HousingLOUISIANA recommends 1% of the total CDBG-DR funds in this award should be set aside for pass through funding to local nonprofit organizations to build up local capacity for disaster mitigation, recovery, and other measures to address the impacts of severe flooding. Community based organization leaders are varied across regions and local nuances require distinct action from them. Many of these (Docket R-31106)*

*June 14, 2019 leaders have navigated large portions of their community through multiple disasters; people in their tribe or their geographical area depend on them and their community-based organization to help navigate through the issues of today and tomorrow. They are trusted voices and resources in their community, but government-based decision-making conversations have largely overlooked, or disregarded, their knowledge and expertise. By investing in community-based organization leadership, Louisiana can invest in a pool of untapped knowledge and experience in some of the most vulnerable communities. This investment will ensure they gain a seat at the table in decision-making processes concerning their own futures and, in turn, serve residents most affected by watershed-based flooding challenges. Investments that grow the local capacity of resident leaders and community groups is necessary to ensure that communities can participate in conversations around watershed planning as well as nonstructural investments and adaptation strategies, design and implementation of projects, programs and policies that directly address the needs of residents most affected by land loss, extreme rainfall, and increased flooding. That capacity must continue to grow across the state for outcomes of equity and resilience to be successful and organizations must communicate to support strengths, differences, and collaboration for related activities to catalyze skillsets and resources where there are overlaps.*

14. **PUBLIC COMMENT:** *The Greater New Orleans Housing Alliance (GNOHA) is a collaborative of non-profit housing builders and community development corporations working to rebuild the housing stock available in the city of New Orleans after Hurricane Katrina devastated the city's infrastructure. Since its creation in 2007, GNOHA has sought to create change in the Greater New Orleans community through public policy, advocacy, and public education. The alliance advocates for the preservation and production of affordable housing for people within the Greater New Orleans metropolitan region and places a special emphasis on the needs of the most vulnerable in society – seniors, people with disabilities, veterans, low wage workers, and low-income families. Funding allocation that addresses the challenges of disparate impacts to marginalized communities by acknowledging historic inequalities are essential to preventing the duplication of uneven and discriminatory recovery processes as implemented in the GNO region during wake of Hurricane Katrina. To ensure the prevention of disparate impact during recovery processes, GNOHA suggests requiring a comprehensive analysis to model and predict the various disparate impacts that could be induced by the suite of policy recommendations produced within the watershed initiative. Unequal recovery from Hurricane Katrina and historical neglect have led to disinvestment and lack of protective services in various parts of the region. It is imperative that watershed management projects work in the best interest of our most at risk citizens to undo historic and existing patterns of social and economic discrimination. To this point GNOHA*



*recommends, all watershed and project analyses include an analysis of disparate impacts across GNO communities, and all projects should be designed around specific mandates to avoid further discrimination, helping to repair existing discriminatory patterns. After the historic flooding events of Hurricane Katrina the city of New Orleans learned civil legal aid is an essential and overlooked solution to helping survivors recover. Generational property, or property that is passed down from one family member to the next, is common in New Orleans. However, being unable to present a clear title prevents those who received Page 2 CDBG Action Plan for Watershed Initiative Funding Allocation (FR-6109-N-02) November 27, 2019 their property informally, without legal process, from the necessary funds for recovery. This is why GNOHA finds it necessary that funding and processes for title clearing are a part of a front-end program administered and funded by the state. Community-based partners are critical to developing strategies and recommendations of more equitable and inclusive outcomes that enable a broader resident base to participate in the decision making process by bringing in local knowledge and expertise to solve complex and technical challenges. By investing in community-based organizations, we have a chance to ensure some of the most vulnerable communities in the GNO region are able to participate in decision-making processes that will ultimately affect their future. GNOHA recommends that 1% of the total CDBG DR funds included in this award are set aside for pass through funding to local nonprofit organizations to build up local capacity for disaster mitigation, recovery, and other measures to address the impacts of severe flooding. This investment will provide public knowledge of how Louisiana’s environmental challenges relate to our socio-economic challenges. Investing in nonprofit community leaders provides an opportunity to share resources, experience and knowledge in ways that can grow a comprehensive network of individuals and organizations who recognize this challenge in their work and are prepared to be champions for this challenge. The aforementioned results are all critical in developing equitable solutions that are representative of community needs in Louisiana.*

**RESPONSE:** The goal of mitigation is to reduce damage potential where possible, which includes those areas where low to moderate income individuals are subject to flood risk. The subject Action Plan outlines programs such as “Technical Assistance: Risk Awareness and Education” (within Program Area 4: Watershed Policy, Planning and Local Capacity Assistance), “Large-Area Buyouts and Traditional Nonstructural Mitigation,” and “Resilient Affordable Housing Program,” and “Flood-Ready Jobs” (within program Area 2: State Projects and Programs), that can aid in addressing this issue. [FR-6109-N-02](#), requires that at least 50% of the CDBG-MIT funding benefit low to moderate income individuals. Title clearance is a critical component of flood resilience, as highlighted by this input, and the subject Action Plan includes references to programs providing assistance with title clearance where necessary to participate in the programs within the Action Plan. Note: Orleans Parish did not receive a federal disaster declaration from either the March or August 2016 floods, and therefore is not listed as a HUD-MID or LA-MID in the Action Plan.

## II. ADMINISTRATION AND TIMELINE

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*Note: The following comments address the **administration and timeline for the expenditure of CDBG-MIT funding**, and are grouped and answered collectively below.*

15. **PUBLIC COMMENT:** *I would like to know who will be giving the funds out (will it be the parish or will it be directly from the state). Will non-profits be able to use these funds to help with flooding on projects they are doing?*
16. **PUBLIC COMMENT:** *How do we make sure the money is spent correctly?*
17. **PUBLIC COMMENT:** *What's the timeline for actual dollars being spent on projects? It sounds like 5 years plus, which is not an immediate resolution to our current problems.*
18. **PUBLIC COMMENT:** *How long before the initiative is actually put into action. Many neighborhood flood during large or heavy rains, will this money be used to enhance existing flood mitigation projects? Will there be teams to actually look at Flood Pronged areas?*
19. **PUBLIC COMMENT:** *What does HUD define as a project when it comes to new construction? Will HUD have detailed instructions of what a project will consist of?*
20. **PUBLIC COMMENT:** *The Restore the Mississippi River Delta is a coalition of environmental groups working to rebuild coastal Louisiana's nationally significant landscape to protect and sustain its people, wildlife, and economy. The member organizations include the Environmental Defense Fund, the National Wildlife Federation, National Audubon Society, the Coalition to Restore Coastal Louisiana, and the Lake Pontchartrain Basin Foundation. Funding for the Louisiana Watershed Initiative (LWI) represents a once-in-a-generation opportunity for the state to change the piecemeal approach of handling water management according to political boundaries that it has practiced throughout its history. Instead, this effort will allow the state to dramatically reorganize its water management along drainage systems formed by naturally existing watersheds. If planned and executed properly, the state will have the opportunity to put sustainable, coordinated policies and interventions into practice. We applaud the deliberate and transparent way the Louisiana Office of Community Development (OCD) has conducted this effort thus far. In fact, OCD's diligence and organization has put our state well ahead of our neighboring states. The concerns of the coalition revolve around four issues, which are not explicitly addressed in the action plan: watershed boundaries, coordination with the Coastal Master Plan, governance and outreach to stakeholders. Region based multi-million dollar modeling contracts are being awarded while the watershed boundaries are still 'provisional' and haven't been established. We urge OCD to make this a priority and make the maps and boundaries definitive to instill faith in stakeholders and the public for the effort. Louisiana's Comprehensive Master Plan for a Sustainable Coast or the Coastal Master Plan (CMP) is an adaptive, science-based plan for the \$50 -billion- dollar effort to restore and protect the Louisiana coastal region. The plan has been updated three times since its first iteration in 2007 and is being implemented under the direction of the Coastal Protection and Restoration Authority (CPRA) with more projects under construction than ever before. More than \$8 billion is currently identified for implementing these projects that are being coordinated at the state and local level. It is imperative in our view that the Louisiana Watershed Initiative and the local entities funded by the effort coordinate their work and projects with the CPRA to ensure their plans are consistent with the state CMP. The LWI action plan is also silent about the overall governance of the effort. Since the watershed initiative must coordinate with the ongoing coastal work, it stands to reason that we need to define geographic extent and the governance of this coordination. In doing so, we can help ensure an efficient and sustained effort to restore the Louisiana coast and protect its people from riverine flooding and storm surge. In terms of the overall process, we would recommend that in each region the initiative specifically provide for and*

support authentic public engagement (LA-SAFE offers a useful model); that it continually provide full transparency so that residents can have the opportunity to fully understand the risks that need to be managed, as well as the risk management possibilities; and that residents have the opportunity to fully participate in the development of solutions. Those steps will help ensure that the process and decisions will be understood and supported and create the best opportunity for lasting and equitable outcomes. Thank you for your work on this action plan and for consideration of these comments.

21. **PUBLIC COMMENT:** *Are you working with CPRA’s Coastal Masterplan?*

**RESPONSE:** The Action Plan explains how the state proposes to spend its CDBG-MIT funds as “Program Areas”. Louisiana’s proposed Program Areas include:

Programs		
Watershed (Local and Regional) Projects and Programs	\$570,666,243	47%
State Projects and Programs	\$327,757,590	27%
Non-Federal Cost Share Assistance	\$96,988,107	8%
Watershed Monitoring, Mapping, and Modeling	\$145,670,040	12%
Administrative Costs	\$48,556,680	4%
Watershed Policy, Planning, and Local Capacity Assistance	\$24,278,340	2%
<b>Total Allocation</b>	<b>\$ 1,213,917,000</b>	<b>100%</b>

The state will administer the funds allocated by the subject Action Plan and subject to OCD discretion and program guidelines for each program. The Action Plan features sections (“The Council on Watershed Management” and “Coordination and Alignment”) that speak to OCD’s coordination with other state agencies, including CPRA, in the administration of CDBG-MIT funding and long-term resilience efforts.

The Action Plan includes a general breakdown of funding to be allocated to projects and planning as per the guidance in [FR-6109-N-02](#). Eligible project types and program guidance will be issued as each program within this Action Plan is mobilized.

The state began organizing the Louisiana Watershed Initiative before notice of CDBG-Mitigation funding from HUD. The Action Plan lays out how the state is proposing to spend the money, and it is informed by dozens of meetings conducted around the state and attended by hundreds of stakeholders to better understand our challenges and opportunities related to floodplain management. Further, the Action Plan – which must undergo a public comment period – requires HUD approval, and all CDBG-MIT funding utilized in Louisiana must be spent in accordance with the plan and is subject to certifications and compliance monitoring intended to prevent waste, fraud, and abuse and ensure efficient and effective spending.

The state plans to fund 100 million in projects immediately following HUD’s approval of the Action Plan, anticipated in spring 2020. After HUD establishes a line of credit with the state, the state has 12 years to spend the CDBG-MIT funds. The Action Plan includes a spending plan that anticipates 50 percent of fund expenditure by year 5 and 100 percent by year 10.

Separate from the administration of the subject Action Plan and CDBG-MIT funding, the Louisiana Watershed Initiative seeks to foster regional governance within watersheds in order

to empower local jurisdictions to make collective decisions. To this end, the Council on Watershed Management has adopted Provisional Watershed Regions to enable this work, and aims to continue this regional governance effort far into the future (see “Regional Steering Committees and Coalitions” and “Timeline” sections in Action Plan).

### III. MOST IMPACTED AND DISTRESSED (MID) AREAS

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*Note: The following comments inquire about the **distribution of funding among MID parishes**, and are grouped and answered collectively below.*

22. **PUBLIC COMMENT:** *Typically, rural Parishes and small municipalities are left out of grant funding or have to contribute up to 25% of the cost of a project. FEMA funds, in a number of cases, are turned back due to the 25% cost share, which they do not have. Consideration should be given to restricting the ten (10) "entitlement" Parishes from applying for funding beyond the "entitlement" funds. On average, simple math yields some \$60 million per Parish for the designated Parishes (approx. \$600 million divided among the ten (10) Parishes). The above would allow more rural Parishes to have a chance to actually see some benefit from this one-time program.*
23. **PUBLIC COMMENT:** *While the goal of spending half the monies in the 10 HUD-identified mid is a good start – why not guarantee each of the 10 HUD MIDs will benefit from a construction project not just funding. All LA parishes are getting ‘funding’ since the state is updating its modeling efforts. Since these parishes were severely impacted by the 2016 rains, they should actually have construction dollars. The timing is off. Since the modeling effort will not be completed for several years, how can construction projects be approved? Wouldn’t the ‘no regrets’ projects lend themselves to buyout or elevations and existing studied projects? The impacted areas generally do not have existing studied projects since this type of rainfall was historical. The mitigation and funding should be focused on the type of disaster – inland rainfall. While coastal protection is paramount for this state, it is not the only weather challenge we face. This funding should focus on inland flooding – coastal projects have several funding sources available to them. Inland does not. While the two concerns can be addressed in a project, the focus should be on rainfall impacts and riverine flooding. This is particular for areas that are not tidally impacted. Why has the Louisiana Floodplain Managers Association (LFMA) not been more involved? They are a huge asset for the state and a wealth of knowledge about what actually works. Having representation of your region on the steering committee is a great idea, but should people under the age of 18 be on the committee? This is all being done during the state’s election cycle. This has hindered several jurisdictions because elected leaders are transitioning. The timing favors communities where existing leadership remained. New leaders are not even sworn in until January, and projects need to be submitted in December as well as nominations for the steering committees*
24. **PUBLIC COMMENT:** *Mitigation and funding should be focused on the type of disaster. What we have learned in the two flooding events that have driven the creation and movement of the Louisiana Watershed Initiative is that riverine and pluvial flooding have significant impacts worthy of priority funding and should be so stated in the site specific projects. Taking the purpose of the LWI to the next level requires focused and specified funding in these areas with the input of floodplain managers in addition to the the technical expertise of engineers as the foundation.*

25. **PUBLIC COMMENT:** *While the goal of spending half of the money on the 10 HUD - identified mid is a good start, why not make sure that each of the 10 HUD MID benefit from a construction project and not just of funds? All parishes in Louisiana are receiving "funding" as the state updates its modeling efforts. Since these parishes have been hit hard by the 2016 rains, they should actually have building dollars. 2. The timing is off. Since the modeling effort will not be completed for several years, how can construction projects be approved? Would not "no regret" projects lend themselves to buyout or elevations and existing studied projects? In general, no project has been studied in the affected areas as this type of precipitation was historic. 3. Mitigation and funding should focus on the type of disaster: inland rains. Although coastal protection is paramount for this state, it is not the only climate challenge we face. This funding should focus on inland floods: coastal projects have several sources of funding. Inland does not. Although both concerns can be addressed in a project, the focus should be on the impacts of rains and river floods. This is particular for areas that are not affected by the tide. 4. Why has the Louisiana Floodplain Managers Association (LFMA) not been more involved? They are a valuable asset to the state and a great knowledge of what really works. 5. Having a representative of your region on the steering committee is a great idea, but should people under the age of 18 serve on the committee? 6. All this is done during the state election cycle. This has hindered many jurisdictions because elected leaders are in transition. The timing is favorable to communities where existing leadership has remained. New leaders are not even sworn in before January, and projects must be submitted in December, as well as nominations for steering committees.*
26. **PUBLIC COMMENT:** *The Federal register establishes 50% of the funds need to be spent in the HUD identified MID but the plan does not describe if the state will be working towards an even distribution of the funds to each of the 10 HUD MID or since the state identified more MID is the goal to spread it around the state with no designated minimums within those areas. Further, the plan emphasizes the state wants to build upon LA SAFE plans so areas like East Baton Rouge, St. Tammany Parish have been studied significantly more than parishes like Acadia or Lafayette (which was identified on Page 22 as information not available in the SHMP) appear to be at a more competitive advantage for receiving funds than the other areas of the state that have not been recently studied by state agencies. The ambiguity of the plan with this respect lends itself to some parishes ability to get the majority of the funds while other parishes continue to be at a disadvantage to address riverine and inland funding.*
27. **PUBLIC COMMENT:** *How will the distribution of funding be determined for the 10 most impacted and distressed parishes?*
28. **PUBLIC COMMENT:** *Who's evaluating proposals to ensure that selected projects impact the 10 MID required by HUD?*
29. **PUBLIC COMMENT:** *The Action Plan needs to ensure that it fully aligns with the following statement in the FR notice, which provides a route for expenditure outside of HUD or Grantee defined MID areas and better addresses watershed level thinking beyond conventional political jurisdictions:*

*"Grantee expenditures for eligible mitigation activities outside of the HUD-identified or grantee-identified MID area may be counted toward the MID area expenditure requirements provided that the grantee can demonstrate how the expenditure of CDBG-MIT funds outside of this area will measurably mitigate risks identified within the HUD-identified or grantee identified MID area (e.g.,*

*upstream water retention projects to reduce downstream flooding in the HUD-identified MID area)." (FR-6109-N-02-CDBG-Mitigation Notice, pg. 15)*

*In short, the FR provides a route for spending outside of HUD or Grantee MID areas, but the Draft Action Plan does not appear to. It would be good to make sure there is as broad alignment as possible between the Action Plan and activities/geographies allowed under the FR notice.*

**RESPONSE:** As noted in [FR-6109-N-02](#), the subject \$1.2B in CDBG funding is required to be spent on mitigation activities and a minimum of 50% of this funding is required to be spent to benefit the HUD-MID parishes. OCD will administer the programs listed in the subject Action Plan and review all projects and programs funded to ensure a distribution of funding consistent with this requirement. It is important to realize that the next flood could be anywhere, and that mitigation activities should anticipate future events that may impact a parish or region that is within a HUD-MID or LA-MID. The inclusion of LA-MIDs in the Action Plan is based on data from damage assessments and declarations making Parishes eligible for FEMA individual assistance or public assistance from the Great Floods of 2016.

*Note: The following comments inquire about **Parishes identified as "HUD-MIDs or LA-MIDs"**, and are grouped and answered collectively below:*

30. **PUBLIC COMMENT:** *Thanks for your time Friday, October 25. My first question Friday was why Concordia Parish was not included in the fund distribution as an impacted and distressed parish since we had five (5) Disaster Declarations from 1999-2019? We are a rural, low-income parish that has major drainage issues, but it appears that the only two disasters that count toward fund distribution are DR-4263 and DR-4277. I do not know for sure what Public Law 115-123 says about fund distribution.*

*If Concordia Parish with five (5) disaster in 20 years cannot receive any project funds what other benefits or services will be available to the parish thru the Louisiana Watershed Initiative? We do have one project we are currently working on that involves drainage thru another parish (Tensas) that also is not included in the Louisiana Watershed Initiatives. This project has no funding at this time. Help is needed in a rural unstaffed parish with drainage issues. Thanks for your support and time.*

31. **PUBLIC COMMENT:** *To Whom It May Concern, As we are aware that the allowable project funds are designated only to parishes with declared disasters in 2016, we would like to point out that Concordia Parish has more frequent declared disasters from flooding than many of the parishes listed as participating parishes in this grant program. What concerns us most is the large majority of water drained from the northern portion of the state (all of which will receive adequate funding to drain floodwaters out of their parishes quicker) will pass beside Concordia Parish.*

*The concern for Concordia Parish is being on the receiving end of these flood waters with no funds to adequately take on additional flood waters. In the event that Concordia Parish experiences heavy rainfall within the parish and North of the parish it will struggle to accommodate the rain event and the increase of flood waters being pushed down from the North.*

*Concordia Parish designed and received funding for a \$7 million drainage structure to assist the parish in getting flood water out the ring levee which surrounds the parish. Flood control gates will be placed in the Tensas levee (at its natural drainage outlet) to drain a large portion of the*

*parish an estimated 94% of the year when the Tensas river is at or below forty-five feet gauge level. If the Tensas River experiences a higher level of water it will decrease the effectiveness of the structure this new structure. As you can see, increased flood waters into the Tensas can have major effects on Concordia Parish's ability to mitigate its own frequent flooding. If this structure is not effective due to the investment to push more water onto Concordia Parish by the way of the Tensas River, than \$7 million of Federal Funds will have been wasted, and Concordia Parish will still experience frequent flood events with no funds to mitigate the ongoing hazard. We are asking that you please consider Concordia Parish and its flood mitigation projects when planning and funding drainage in northeast LA.*

32. **PUBLIC COMMENT:** *Terrebonne Parish is one of the most threatened coastal parishes but is not included in the Louisiana identified MID's. I think this needs to be changed to include Terrebonne Parish in the LA MID's so we can qualify for these funds.*
33. **PUBLIC COMMENT:** *1) Are all Parishes in Louisiana eligible for the \$1.2 Bill in CDGB DR funding? Specifically, Terrebonne! 2) What is OCD's definition of a Natural Resources Profession listed in the NOFA for the Steering Committee?*

**RESPONSE:** State-identified MIDs must have sustained substantial—quantifiable—impacts as a result of the Great Floods of 2016. The 46 parishes proposed as LA-MID areas by Louisiana were determined based on federal disaster declarations and individual assistance or public assistance provided by FEMA associated with the Great Floods of 2016 (DR-4263 and DR-4277). Although some parishes in Louisiana have sustained repeated or severe flood damage from past events, the authorization to propose “grantee-identified MIDs” specifically requires the grantee to demonstrate damage to such areas as a result of DR-4263 or DR-4277.

**If the parish provides data that quantifies that it was ‘most impacted and distressed’ as a result of the 2016 storms, the state is willing to submit such information to HUD for consideration.**

## IV. MODELING

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34. **PUBLIC COMMENT:**  
*Amite River Basin - This basin needs to be a standalone basin, not mixed with the areas to the east of it. On a population basis, the Amite River Basin encompasses about 20% of the state's population. It should not be comingled/combined with St Tammany and Tangipahoa Parishes/basins, which have not experienced the level of flooding that we here in East Baton Rouge, Livingston, and Ascension Parishes have. All of the 8 + 1 districts should use the same model. Otherwise there is the risk of lack of consistency in results. Since the Amite River Basin Commission already has a model that the Corps is using, that model should be the one used. Rainfall data are woefully out of date. Data being used come from David Hershfield's Department of Commerce Technical Paper TP-40 published in 1961, which is based on data available between 1890 and 1958. Since 1973, Baton Rouge annual rainfall amounts are 25% higher than known rain gauge data between 1949 and 1972. First year that rain gauge data were collected for Baton Rouge was 1949. Below is a link to David Hershfield's technical paper.*

**RESPONSE:** Please see responses regarding “Watershed Region 7” included within this document. The state is aware of existing data resources and is utilizing this data to inform the modeling program design, which stresses statewide consistency.

35. **PUBLIC COMMENT:** *How does the plan address NFIP and HM map updates?*

**RESPONSE:** The state will facilitate alignment with NFIP and hazards mitigation plans, with the aim of maximizing the benefits available through the National Flood Insurance Program and Community Rating System.

*Note: The following comments inquire about the **timeline and use** of the “Watershed Monitoring, Mapping, and Modeling Program” (Program Area 3) and are grouped and answered collectively below.*

36. **PUBLIC COMMENT:** *What is the time frame for the modeling effort and how long before turning dirt for projects that solve the problem? What is the plan for funding near term projects that have modeling and no adverse impacts upstream or downstream?*

37. **PUBLIC COMMENT:** *We can't leave out the smaller and less populated towns. The money should impact these areas fairly. These meetings are taken over by individual projects. All areas have the same problems as Lafayette. Dredging may need to be done but something must be devised to handle the silt. We need to clear out the lower ends of all the rivers. Will models still be good, 12 years down the road?*

38. **PUBLIC COMMENT:** *Do we have a watershed modeling software that can give us data for each area of our watershed? If so, how do we have access to it and view results as needed. Explain what is a high quality gauge network?*

39. **PUBLIC COMMENT:** *How much time is expected for watershed modeling? Some regions like #7 will need models of various watershed within one region Who will own the gauges installed on rivers by OCD?*

40. **PUBLIC COMMENT:** *Let's not reinvent the wheel. In region 6, 3 models have already been done by ACE. Zero construction projects have been funded when millions of dollars have been spent on modeling.*

41. **PUBLIC COMMENT:** *Dear members and staff of the Louisiana Watershed Initiative Council, I am writing to you to comment on the Louisiana Watershed Initiative (LWI) Draft Action Plan for the use of available CDBG funding. These comments represent the views of the Lafourche Basin Levee District (LBLD) and its consultants, GIS Engineering, Burk-Kleinpeter, Inc., and Greenup Industries.*

*First, we would like to call the LWI's attention to the considerable efforts of many local jurisdictions to advance planning and design of projects that will be eligible for this funding. In LBLD's case, the Upper Barataria Risk Reduction (UBRR) project has been studied for over 20 years, being a legacy project from the Corps of Engineer's Donaldsonville to the Gulf Feasibility study in the late 1990s. Since that time, the Coastal Protection and Restoration Authority (CPRA) and The Water Institute of the Gulf (TWIG) have studied the proposed project extensively during preparation of Louisiana's Comprehensive Master Plan for a Sustainable Coast (more commonly known as “the Master Plan”). Their studies included rigorous modeling efforts and benefit-cost analyses. CPRA*



ultimately included the project in the 2017 Master Plan with a predicted benefit-cost ratio of 2.3. Page 66 of the draft Action Plan states LWI's intent to "leverage" this type of modeling work, and we urge LWI to take that approach with this project. LBLD has maintained momentum on this project by tasking its consultants to prepare a conceptual design report in 2018 and begin preliminary design of several project features in 2019, with the goal of having "shovel-ready" projects in 2021. We urge the LWI Council and staff to recognize these historical efforts and avoid duplicating past work when evaluating projects with this level of planning and design. Recognizing past planning, modeling, and design efforts will help the LWI Council maintain an aggressive timeline for implementing projects.

Secondly, we would like to commend the LWI's decision to implement "no regrets" projects in Round 1. We urge the LWI to increase the contemplated funding amount in Round 1 above the currently planned \$100M. We share Mr. Chip Kline's view, expressed at CPRA's meeting on September 18, 2019, that all projects in the Master Plan should be considered "no regrets" projects due to the extensive evaluation included in the process of developing the Master Plan. Again, leveraging these past efforts, along with LBLD's design efforts, will help the LWI implement projects as quickly as possible and meet its goal of spending 50% of the funds within 6 years. The LWI Council should take advantage of this past work by increasing available funding to projects that have been vetted in the Master Plan.

Thank you for taking these comments into consideration as you finalize the plan and move forward with this important work. We look forward to being a part of these vital efforts to mitigate future flooding in our home State.

42. **PUBLIC COMMENT:** *R. Hampton Peele (LGS) and John Sheehan (LDEQ), the authors of the attached whitepaper entitled National Hydrography Dataset, Watershed Boundary Dataset, NHDPlus, and 3DEP FOR LWI, submit this document during the current LWI Public Review Period for the Watershed Initiative Action Plan, on this day, November 26, 2019. Our hope is to more fully inform the Louisiana Watershed Initiative (LWI) Board, Staff, and Community of the National Hydrography Dataset (NHD), and related datasets, and of their relevance and value, to contribute to LWI in the fulfillment of its mission. "These "living" datasets are designed, created, and maintained through state-federal partnerships, to serve as the national standard to meet the needs of a wide variety of users throughout Federal, State, and Local governments and the private sector. The Louisiana Watershed Initiative (LWI) can benefit greatly through the wealth of information contained within these coordinated datasets and their established public-access distribution system, The National Map. As a stakeholder in the quality of these data, LWI is well positioned to contribute to the state-federal partnerships that maintain these data for Louisiana." Whereas, LWI with HUD funding is a new state-federal partnership charged with improving floodplain management in Louisiana; NHD is an existing state-federal partnership charged with maintaining and improving hydrographic GIS data for each and every state in the United States, within standardized seamless datasets. These data are used by the hydrographic community across the country. As the LWI moves forward with its mission, the submitting authors recommend that the current LWI Watershed Initiative Action Plan should be modified to include funding for the Louisiana NHD partners to make editorial updates to the Louisiana NHD and WBD, both before and after any LWI hydrologic modelling results are made available. We appreciate this opportunity to comment on the Watershed Initiative Action Plan and look forward to further discussions with the LWI Board and Staff regarding NHD, WBD, and NHDPlus. Thank you for your consideration.*

**Note:** Refer to **Attachment No. 1** for materials referenced.

**RESPONSE:** The state is funding the creation of computer models or “H&H” models to predict the regional flow of water in flood events. This effort, described further in Program Area 3 of the Action Plan, is anticipated to take between eighteen months and three years to complete depending on quality and availability of data and other factors. Modelers for this effort will use all existing data and models so that engineering efforts are not duplicated. Creation of the models will address sub-watersheds within each modeling region. The watershed models will be ‘living models’ and are a long-term investment that require maintenance, but are able to accommodate changing conditions on an ongoing basis many years into the future. A network of river and rain gauges will be needed to measure rainfall and riverine conditions and ensure accurate model inputs. The state recognizes the importance of collaboration among agencies and levels of government to provide for long-term gauge ownership.

The state intends to invest in effective flood-control projects that benefit both large and small jurisdictions within the watershed regions. One example of this is the Watershed Projects Grant Program: Local and Regional – Round 1, which is a \$100 million grant opportunity for locally-proposed, implementation-ready, low-risk/high-impact projects that do not pose potential adverse impacts upstream and downstream. Awards will be determined upon receipt and review of full applications. For additional detail, please see the [Round 1 page](#) on the LWI website.

43. **PUBLIC COMMENT:** *Have you considered putting big data in place to manage these models? Are you working with Houston? The watershed doesn’t stop at the state line either. What are you doing about that?*

**RESPONSE:** Storage and maintenance can be a challenge for large-scale computer models, and collaboration will be key to enable the success of this effort. Water does not obey political boundaries, including the borders of the state. The state held an Interstate Summit in 2019 to begin collaborating with our bordering states and cities, like Houston, that have experienced similar flood damages.

44. **PUBLIC COMMENT:** *How will the state align watershed models with DOTD districts?*

**RESPONSE:** The state plans to align watershed models to HUC-8 watershed boundaries and to ‘edge map’ the models to ensure they work both together and are independent of each other in order to examine regional impacts across HUC-8 boundaries. This allows the state flexibility to match a variety of district boundaries, including DOTD modeling contract boundaries. DOTD District boundaries are not defined by watershed, so there will not be an exact correlation between the watershed regional boundaries and the DOTD District boundaries.

45. **PUBLIC COMMENT:** *If there is a fair allocation for modeling for each HUC, is there going to be consideration for relief of costs for prior work done, whereas those funds should stay within that HUC? If an entity is chosen to be the facilitator/ coordinator/fiscal agent will they be allowed to be a future project administrator?*

**RESPONSE:** The state is procuring the development of statewide watershed models and costs are unique to each watershed. Please direct any individual or region-specific questions regarding the Regional Capacity Building Grant Program, which is not part of this Action Plan, to [watershed@la.gov](mailto:watershed@la.gov).

## V. REGIONAL WATERSHED MANAGEMENT AND GOVERNANCE

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*Note: Some comments below refer to guidance published as part of administration of the Regional Capacity Building Grant Program. This program is featured in Action Plan Amendment No. 11 for the CDBG-DR allocation associated with the Great Floods of 2016, however it is linked to mitigation needs and regional governance, and therefore is highly aligned with the proposed administration of the CDBG-MIT funding.*

*Specifically, the following comments inquire about **Regional Steering Committees, Regional Watershed Coalitions**, (both addressed in the “Regional Steering Committees and Coalitions portion of the Action Plan) and the **Regional Capacity Building Grant Program** and are grouped and answered collectively below.*

46. **PUBLIC COMMENT:** *Can you clarify what the regional steering committees will entail? Will the public be allowed to participate? Is there an initial funds consideration for critical projects that require immediate short term approval & funding? I'm wondering about distribution of funds to different parishes like, Lafayette, Acadia, Vermilion Parish. How do we compete with Baton Rouge?*
47. **PUBLIC COMMENT:** *My home flooded in 2016 and I have agriculture land that flooded as well. Who's going to manage our specific area region #5? We are going to need a board like structure. How are we going to manage the steering committee members? How does this information get out to public servants but not to the public?*
48. **PUBLIC COMMENT:** *Explain the process and timeline for establishing the "regional government"/decision - making body. Are there legal barriers? How will these entities be monetized?*
49. **PUBLIC COMMENT:** *The most recent flooding had devastating effects on the Casino, which is one of the tribe's major economic drivers in Allen parish. 68% of the people work in the Casino and golf course. How can we be more involved in the decisions being made for the region?*
50. **PUBLIC COMMENT:** *We want to make sure there's not an income provision on the federal money? There is no effort at the parish level to engage municipalities. Will they have a voice in this process? We know that APC is going to be the fiscal agent for this region. It has to be respectful to the citizens of Youngsville. The times of these meeting should also be at times that more people from the public can attend. We want APC to communicate with the municipalities.*
51. **PUBLIC COMMENT:** *Will someone from the community be considered to be a part of the planning area that needs repairs/flooding?*
52. **PUBLIC COMMENT:** *How are the members of the regional steering committee created?*
53. **PUBLIC COMMENT:** *The State Action Plan describes on page 50 the use of a steering committee in each region for stakeholder engagement and feedback from experts in the community. Under*

*separate cover, through the application process of the fiscal agent, a worksheet was provided with the demographics breakdown of the region. It states in the plan that the make up of the committee should reflect the demographic diversity and spectrum of interests in the region. The worksheet gives a breakdown of age, gender and race. Of particular interest is the category of 19 and under in which many of the regions have near 25% of the population under 25. In a region with 16 parishes what is the likelihood that a parish wants to submit a delegate 19 and under, will areas be forced to submit delegates under 25 and how strong is the consideration for fulfilling that requirement if the goal is to get experts and professionals?*

54. **PUBLIC COMMENT:** *The plan strongly suggests regional coordination, planning and project implementation. Without a regional authority or a regional organization in place, with the difference in local governments of city councils, parish councils, charters and police juries the matching requirements for a regional project will be a challenge. Since the modeling to be performed is scheduled to take at least 3-5 years, shouldn't the plan have more focus on moving towards regional or state management authorities, populated with engineers and scientists with experience and legislative authority to implement projects and funding mechanisms for the match. That would be true regional watershed management similar to what other states like Florida have done. The plan focuses on a great amount of competition for projects which will result in the communities and agencies with existing funding to compete and the smaller and distressed communities to fail to acquire any funding. With government resources working with limited funds, its highly likely that a lower income community is impacting surrounding areas due to the communities lack of funding and even more unlikely that an adjacent community can spend money outside of their jurisdiction regardless of the impact to their community on a project. There are some low income communities that have significant impacts from smaller, high intensity rain events that are impacting the growth of that community. The plan should have some of the funding for local/regional or state projects that addresses the need and identifies that amount that would be reserved for those areas so they are given some additional assistance and set aside funding so they are not left behind. The plan states as does the federal register the emphasis on the low-income but with all of the other variances and allowances 50% could be spent with an interpretation that it helps the community but it will be at a much lower impact than if the community had the resources of the larger entities.*
55. **PUBLIC COMMENT:** *Concern - Watershed Districts lines do not conform to physical watersheds. This makes it very difficult to align projects in 1 watershed with the bulk of benefits in another watershed. An example is the Bayou Des Glaisses Floodgate replacement and drainage canal connecting the bayou to the Atchafalaya River. This area in Avoyelles ended up in District 2 but the great majority of benefits are in District 5. This particular project will benefit 7-8 parishes all in district 5 including 2 of the 10 designated parishes but only 1 in District 2 where none of the 10 designated parishes reside. Per the federal guidelines, the state is required to spend at least 50 percent of the funds to benefit the 10 parishes designated as most impacted and distressed by the 2016 floods: Acadia, Ascension, East Baton Rouge, Lafayette, Livingston, Ouachita, St. Tammany, Tangipahoa, Vermilion and Washington. None of these parishes are in district 2 so minimal funds will be available and this example project will not weigh much with District's 2 steering committee. There has been NO opportunity for public to submit candidates for the steering committees. Completed rosters have been sent out for district 5 with already filled out names. Demographics requirements are suspect particularly regarding age demographics. Duplication of some expertise should be managed- steering committee vs. project staff Suggest non-voting technical steering committee members of water experts for steering*

*committee referral. These experts could consult but not vote as they may end up as contractors on some projects.*

*What about projects that may require work across state lines? Are our neighboring states ready to work with us?*

*Concern- With 25% already allocated to modeling, planning and administration and 50% for the top 10 parishes will there really be any money left for actual projects in the remaining parishes not in the top 10?*

*Most projects will require a Front End Engineering (FEL) process to arrive at a reasonably accurate cost estimate so project economics and cost benefits can be done. This FEL process should be followed to allow the project to be accurately scored and budgeted. How do we get the money to do these FEL's ?*

*Will the steering committees have any input decision making regarding the hiring of the paid staff?  
1Who will the paid 2 staff persons report to -the successful fiscal agent? or the steering committee?*

**RESPONSE:** As noted in the “Regional Steering Committees and Coalitions” section of the Action Plan, the state aims to enable regional watershed management and governance structures in order to enhance the ability of regions to collaborate to consistently (and collectively) raise development standards and mitigate unforeseen negative impacts of potential flood control interventions to neighboring regions. The formation of regional steering committees and coalitions will also provide a more sustainable institutional basis to improve flood resilience in an ongoing effort that will outlast specific event-related funding allocations.

The state launched the Regional Capacity Building Grant Program in August 2019 with the intent to provide guidance and resources to watershed regions to “stand-up” Regional Steering Committees and eventually to form Watershed Coalitions. This program is also intended to “level the playing field” by ensuring that all jurisdictions, including those with limited technical capacity, are able to participate in the Louisiana Watershed Initiative and benefit from mitigation funding. More information on the Regional Capacity Building Grant Program, including guidance on the formation of Regional Steering Committees can be found [here](#). The Regional Capacity Building Grant Program Notice of Funding Availability includes the following general guidance regarding the formation of Regional Steering Committees:

- Members should represent a diverse mix of technical (ex: engineer, floodplain manager) and community-oriented representatives and members of these groups should represent specific interests in the area (ex: members of a tribe in the region or community members associated with local environmental conservation or youth mentorship)
- Community outreach and public participation is critical to the success of regional watershed management efforts
- Local jurisdictions must coordinate to compile a Regional Steering Committee for each region, and should build consensus about the representation needs of the region.

Regional Steering Committees should be formed by March 2020, and they will represent the region in charting a path toward regional watershed management and governance in a locally-driven process. The state recommends that anyone interested in submitting candidates for a regional steering committee contact their region's fiscal agent or LWI staff via the [LWI website](#).

Please see the section labeled “Administration and Timeline” below for further information on the state’s administration of the subject Action Plan, and see the section labeled “Action Plan Programs” to see information related to requirements for the provision of benefits to low- to moderate-income individuals.

## VI. PROVISIONAL WATERSHED REGION NO. 4

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*Note: The following comments relate to matters regarding **provisional watershed region 4**, and are grouped and responded to collectively below.*

56. **PUBLIC COMMENT:** *I am a resident of Rapides Parish in Central Louisiana. I recently became aware of the watershed initiative by Ms. Melissa Becker from the Rapides Area Planning Commission and have comments for the group. I see that Rapides Parish is part of 4 different watershed districts. I think it would make more sense if Rapides Parish was kept within one of the watershed districts only. I have reviewed other parishes on the map and notice that Rapides parish is the only parish that is part of 4 districts. It is my opinion, as a resident of Rapides Parish, that being part of 4 different watershed districts, the parish would have a reduces chance of qualifying for funding due to dividing the parish into smaller districts resulting in a reduction of population representation in each district vs keeping the parish whole. I ask the members of the watershed committee to consider changing the proposed districts and keep Rapides Parish whole due to population representation. Thank you.*
57. **PUBLIC COMMENT:** *I am a resident of Rapides Parish and I see that Rapides Parish is part of 4 different watershed districts. I think it would make more sense if Rapides Parish was kept within one of the watershed districts only. I have reviewed other parishes on the map and notice that Rapides parish is the only parish that is part of 4 districts. It is my opinion, as a resident of Rapides Parish, that being part of 4 different watershed districts, the parish would have reduced opportunities when it comes time for funding due to dividing the parish into smaller districts resulting in a reduction of population representation in each district vs keeping the parish whole. I ask the members of the watershed committee to consider changing the proposed districts and keep Rapides Parish whole due to population representation. Thank you.*

**RESPONSE:** Rapides Parish is within a number of natural watersheds identified by [USGS](#) (which are defined by the topography of the ground), including the Lower Red – Ouachita, Louisiana Coastal (which includes the Atchafalaya – Vermilion and the Calcasieu-Mermentau), Texas – Gulf (which includes the Sabine), and Red-Sulphur. In adopting provisional watershed regions, the Council on Watershed Management has considered this existing complex topography and the LWI has created a framework for parishes to coordinate within watershed regions where they have overlapping watersheds or have a shared risk. Please refer to the LWI map [here](#) illustrating these boundaries and providing background [here](#) for their selection.

## VII. PROVISIONAL WATERSHED REGION NO. 7

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*Note: The following comments relate to matters regarding **provisional watershed region 7**, and are grouped and responded to collectively below.*

58. **PUBLIC COMMENT:** *I'm concerned about the RSC. I would much rather be in Amite river basin as opposed to Region 7. The RSC must be reformulated. If our model shows negative impacts are we going to be penalized for that?*
59. **PUBLIC COMMENT:** *This is supposed to be a science based approach to watershed management. The Goal is hazard mitigation. The governor has asked to create a process that is science based and not driven by politics. The draft watershed boundaries can be scientifically defended based on hydrology except for region 7. There are several HUC 8 watershed in region 7 that drain to the Maurepas-Ponchartrain system. They are hydrologically distinct! I cant think of a better way to introduce politics into this process than by looping the Amite, Tangipahoa, Tickfaw, and Pearl River basins into one group, The decisions made in each of these watersheds are independent of each other. You don't want to create a system in which certain projects are being voted on by people who are not going to be affected by a project. It's not too late to break region 7 into separate Huc 8's and avoid all of the political challenges the current alignment of region 7 is putting the LWI on a cash course for.*
60. **PUBLIC COMMENT:** *I am sending you a map of Provisional Watershed 7 ---Pontchartrain Basin Watershed--divided into the separate smaller management watersheds of the major rivers draining into Lake Ponchartrain. These watershed units are the logical level watershed to be able to manage, plan a watershed. The Amite River Watershed is the most predominant. I am also sending you a letter with suggestions on how such a system can be set up. Could you include this into the public comment section of the study?*

*Note: Refer to **Attachment No. 2** for materials referenced.*

61. **PUBLIC COMMENT:** *Please see attached comments on the Master Action Plan for the Utilization of Community Development Block Grant Mitigation Funds (CDBG-MIT) on behalf of Ascension Parish Government. Thank you.*

*Note: Refer to **Attachment No. 3** for materials referenced.*

62. **PUBLIC COMMENT:** *A letter was submitted on behalf of the members representing the Amite River and its Basin.*

*Note: Refer to **Attachment No. 4** for materials referenced.*

**RESPONSE:** The Council on Watershed Management approved provisional watershed boundaries—including Region 7—at their August 2019 meeting with the intent that these would be a starting point for regions to consider and refine over the course of the next year in coordination with the Regional Steering Committees. The LWI intends to work with Region 7 stakeholders as part of this process to determine the most appropriate long-term boundaries.

For more information about the regional steering committee formation, see the [Regional Capacity Building Grant Program landing page](#) on watershed.la.gov.

It should be noted that the Amite, Maurepas, Bayou Sara-Thompson, Tickfaw, and Tangipahoa (HUC-8 level) are sub-watersheds within the Lake Maurepas (HUC-6 level) watershed, so under certain conditions, even the Amite River Basin could experience flood-risk impacts from outside of its HUC-8 boundaries. To this end, the LWI has created a framework for parishes to coordinate within watershed regions where they have overlapping watersheds or have a shared risk (ex: upstream impacts coming from Mississippi or a shared coastal threat). Please refer to the LWI map [here](#) illustrating these boundaries and providing background [here](#) for their selection.

The Council on Watershed Management has reviewed the subject Action Plan and has endorsed its submittal to HUD. The state has hosted four public hearings in accordance with the public notice procedures outlined in [FR-6109-N-02](#). Please see the Louisiana Watershed Initiative [website](#) for further detail, including videos of past public hearings and engagement events.

Please see information in the section above titled, “Most Impacted and Distressed (MID) Areas” regarding the inclusion of LA-MIDs in the Action Plan. As noted in [FR-6109-N-02](#), the subject \$1.2B in CDBG funding is required to be spent on mitigation activities and a minimum of 50 percent of this funding is required to be spent to benefit the HUD-MID parishes. This does not restrict the amount of funding that ultimately benefits the HUD-MID parishes, and therefore the 50 percent expenditure requirement could be exceeded in areas.

OCD is the administering agency for the subject Action Plan and the associated CDBG-MIT funding. OCD will release specific project criteria and solicitations as each program within this Action Plan is mobilized.

With regards to prior investments by local jurisdictions in modeling and project design, the funding allocated to monitoring, mapping, modeling, planning, and capacity assistance in the subject Action Plan does not negate opportunities for HUD-MID parishes to benefit from CDBG-MIT funding. In fact the grant opportunities originating from the subject action plan can further bolster those existing efforts seen in the Amite basin and can extend their positive impact to other basins impacted by the 2016 floods. The state recognizes the devastation visited upon the Amite River Basin region from the 2016 floods, and seeks to promote watershed planning and future development patterns that prevent such a devastating event in the future. Further, the state recognizes the contribution that the Amite River Basin Commission has made to resilience in the region. The Action Plan does not preclude ARBC from playing a large role in regional governance and mitigation, rather it enables regionally-proposed projects and allocates at least 50 percent of the funding therein to the HUD-MID parishes. It also enables and encourages regional public entities, such as the ARBC to participate in project grant opportunities.



## VIII. DEVELOPMENT PATTERNS

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*Note: The following comments generally address **recommendations or concerns with development patterns in Louisiana** and are grouped and answered collectively below.*

63. **PUBLIC COMMENT:** *This is a great start in addressing the challenges facing the state as a result of rising seas and climate change. These changes affect communities and the culture of the state's diverse population, some dating back as far as the state being settled by various Native American tribes. To that end, as we look to have sustainability and resiliency in our communities, what other measures may be deployed to mitigate the blight, abandonment and disinvestment in communities hard hit by flooding. As the final plan is being constructed, some attention should be given to addressing building with materials that can withstand flooding and be relatively simple to dry out, withstand constant rain due to a metal roof. If we continue to use construction techniques that we always have done and address those watershed issues relative to drainage, flood plains and coastal erosion, it will not be the efficient use of the resources being entrusted to the state. Most industries have had disruptors; taxicabs have Uber and Lyft; cable operators have Netflix and Hulu. How we build structures in flood prone areas in particular and resiliency for the climate in general is in dire need of a disruption.*
64. **PUBLIC COMMENT:** *Will additional retention ponds and retention areas be required moving forward prior to approval of additional residential and business developments? We should require developers to implement storm water management solutions so that storm water doesn't end up in the Vermilion. I pray that this money is not misused. It's been 3 times this year that the water surpassed the 100-year flood mark.*
65. **PUBLIC COMMENT:** *St. Tammany Parish development practices enhance the loss of the bottomlands and wetlands through its partners. Buildings/development practices that require the topography to conform to a plan as opposed to a plan conforming to a topography is a formula for disaster. It seems that the extensive use of fill is a major culprit in the problem we see here in St. Tammany. I was waiting to hear that building/development land use practices are at fault as practiced now and that funds need to be contingent upon adapting more sustainable codes and ordinances that protect the public. Presently, such instruments work to benefit developers only!*
66. **PUBLIC COMMENT:** *Is the state going to look at drainage codes and ordinances that are working in other states?*

**RESPONSE:** There is a clear need for improvements to development patterns in order to prevent the need for repeated mitigation interventions in the future. The subject Action Plan contends that improved planning and consideration of development patterns can help protect the integrity of investments in capital projects to reduce flood risks and that it is important to leverage these investments to produce greater risk reduction (see section titled "Unmet Mitigation Need: Flood-Resilient Development Patterns" in the Action Plan). Development today should not require future correction or flood mitigation project investment that could have been avoided with proper planning. OCD has indicated in the Action Plan that the use of green and blue infrastructure, green building standards, and the use or enhancement of natural floodplain functions are program criteria applicable to projects funded through administration of the subject Action Plan.

The state conducted a comprehensive investigation into existing best practices that other states are using to manage flood risk. The results of these findings are summarized in the [Phase I Investigation](#) located in the [watershed.la.gov](http://watershed.la.gov) resource library. The state continues to facilitate collaboration among local jurisdictions and across state boundaries in order to promote resilient.

## IX. COLLABORATION

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67. **PUBLIC COMMENT:** *Once the Action Plan begins to take a formal shape, I would strongly encourage the Louisiana Watershed Initiative to consult with the ISO/Community Rating System Program to ensure that CRS communities get maximum CRS credit for the Plan, as an added benefit to risk reduction. In addition, hydraulic models should be fluid enough to adapt to Risk Rating 2.0 since very little is currently known about these upcoming changes to the NFIP, and how they will affect the relationship between insurance requirements and regulatory (building) requirements.*

**RESPONSE:** The subject Action Plan identifies critical coordination efforts with the CRS program in the section titled “Technical Assistance: Flood Insurance Affordability and Policy Implementation.”

68. **PUBLIC COMMENT:** *Thank you for the opportunity to provide comments on the draft Action Plan. The integrated, regional approach envisioned by the Louisiana Watershed Initiative is laudable and much needed. Moreover, prioritizing resources for regional, trans-jurisdictional partnerships and projects is important to maintain momentum. Those partnerships may be based on cultural or socio-economic relationships rather than ecological ones, thus involving parishes not directly affected by the 2016 floods (for example, the New Orleans Regional Planning Commission includes St. Tammany and Orleans, which share a watershed in Lake Pontchartrain). Where such partnerships are beneficial to achieve the program goals, they should be fostered. The Action Plan rightly acknowledges a warming climate and relative sea-level rise as significant threats to the people of Louisiana. In that spirit, it would be sound to evaluate partnerships and projects on the basis of their capacity to prevent carbon emissions or sequester carbon. For example, projects that reuse and retrofit buildings for flood resilience typically entail far less embedded energy and associated emissions than new construction buildings. Similarly, preserving a growing forest or restoring a wetland can increase carbon sequestration in the landscape while providing flood resilience to developed areas nearby. Finally, a more prominent role for the Louisiana Department of Cultural Resources and Tourism, offices of Archaeology and Historic Preservation can improve the final Action Plan and future funding decisions. Proactive engagement will help to avoid negative impacts to cultural resources and streamline the requisite Section 106 proceedings. Perhaps more importantly, it may serve to identify culturally significant sites in need of protection through flood mitigation. Appropriate flood-proofing of historic structures can and should be a component of the workforce training and job creation programs included in the Action Plan. Thank you for your consideration of these concepts. Please reach out with any questions.*

**RESPONSE:** Partnerships with relevant state agencies are, and continue to be, a building block of the Louisiana Watershed Initiative.

69. **PUBLIC COMMENT:** *Will Parishes that border other districts and states be permitted to collaborate with those stakeholders to coordinate our efforts?*

**RESPONSE:** Yes, such coordination is encouraged. The state held an Interstate Summit in June 2019 in Bossier City to collaborate with bordering states. For more information about the summit visit LWI’s website [here](#). The state continues to collaborate with our bordering states and cities and encourages local jurisdictions near state boundaries to similarly collaborate with our interstate partners.

*Note: The following comments generally address questions regarding **collaboration with the land development community**, and are grouped and answered collectively below.*

70. **PUBLIC COMMENT:** *I represent one of the many people that was impacted in the 2016 flood. I believe this is a great initiative but I also believe that a 1:30 pm meeting during the work week hinders a lot of people from attending. I would like to ask why wasn’t the local news carriers informed of the meetings? I would like to ask will the funds be used in neighborhoods like mine to eliminate future floods. How can local certified neighborhood developers be utilized assist with this watershed initiative since it is neighborhoods?*

71. **PUBLIC COMMENT:** *Members of local Home Builders association throughout LA are in contact with Dr. E. Meselhe (Juliane) with regards to providing professional, academic opinion on mitigating future flooding. He is connecting us to various academia at the universities around the state to engage a cross protection of individuals with regard to drainage/flooding issues. We are happy and willing to continue working alongside these professionals in whatever way we can to develop our community in an efficient, safe manner.*

**RESPONSE:** Please see the section above titled “Miscellaneous” for information regarding public hearing times and the public comment period. The state encourages local developers to be involved in the regional steering committee process and regional watershed management. For more information, visit the [Regional Capacity Building Grant Program landing page](#).

## X. WATERSHED PROJECTS GRANT PROGRAM: LOCAL & REGIONAL – ROUND 1

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72. **PUBLIC COMMENT:** *What will constitute a negative impact on a neighboring parish? Will the state take responsibility for the enforcement of this program?*

**RESPONSE:** Potential negative impacts will be assessed and evaluated on a project-by-project basis.

73. **PUBLIC COMMENT:** *As part of the state's draft planning efforts, documents and white papers were developed that outlined criteria, requirements and specifics related to project criteria and programs. While these documents had very specific criteria, much like that of the NOFA for the 1st round of projects, these documents were not included in the plan. Including these items in the plan*

would make the plan more transparent and the applicants, stakeholders and citizens would have a better understanding of the plan, expectations and schedule. Had these items not been developed their absence from the plan would be understandable. The plan is more broad and ambiguous, creating the sense that there is time for local and regional input, but the criteria, applications and dates of many of the items identified in the plan have been developed and scheduled with many items ahead of an approved plan. Currently, one can refer to the plan and interpret funding to be attainable by an entity, only to learn in the application that their project doesn't meet the criteria for the first round and the entity will not have access to funding for quite some time. If one doesn't realize all of these documents are out there and cross references the documents, limited funding could be spent planning for projects that have already been decided will not meet the criteria.

**RESPONSE:** The subject Action Plan sets forth priorities for the expenditure of the entire CDBG-MIT allocation for Louisiana (approx. \$1.2 billion) and, as such, this document does not speak to sub-program level criteria or project types, such as those associated with the Watershed Projects Grant Program: Local & Regional – Round 1 opportunity, which can be found on the Louisiana Watershed Initiative website [here](#).

*Note: The following comments inquire about **eligibility and the application process** for the Watershed Projects Grant Program: Local & Regional – Round 1 and are grouped and answered collectively below.*

74. **PUBLIC COMMENT:** *I would like to know more about the application process for large regional projects - who is the "applicant" and who pays the match Is there a mechanism for multiple applicants?*
75. **PUBLIC COMMENT:** *The \$100,000,000 that will be allocated in the near future how will this be shared? Specifically, for the most impacted or distressed parishes. How can we get funding for projects that have already been modeled and that can be done immediately? This takes into account that the project will have no adverse impact upstream or downstream. We need immediate actions! How will you evaluate areas that are most impacted or distressed but are not low to moderate income as per HUD? The Acadian Group of the Sierra Club and the Dredge the Vermilion group have studied the watershed for the past 3 years. These gentlemen have spent countless hours researching historical data, analysis of stream gauge data, and analysis of other data provided by governmental entities. They have a written report titled The Courtableau-Teche-Vermilion-Watershed in South Louisiana, Fix our Flooding Problems for the Next 100 Years. You can contact David Dixon at 337-739-9331 or daveralphdixon@gmail.com. Mr. Dixon and others in this group need to be members of the Steering Committee. We are thankful for the efforts of your office in bringing us to this point in your planning structure for the Louisiana Watershed Initiative. We are thankful that the governor has secured the \$1.2 Billion. However, if you truly want to make a difference you need to listen to the "experts" that live within the watershed. We have lost trust in public officials and public employees. Our goal is to look to the future for common sense solutions. You can facilitate change in Louisiana please take the challenge.*
76. **PUBLIC COMMENT:** *How will the decision making occur for each region? Are we supposed to have a rank of projects? Who do we send them too? How are the decisions going to be made statewide?*

*Is the watershed commission going to decide on this project? What is the measure for impact on another parish?*

77. **PUBLIC COMMENT:** *In connection with the round one funding, can modeling projects be submitted or is this only for actual construction projects?*

**RESPONSE:** Round 1 of the Local and Regional Watershed Projects Grant Program provides an initial allocation of \$100 million for resilience projects and programs in each of Louisiana’s eight provisional watershed regions. These should be implementation-ready, low-risk programs and projects that do not negatively affect flood risk or the natural and beneficial function of the floodplain either upstream or downstream; consider flood risks through a watershed-based approach; and incentivize local government entities to organize as regional coalitions. For additional detail, please refer to the [program information](#) provided on the Louisiana Watershed Initiative website.

Round 1 is open to any local or regional public entity in Louisiana, as long as it has the authority and jurisdiction to implement, operate and maintain the project. Private entities are not eligible and a single agency must be designated as the lead on the application. Applicants may submit projects for eligible mitigation activities located outside of those areas identified as most impacted and distressed or “MID” in the Action Plan, but must demonstrate how spending CDBG-MIT funds will measurably benefit or mitigate risks within a MID area (e.g., upstream water retention projects that reduce downstream flooding in the MID area). There is no match requirement for Round 1 applications, however the [scoring criteria](#) for this program considers leveraged resources and local contributions. The scoring criteria also address benefits to HUD MID and LA MID parishes, as well as benefits to low to moderate income areas.

Eligible projects for Round 1 include public infrastructure improvements, elevations, economic development, voluntary buyouts and housing activities related to resettlement, or other public facilities projects that increase flood resilience on a watershed level. Eligible projects also include floodplain restoration and preservation, flood storage, critical facilities and infrastructure flood mitigation, physical non-structural mitigation, stormwater management with gray/green infrastructure and other innovative or replicable flood control activities. Please refer to Round 1 [Policies and Procedures](#) for a description of each project type.

Round 1 is designed to go through one intake process with two opportunities for selection. The phased application process is designed to encourage regional discussion of projects, allow full consideration of a broad array of impactful mitigation activities, and ultimately to focus the detailed level of project formulation only to the most qualified projects that have the highest likelihood of success. The two-tiered selection process allows for a statewide competition for all eligible projects and a successive watershed regional prioritization process within each region. OCD will review Round 1 applications with input from a panel of representatives from the agencies on the Council on Watershed Management (OCD, CPRA, DOTD, LDWF, and GOHSEP). Regional steering committees in each watershed region may select up to \$5 million in projects to recommend for funding. These projects will come from submitted applications that meet a minimum threshold score. This regional selection process is contingent upon each region’s development of a functional steering committee under the LWI and HUD’s approval of the state’s proposed selection process.

Note: The following comments inquire about the **timeline** for the Watershed Projects Grant Program: Local & Regional – Round 1, and are grouped and answered collectively below.

78. **PUBLIC COMMENT:** Round one projects are to happen to quickly. In watersheds that affect small populations where modeling has never been done there is no time to establish the science. That seems to be a direct contradiction to how the state wants projects to be awarded. Rainfall caused the 16 floods. Priority should be given to inland flooding projects and not coastal flooding.
79. **PUBLIC COMMENT:** In the Plan it identifies \$100 M for Round I projects. The description of the Round I projects on page 53 and the other rounds thereafter is broad and vague with selection criteria. The Round I project funding appears to attainable to local governments and in the planning public meetings the descriptions were vague and the message was encouraging to communities that short term "no regrets" projects would have the ability to be funded. The plan described wanting to incentivize local units to work regionally with watershed based projects, which should be encouraged and expected. However, without the plan being approved a NOFA was distributed regarding the Round I projects in an effort for the state to respond quickly. While the sense of urgency is greatly appreciated, the criteria and requirements for the Round 1 projects stated in the application contradict the plan somewhat. If the plan recognizes very little if any regional planning and projects have been completed in the past, how will a local community in a distressed area or a local unit/region develop a project that will be high impact low risk, no less than \$500k, no more than \$5M and be ready for implementation in 120 days from approval with the funding for a match readily available. How do agencies or local units outside of CPRA compete with these requirements? It is more likely that the HUD MIDs manage their finances in such a way that projects are not modeled and designed unless the construction funding has been identified. State agencies like CPRA which has funding to get projects "shovel ready" and the projects are from an approved plan and they have the match available from other funding sources are at an advantage to receive the funding for coastal projects over HUD MID communities that have limited funding that has to be used to design upon award. The criteria and requirements in the plan appear to be more in line with the larger cities and parishes or state agencies that may have a drainage taxes or other funding and less in line with communities that may want to do more than the parish or adjacent parishes can afford to design and put on the shelf to wait for funds.

**RESPONSE:** The deadline for submittal of pre-applications for Round 1 funding has been extended to January 17, 2020. The Round 1 program has an ambitious timeline, with the intent to provide citizens with relief from intense and frequent storms and floods as quickly as possible. In Louisiana, we know that the next flood or hurricane may be swiftly approaching, so we should not delay implementing mitigation measures that are proven effective with no negative impact on their surrounding areas. Coincident with the design and launch of the Round 1 process, the state is supporting the implementation of "standup" activities for Regional Steering Committees and regional capacity building funding in each of the eight watershed regions. OCD will also offer TA in each region to assist applicants with determining basic project eligibility and successfully completing the required pre-application. For the full application phase, OCD will offer TA to each region to assist applicants in understanding of the application requirements and to plan for the requirements of project implementation.

## XI. LOCATION-SPECIFIC PROJECTS

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*Note: The following comments inquire about **location-specific projects** or risks not addressed individually in the Action Plan, and are grouped and answered collectively below.*

80. **PUBLIC COMMENT:** *“After the flood of 2016 I started to research flood issues storm water management pervious concrete allows water to flow through it which reduces flash flooding practical application Low volume streets, sidewalks, golf cart paths and parking lots. I have visited areas in the Louisiana watershed, Portage, Morganza Spillway, Bonnie Carre spillway, calumet near patterson, portage, port barre, intra-coastal city, Lafayette, New Iberia, Abbeville, Leonville, Opelousas, Loreauville, Henderson Levee, krotz Springs, Bayou Teche Vermillion River pump station, Melville, the Vermillion River in Lafayette and Live Oak rd. and Hwy 690 south of Abbeville. I measured 5 feet of water 1 Foot of Sediment Northside Landing 4 feet of water 2 feet of sediment beaver park 3 feet of water 2 feet of sediment at Southside park 8 feet of water with high current port barre near the beginning of Bayou Teche 8 feet of water high current 1 Foot of Sediment Leonville 8 feet of water high current 1 Foot of Sediment Arnouldville. I constructed a spillway in my front yard using bricks, shovel and dirt. The water decreased when I added dirt to the water stream I feel that all parishes near the bayou Teche Vermillion River Watershed can benefit from dredging the Vermillion River it will create a bigger capacity to support all parishes. I have been involved with Hydrographic Survey projects for the coast guard, Homeland security, NOAA Project National Oceanic and Atmospheric Administration H11622 Dauphin Island Alabama Houma navigation canal, the shipping channel in Cameron La. Hurricanes Katrina and Rita.*
81. **PUBLIC COMMENT:** *As a resident of Morgan City, LA, I offer the following comment. The locale of Morgan City, LA is one that provides a beneficial and natural function for watershed management. Its location at the base of the Atchafalaya Basin provides the magnitude and impact for floodplain risk management. The locale should be considered as an integral part of the state master plan for research development and floodplain innovation.*
82. **PUBLIC COMMENT:** *Catahoula Parish is very unique place. The Parish has 5 Rivers that flow into the Parish. The Ouachita River headwaters that begins in Southern Arkansas, The Red River that flows from Northeast Texas and Southwest Arkansas, The Tensas River that drains from the West Levee System of the Miss. River west to the Macon Ridge area, The Bouef River that drains from Southeast Arkansas to the Ouachita River north of Harrisonburg, La., The Little River that drains South Central Arkansas through North Central La. Ouachita, Tensas and Little Rivers meet at Jonesville, La. and form the Black River in which flows into the Red River in the southern Part of the Parish. During the 2019 Flood event all 6 rivers reached Flood Stage in very short time. Parts of the Parish stayed at flood stage until late May 2016 in the Parish, due to the fact that there is only one outlet system the Red River that the water can flow out. The reason that the Red River could not drain the River systems from the North part of the State that flow into it, is because the USCOE was diverting water the Miss. River through the Old River Control system into the Atchafalaya River in which slows the the flow of the Red River.*
83. **PUBLIC COMMENT:** *Bayou que de torture and Indian bayou in western Lafayette parish need to be dredged bayou que de torture is silted up and full of beaver dams and log jams areas that have never flooded are starting to flood now all I ever hear on the news is dredge the vermillion but we*

*need help on the western side of the parish. Bayou que de tortue also drains the eastern side of Acadia parish but is the main drainage of Duson and part of Scott la. Please help us get this done thanks*

84. **PUBLIC COMMENT:** *Taken to alleviate flooding within Watershed 5 needs to be concentrated in the dredging of the rivers, bayous and major drainage coulees. Over the past century, industrial agriculture has introduced an abundance of sediment runoff into the localized streams and drainages of the area, subsequently causing siltation of the waterbodies. This has enabled the various drainages from flowing at full capacity, allowing water to back up during rain events, causing flooding of the localized area. The community of Mire LA is a perfect example; the overwhelming majority of the area is NOT in a flood zone, yet every time it gets a major rain event the entire community is under water. This is due to the fact that Bayou Wikoff is silted in and needs to be dredge and the two major drainage coulees that drain Mire needs to be cleaned out and the drainage board doesn't have the funds are manpower to do so. If you really want to fix the flooding issues of Watershed 5 the key is repairing the drainage we already have in place.*
85. **PUBLIC COMMENT:** *I'm apart of Dredge the Vermilion.org. I lived on river for 25 years. The river flooded severely in '93 and during the 2016 flood event, I had 40 inches of water in my house. We've already come close to flooding twice this year. Something changed that's brining more to the river faster and the water is not leaving the river. We have an emergency situation on the river. It's flooded five times this year already. Something is happening here that's causing us to flood must worse. We need to dredge the Vermilion as soon as possible.*
86. **PUBLIC COMMENT:** *How do we make sure all the money doesn't go to Lafayette and BR so it can help small towns like Church Point? Why can't we just dredge the Vermilion?*
87. **PUBLIC COMMENT:** *How will the watershed initiative directly relieve the drainage issues of the town and country area in north Monroe, specifically the Magnolia, Jennifer Lane and Wooddale subdivisions which back up to Bayou Desire. Also the Desire St., 11th St. and areas in downtown Monroe nearest the Pleasant Haven and Grammont areas closest to the public works building suffers horrible drainage and subsequently structural damage. How will this affect this area without harming the nearby train yard? These are both areas of low to moderate income housing and traditionally overlooked. These areas are usually occupied by younger entry level families.*
88. **PUBLIC COMMENT:** *We need new drainage infrastructure in the inner city of Monroe and neighborhoods in the Ouachita Parish as a whole. Is there any funds that can be used for that purpose? Is there funds for someone who is a builder or development/developer and if so how do they get access to those funds? Will it be a grant?*
89. **PUBLIC COMMENT:** *Heyman park In Lafayette Parish, Lafayette, LA: blue area is a known flood zone; orange is a section of permeable Roadway; red is a section of permeable sidewalk*





**RESPONSE:** The subject Action Plan includes descriptions of the proposed projects and programs to be administered, however this plan does not describe specific projects, such as the projects referenced above. In order to propose a location-specific project for CDBG-MIT funding, a potential applicant would need to submit an application within the context of a grant program. The state will release specific project criteria and solicitations as each program within this Action Plan is mobilized.

## XII. GENERAL QUESTIONS

90. **PUBLIC COMMENT:** *Can you please explain what it means to build better to mitigate future disaster?*

**RESPONSE:** Mitigation is generally defined as taking steps to reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters. Building better to mitigate future disasters would include activities such as developing improved subdivision standards, adopting higher building standards, and improving regional polices that govern where we build and how we build (in order to keep people and property “out of harm’s way”). The state intends to work with communities and regions to assist in implementing this task, as appropriate. To learn about

more about how the state plans to mitigate future disaster, view the [Action Plan at watershed.la.gov](#).

91. **PUBLIC COMMENT:** *Is there one place that shows the available funds and what they will be allocated for? How will the plan address changes to development? Will there be a way for people to learn about their flood risk?*

**RESPONSE:** The Action Plan details the state’s proposed use of the approximately \$1.2 billion in CDBG-MIT funding. Please see the section above labeled as “Administration and Timeline” to see information on program areas within the Action Plan. The Action Plan does emphasize programs that incentivize resilient development and enable widespread flood risk education (see Program Areas 1-4). The state is also working to produce watershed models and flood risk data and to host this information in a publicly accessible format to assist citizens with learning more about their flood risk and facilitating easy access to additional resources.

92. **PUBLIC COMMENT:** *We are appreciative for the opportunity to provide public comments on the Louisiana Watershed Initiative’s proposed Action Plan to spend \$1.2 billion in Community Development Block Grant Mitigation funds. For background, Restore or Retreat, Inc. is a non-profit coastal advocacy group created by coastal Louisiana residents and stakeholders who recognize the Barataria and Terrebonne basins are the two most rapidly eroding estuaries on earth. Restore or Retreat (ROR) began by bringing together landowners, port commissions, parish governments, restoration advocates, levee experts, business owners and residents together for one purpose: to work daily on the local, state and federal level to implement large-scale restoration projects for our coast. Since 2000, Restore or Retreat has been involved in policy, funding, and public engagement and outreach efforts on various coastal efforts from Coast 2050 to the most recent iteration of the State’s Comprehensive Coastal Master Plan. Below, we would like to respectfully provide a few general comments related to the proposed action plan. Adherence to the Coastal Master Plan ROR is proud to participate in the development of Louisiana’s Comprehensive Master Plan for a Sustainable Coast (Coastal Master Plan.) In 2012, Restore or Retreat participated in the Framework Development Team of the Coastal Master Plan, and as the 2023 Coastal Master Plan is developed, we serve on the Coastal Advisory Team, as well as the Terrebonne Basin Working Group. We have assisted with outreach and engagement opportunities along the coast in both 2012 and 2017, including the rollout of the Master Plan Data Viewer and host of Community Conversations, which engaged hundreds of residents before the adoption of the 2017 Master Plan. Clearly, we are deeply invested in this science-based document with public input, and implore you to closely coordinate with the development of future efforts. We very much understand and appreciate your work extends beyond the geographic and scientific scope of the Coastal Master Plan; however, it must be known literally hundreds of thousands of hours of time and dollars have been dedicated to engaging folks all across the world on the significance of this plan, and we must not send out contradictory messaging with intended complementary efforts. ROR and fellow NGOs have already received multiple questions from every day citizens who are confused by these parallel efforts, and we stand ready and willing to help educate communities on how these efforts can be both complementary and synergistic to help more coastal citizens embrace the need for a sustainable coast. Additionally, two gubernatorial administrations have issued Executive Orders on adherence to Louisiana’s Comprehensive Master Plan for a Sustainable Coast (JBE 2016-9; BJ 08-07.) These executive orders direct all state agencies to carry out their regulatory responsibilities and administer all programs, contracts, grants and other activities in a manner consistent with the Master Plan. All state agency actions should take into account Master Plan features and other*

*non-structural programs and be implemented in a manner which does not adversely affect any Master Plan action. These executive orders are seen as more than just ceremonial as well; it is used in the halls of Congress and elsewhere to provide that Louisiana is coordinating on multiple levels to ensure funding efforts are well-coordinated, and are as efficient as possible. Additionally, guidance for permit consistency with Louisiana's Master Plan for a Sustainable Coast was issued in 2009. This guidance document was developed by the Office of Coastal Management (OCM) to provide a consistent methodology for state employees to apply the enforceable policies and mechanisms to the regulatory and oversight responsibilities in such a way as to fully comply with previous executive orders, as described above. This document also establishes a framework for coordination in the coastal use permitting process based on the nature of the proposed use, its magnitude of anticipated effects and its location with respect to Master Plan features.*

*Coastal Financing: Over the next 15 years, billions of dollars will be available for coastal protection and restoration in Louisiana, largely from the Deepwater Horizon global settlement as well as the increase in payments under the Gulf of Mexico Energy Security Act (GOMESA). Revenue sources associated with these funding streams, however, vary greatly in terms of specific requirements and timelines, so an advanced strategy is needed to best maximize and leverage coastal funding made available. ROR has worked in partnership with the Louisiana Coastal Protection and Restoration Authority through the generous support of national philanthropic partners to develop a financial strategy to best leverage and maximize coastal funding available, and will continue this effort in the near future. This strategy does not include the \$1.2 billion provided through these Community Development Block Grant for which we are providing comments for, but it is vital and prudent to coordinate these corresponding funding efforts. Citizens from the bayou to Washington DC and beyond will not understand the nuances of this complex web of vital funding, but it is our responsibility for every person to understand we are coordinating—and not duplicating or conflicting—with these efforts.*

*Outreach and Engagement: In addition to our above comments related to our willingness to help engage coastal communities on this effort (without compensation), we applaud your effort to translate Action Plan documents into Spanish to increase accessibility. For the 2017 Master Plan, Restore or Retreat researched language assistance, and thanks to a generous grant from the Greater New Orleans Foundation, provided translation services for the Master Plan into three languages, all of which were directed by populations found in communities of coastal Louisiana. Spanish was included, as well as French (100,000 residents) and Vietnamese (29,000 residents.) While these numbers may seem low, Louisiana has the highest and second highest totals for these languages in the United States, respectively, but more importantly, the communities speaking these languages are concentrated in deeply impacted coastal communities which could be most affected by the Action Plan. Previous efforts by the Office of Community Development, Department of Health and Hospitals and other state agencies can provide additional guidance on language assistance standards, as well as community groups and the Greater New Orleans Foundation through their SELA VOICE coalition.*

*Budget: We have one single question regarding the budget. Will there be an administrative cap in each line item of the CDBG-MIT Program Budget? We understand there is an administrative cost of approximately 4%, but is this directly related to program management? Thank you again for the opportunity to comment on the Action Plan, and ROR looks forward to continuing to work with the State on the implementation of projects to sustain our coast, including OCD on the Louisiana Watershed Initiative. We thank you for your time and consideration of our comments.*

**RESPONSE:** As noted in the Action Plan (section titled “Coordination and Alignment”), the subject Action Plan is consistent with, and not duplicative or in conflict with the CPRA Coastal Master Plan. CPRA, as well as DOTD, LDWF, GOHSEP, and OCD are represented on the Council on Watershed Management, and therefore have had a significant role in drafting the subject Action Plan and will continue to participate in the administration of the plan. Translation standards are outlined in the Language Access Plan on the state’s website [here](#). OCD will issue guidance regarding administrative caps for each sub-program within the context of program policy documents and grant agreements.

93. **PUBLIC COMMENT:** *How far are we from 1.5 years ago?*

**RESPONSE:** The state completed the [Phase I Investigation](#) and is now implementing the Louisiana Watershed Initiative. [The Action Plan](#) details how the state plans to spend the \$1.2b federal allocation. This is substantially ahead of other entities around the country who are eligible for these funds.

94. **PUBLIC COMMENT:** *I’m a part of the 1300 member Atchafalaya Basin Keepers: How will you address lack of enforcement from ACE? We have a masterplan for this region.*

**RESPONSE:** The state intends to collaborate with stakeholder groups and the U.S. Army Corps of Engineers to improve existing systems management and leverage project benefits to comprehensively address flood risk across the watershed region.

95. **PUBLIC COMMENT:** *Can HUD overpower objections on Dept. Of Interior whereby these people have isolated thousands of acres from our Basin in Avoyelles Parish? So do we feed ducks or flood homes?*

**RESPONSE:** OCD defers to HUD with regards to federal regulations administered by HUD or the Department of the Interior.

*Note: The following comments generally address **questions or concerns surrounding the timeline for action plan approval or public comment procedures**, and are grouped answered collectively below.*

96. **PUBLIC COMMENT:** *I believe the timing of this is not advantageous. This is occurring during an election cycle where most communities are in the middle of transitioning periods and the time to review this is limited. Also the LFMA should be more involved as they have more knowledge regarding the issues. It's important that everyone be active in this process, however, serious discussions should be done by informed committees who understand the problems. We need more inland flooding funding, not just coastal erosion which are two entirely separate issues. As usual, we are trying to enact things that have not been fully studied yet, into current construction projects.*

97. **PUBLIC COMMENT:** *The Federal Register requires that a draft plan be submitted by February 3, 2020. As a resident that flooded in 2016, it is greatly appreciated that the state is working hard to submit a plan as soon as possible. However, the draft plan public hearings, comments periods, the fiscal agent application due date and the round 1 project due dates have all been during intense*

*election cycles and with the latest fiscal agent and round 1 application due dates just days before many jurisdictions will have new leaders and directors. The next 4 years of this plan will be implemented under the leadership of those taking office in January 2020. With the due dates identified with efforts ahead of the approved plan and commitments being made by leaders leaving office and in some cases leaders in office that are transitioning out and not focused on the next four years, a consideration should be made with schedule and before submitting the plan so that those coming into office understand the plan and the commitments of the plan, round 1 projects and fiscal agents. At a point where we are almost 3.5 years past the flood, a few additional weeks and coordination with new leadership would not jeopardize any projects or impacts but would go a long way to a successful plan implementation.*

98. **PUBLIC COMMENT:** *The Federal Register requires that a draft plan be submitted by February 3, 2020. However, the draft plan public hearings, comments periods, the fiscal agent application due date and the round 1 project due dates have all been during election cycles and with the latest fiscal agent and round 1 application due dates just days before many jurisdictions will have new leaders and directors. The next 4 years of this plan will be implemented under the leadership of those taking office in January 2020. Therefore, an extension of this due date is requested to provide time for newly elected officials to be advised of the particulars of the program, and to then develop watershed-community relationships as necessary to identify and implement regional mitigation studies and projects which fulfill the intent of the mitigation grant program.*
99. **PUBLIC COMMENT:** *With due dates on the Fiscal Agent applications as part of the Capacity Building program identified in the State Plan being advertised before the Draft State plan was released for public comments, and only days after the draft plan was released for comment, and the selection of the fiscal agent before the comment period ended along with pre-applications for the Round 1 projects being due before the Plan is approved make it difficult for the plan or the programs in the plan to address public comments. In trying to schedule meetings with numerous parishes the state finalized and identified in a short amount of time prior to the plan being released, work on organizing with a fiscal agent, and trying to identify "shovel ready" projects, many agencies may have found it hard to read the plan, cross reference the plan with documents that could be included in the plan, make public comments, all while meeting deadlines for projects and programs that could have been scheduled after the public comment period for the plan was closed. After the development of the plan, the focus should be the public meetings and the public comments, then proceed to the programs and projects but with a schedule more in line with the approval of the plan from the federal government. If the goal is to get great regional resilient projects, more time spent with planning and working on the identification and development of the best and correct projects, as opposed to, having entities hurry to meet deadlines and then wait on the federal government would be time and money well spent. In planning and implementation on a large scale some things need to be in consecutive order as opposed to concurrent with end goals not approved.*
100. **PUBLIC COMMENT:** *Please hold a town hall after 5:00 pm to allow busy work schedules to attend.*

**RESPONSE:** Louisiana is in need of expedited mitigation funding, due to our significant flood risk to coastal, inland, and riverine communities. The great floods of 2016 highlighted this need, and it is clear that investments in mitigation in Louisiana are not keeping pace with our needs. Congress allocated the subject funding in 2018, and HUD published federal guidance for the use of these funds (CDBG-MIT funding of approximately \$1.2 billion) in August of 2019. The state

intends to provide citizens with relief from intense and frequent storms and floods as quickly as possible. In Louisiana, we know that the next flood or hurricane may be swiftly approaching, so we should not delay implementing mitigation measures. The subject Action Plan details a significant investment in planning and technical assistance to ensure that all eligible jurisdictions (including those with limited technical capacity) are able to benefit from these funds. Please see information on the [Regional Capacity Building Grant Program, Phase I report](#), and [Louisiana Watershed Initiative](#) for more information. With regards to the Watershed Projects Grant Program: Local and Regional – Round 1, the state completed 37 technical assistance sessions during the briefings held across Louisiana’s eight watershed regions. In response to information provided by the 241 attendees, the state has decided to extend the deadline to Friday, January 17.

The subject Action Plan is informed by dozens of meetings and stakeholder engagement events conducted around the state to better understand our challenges and opportunities related to floodplain management. The state has hosted four public hearings in accordance with the public notice procedures outlined in [FR-6109-N-02](#). Please see the Louisiana Watershed Initiative [website](#) for further detail, including videos of past public hearings and engagement events.

# NATIONAL HYDROGRAPHY DATASET, WATERSHED BOUNDARY DATASET, NHDPLUS, AND 3DEP FOR LWI

Submitted for consideration during LWI Public Review Period for  
the Watershed Initiative Action Plan

*Submitted on November 26, 2019 by:*

*R. Hampton Peele (Louisiana Geological Survey) and John Sheehan (Louisiana Department of Environmental Quality)*

## **Executive Summary**

The intent of the authors of this public review submission is to more fully inform the Louisiana Watershed Initiative (LWI) Community of the appropriateness of the National Hydrography Dataset (NHD), Watershed Boundary Dataset (WBD), NHDPlus, and the 3D Elevation Program (3DEP) data for LWI management and modelling applications. Advantages and limitations of these data will be addressed. These “living” datasets are designed, created, and maintained through state-federal partnerships, to serve as the national standard to meet the needs of a wide variety of users throughout Federal, State, and Local governments and the private sector. The Louisiana Watershed Initiative (LWI) can benefit greatly through the wealth of information contained within these coordinated datasets and their established public-access distribution system, *The National Map*. As a stakeholder in the quality of these data, LWI is well positioned to contribute to the state-federal partnerships that maintain these data for Louisiana. The state-federal partnership for maintaining the NHD, WBD, and NHDPlus is between USGS and Louisiana Department of Environmental Quality (LDEQ) and Louisiana Geological Survey (LGS). The state-federal partnership for maintaining 3DEP is between USGS and Louisiana Department of Transportation and Development (LDOTD). By supporting these state-federal partnerships, LWI would become a contributing partner in the further development and maintenance of these strategic geospatial datasets, that are crucial for the management of surface water in Louisiana and therefore throughout the entire Mississippi River Watershed Basin.

## **Acknowledgements**

This public review submission has been compiled by the submitters with extensive excerpts of existing Louisiana Watershed Initiative (LWI) documents for context. All additional text is authored by the submitters. The submitting authors would like to acknowledge the authors of the following existing LWI documents for their contribution to this document submission, and to thank the LWI Staff for permission to include these excerpts.

## ***Preliminary Data Gap Summary***

By: the LWI Data and Modelling Technical Advisory Group (January 2019) and the LWI Staff

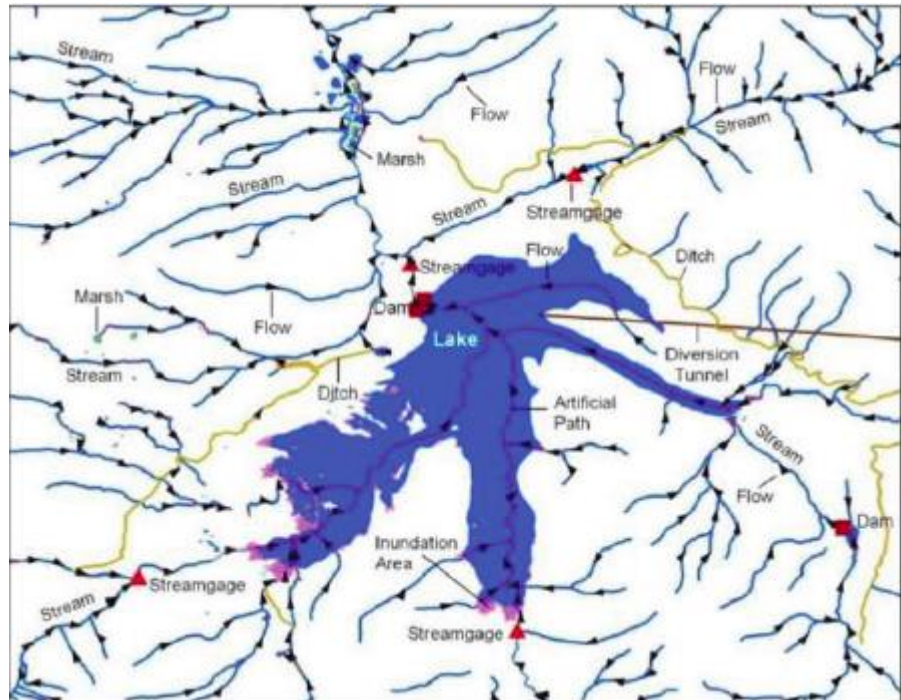
***National Hydrography Dataset, 3DEP, and NHDPlus***

By: Chris Cretini (USGS), and the LWI Staff

## LOUISIANA HYDROGRAPHY DATA

Hydrography datasets depict the locations of streams, lakes, reservoirs, and other surface water bodies. Three hydrography datasets represent the flow and location of water: the National Hydrography Dataset (NHD), the Watershed Boundary Dataset (WBD), and NHDPlus. The USGS maintains these data in partnership with data stewards from each state. The steward for Louisiana's hydrography datasets is John Sheehan of the Louisiana Department of Environmental Quality (LDEQ). The Assistant Steward is Jaclyn Allen also of the LDEQ. The editor for the Louisiana hydrography datasets is R. Hampton Peele of Louisiana Geological Survey (LGS).

**NHD** is a powerful database that contains a flow network that supports modeling and tracing water upstream and downstream. It uses an addressing system to link information stored in tables for specific locations, such as water discharge rates, water quality, and fish populations. These data can be used to understand flooding and the ability of the streams to support uses, such as water supply, recreation, or aquatic life. Louisiana NHD is available in high resolution (1:24,000 scale) data for



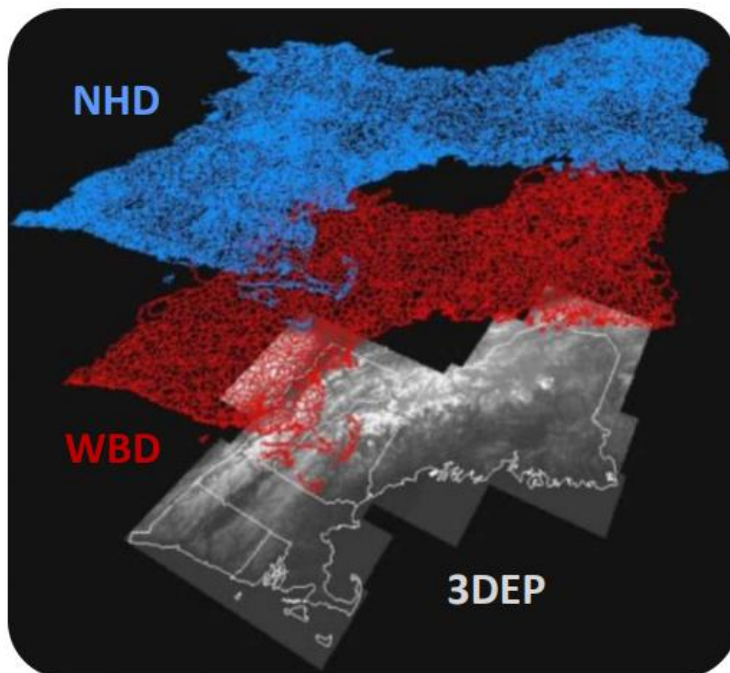
download and as GIS web services from USGS (<https://www.usgs.gov/core-science-systems/ngp/national-hydrography/access-national-hydrography-products>). High resolution NHD hydrographic features in Louisiana match high resolution aerial imagery taken prior to 2010. In the coastal zone of Louisiana, where flow patterns can be bi-directional and more difficult to characterize, NHD data needs additional examination and extensive revisions. Corrections to NHD in the coastal zone are ongoing. **This effort will require substantial additional resources.**

**WBD** delineates watershed drainage (i.e., what land areas contribute runoff to a given location) and represents drainage basins at eight size scales with increasing levels of detail, where each polygon defining the area that drains to a point. WBD provides a regional-level understanding of watershed drainage. The data are accurate to 1:24,000 scale. WBD data are available for the entire State of Louisiana. **Some of the watershed boundaries need to be edited, requiring additional resources.**

**NHDPlus** integrates both NHD and WBD data with high resolution elevation data (3DEP). NHDPlus includes value-added attributes and elevation-derived raster data that help predict the timing and magnitude of



flooding. NHDPlus enables modeling of water flow across the landscape, linking terrestrial characteristics to the stream network. It provides catchments, or local drainage areas, for each stream segment, allowing a much more detailed understanding of areas that contribute to flooding. NHDPlus is currently available for 1:24,000 scale data (medium scale). High resolution NHDPlus data are currently being developed throughout the United States and have just been released for Louisiana. Although high resolution NHDPlus data are available for Louisiana, these data are derived from aerial photography of 2010 or earlier vintage.



#### POTENTIAL ISSUES:

**Urgently needed edits to NHD in Coastal Louisiana** – Currently, the NHD is being edited extensively in Coastal Louisiana between the Intracoastal Waterway (ICWW) and the Gulf of Mexico to more accurately reflect the landscape. These edits are essential for dependable functionality of the NHD. Adequate funding for this effort has not yet been identified!

**“Living” datasets require maintenance** – These hydrography datasets require periodic major updates and constant editing to keep up with the ever-changing hydrography of Louisiana. **Currently, major corrections to NHD in the coastal zone are ongoing, which could require editing of the WBD in coastal areas, and require substantial additional funding to meet LWI objectives.**

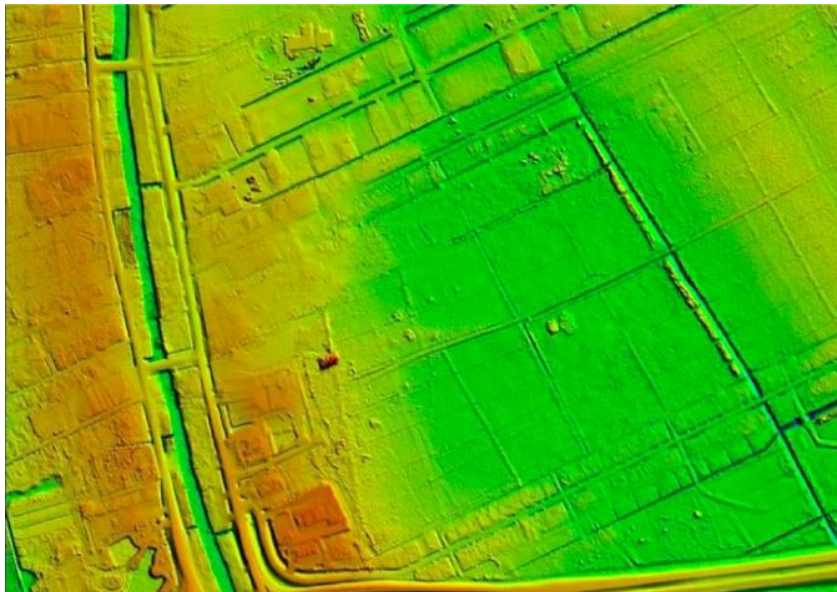
**Consistency between hydrography and elevation** – Currently, NHD and WBD hydrography data may not match the best available elevation data. To correct for these changes, additional effort is required from those using and interpreting the data. Most of the NHD data for Louisiana is derived from aerial imagery that is now ten years old. While much of Louisiana has been covered in the current effort to acquire LiDAR data, the NHD and WBD need to be informed by these LiDAR data. This effort will require significant resources.

**Decadal update edits needed to keep Louisiana NHD current**– The NHD for Louisiana must undergo major updates periodically based on newly acquired LiDAR and high resolution aerial imagery. The last such update only used imagery from 2010 or earlier. The year 2020 would be the appropriate time to begin the next periodic NHD update. Significant resources will be required for this task.

**Performance of NHD/NHDPlus in low-lying coastal areas** – NHD and NHDPlus data are currently structured for an overall drainage system to flow to one downstream pour point. However, in low-lying coastal areas, as water surface elevations rise, flow paths are harder to represent, because the water is exchanged between multiple systems; therefore, the flow direction and connectivity in NHD and NHDPlus may not be

representative. Bi-directional flow is also currently not supported. The USGS is considering ways around this deficiency which may require versioning of the dataset to account for both downstream and backup flow. The Louisiana NHD Steward and Editor are currently researching this deficiency as well.

**Documentation of structures in NHD** – Information on conveyance structures and features, such as levees and culverts are fairly limited in NHD. These data should to be compiled for the entire state and stored within the NHD for inventory purposes. Whereas the current NHD data structure is adequate for compiling a geospatial inventory of such structures with minimal attribute information; it does not include attribute fields for information for conveyance structures, such as capacity, and inverts. Modelling will require additional data for these structures (capacity, inverts, etc.). Concurrent with data



compilation, the NHD data schema will need to be upgraded to include these additional data. Various strategies for compiling and maintaining these additional data initially are straightforward, and will provide functionality until an NHD schema upgrade is available. The NHD is the nationally designed and recognized standard for mapping the surface waters of the United States, our hydrography. The NHD is readily available for the LWI to use and improve. The **USGS-Louisiana NHD Steward partnership** is available to assist LWI with this effort. Significant resources will be required to compile these data on conveyance structures and features.

### 3DEP

The 3D Elevation Program (3DEP) identified data needs for elevation data, including what resolution is needed from elevation data and how often should it be updated. Federal cost sharing is available through an RFP every year through this program for state and parish governments to help acquire elevation data.

The USGS has adopted data standards for 3DEP that require vertical accuracy of 10 cm or better with at least 2 points per meter during LIDAR data collection, which supports a DEM with a 1-meter cell size or better. An example of the resulting level of detail is shown. This is critical in Louisiana because in very flat areas, the higher level of resolution is important in accurately representing the conditions so that flow patterns can be better understood.

#### What Areas do the Data Cover?

The NHD, WBD, and NHDPlus datasets cover the entire nation and are therefore compatible state boundaries. The NHDPlus High Resolution was recently released and provides data for 1:24,000 scale data or better,

improving the average catchment size from ~1.2 square miles to ~0.2 square miles. Current Lidar data is available statewide, not all is compliant with 3DEP data quality standards which require Quality Level 2 (QL2) or better. In areas where data predate 2008, the best available Lidar is lower quality Q3 or Q4. Full descriptions of these quality levels can be found in the USGS Lidar specifications at the following web link: (<https://pubs.usgs.gov/tm/11b4/pdf/tm11-B4.pdf>).

### **How Current is the Data?**

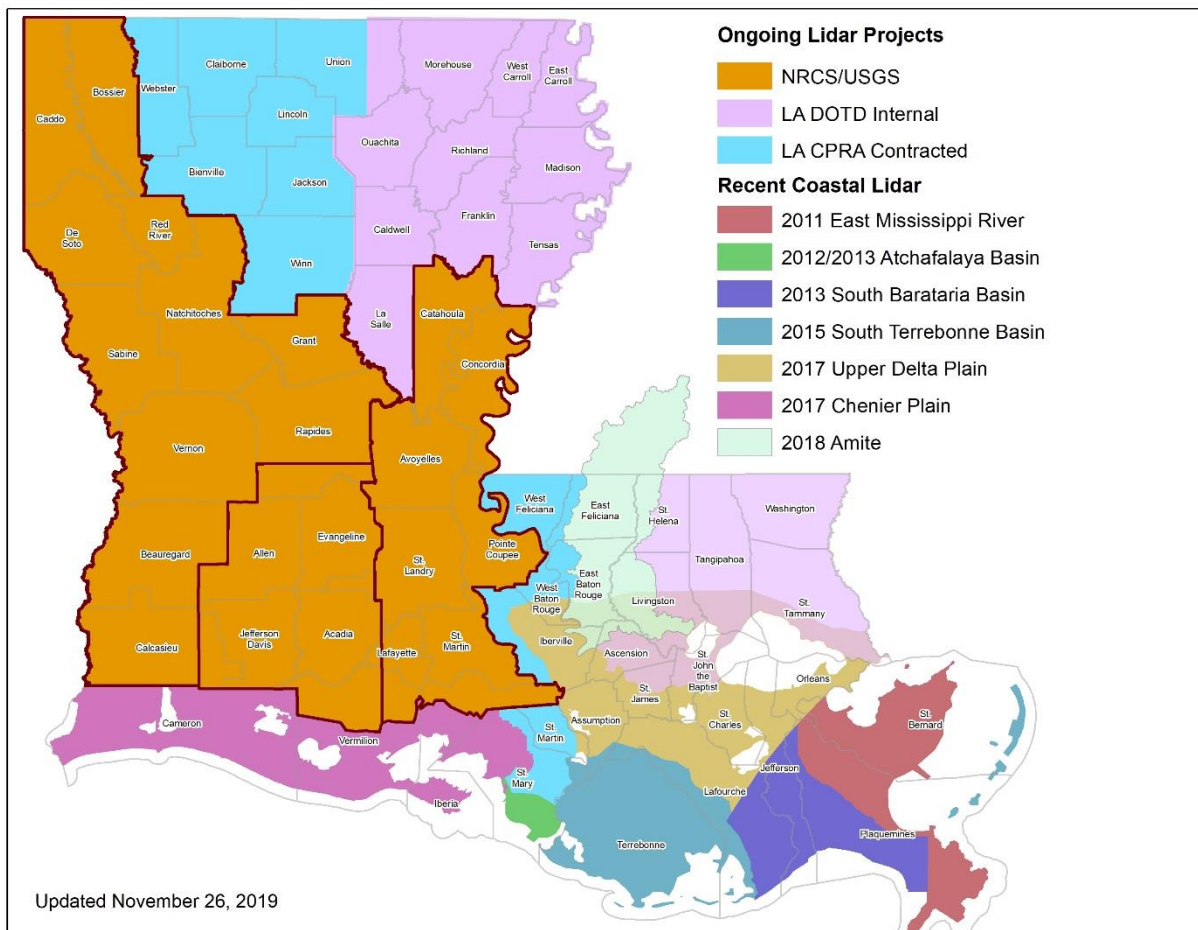
Through an existing stewardship program that works to build and maintain the data, the NHD and WBD datasets are constantly changing. In the State of Louisiana, the NHD has been photo-revised using high resolution imagery from 2010. Updates to coastal NHD are undergoing major editing. A major update should be undertaken in 2020, using LiDAR and newly acquired high resolution imagery. **Substantial additional resources will be required.** The steward for NHD and WBD is John Sheehan of the Louisiana Department of Environmental Quality who works in cooperation with R. Hampton Peele of the Louisiana Geological Survey on these edits and updates.

### **Future of the Datasets**

*Going on Now:* The Beta version of NHDPlus HR is available. The NHD Markup Application is a web-based mapping communication tool that allows users to suggest edits, or “markups”, to the NHD, WBD, and NHDPlus HR: <https://www.usgs.gov/core-science-systems/ngp/national-hydrography/tools>. There are also recent and ongoing efforts to collect additional Lidar data, as shown in the USGS LiDAR status map on the following page; USGS, NRCS, and LADOTD are coordinating on project footprints and specifications.

*Medium-to-Long Term Integration:* A Hydrography Requirements Benefit Study (HRBS) of federal and state agencies indicated that the best way to meet most agency needs is through fully integrating hydrography and elevation data by deriving hydrographic data from 3DEP data.

*Longer Term:* Develop a plan to eventually produce a continuous elevation topographic and bathymetric surface to support a range of 3D applications. Eventually, NHD streams and catchments will be derived from LiDAR. Engineering survey data from LWI floodplain management projects could be added to NHD data to achieve a higher resolution NHD than most other states have. **The submitting authors envision a collaborative effort between stakeholders and their programs, such that NHD data inform the LWI to reach their goals; and in turn LWI informs NHD with new hydrographic data. By working together, both programs help to provide current high resolution hydrographic GIS data available for the entire community: local, state, and federal agencies, business and industry, and the general public at large. Such a collaboration between LWI and NHD could serve as a clearinghouse/data management system for all of the hydrographic data needed by the LWI.**



## Public Involvement

Community involvement can help improve these datasets. Some specific ways you can help include:

- Flag areas for NHD improvement in the Markup App (<https://edits.nationalmap.gov/markup-app>)
- Participate in the Beta QC process for NHDPlus ([nhd.usgs.gov/NHDPlus\\_HR.html](http://nhd.usgs.gov/NHDPlus_HR.html))
- Engaging with USGS on the 3DEP program (<https://www.usgs.gov/core-science-systems/ngp/3dep/collaboration-and-partnerships>)

## RIVER FLOW AND STAGE

Stream gage datasets are critical in understanding flooding and flood risk. They help to understand the relationship between precipitation and flood elevations, which determine the extent of flooding. These critical data are used in modeling efforts that can help understand potential future flooding based on changes that may occur throughout the state. Real-time data are also critical in decision making for flood response, allowing public officials to make decisions about the operations of flood control structures and recommend evacuations. Multiple agencies, including USGS, USACE, and LDEQ, collect flow and gage data. The geographic coverage of the data, the type, and format of the data vary based on the mission of the responsible agency. **The NHD is well suited as a collective repository of stream gage locations in association with**

**the water features on which they are located. The NHD GIS gage features can be linked to their respective custodial agency hydrograph web page.**

USGS maintains approximately 70 gages that measure discharge and approximately 200 gages that measure stage only. The locations of these gages are driven by the funding sources, with 60% receiving federal funding and 40% placed through cooperative agreements with state and local partners. In some cases, USACE contracts with USGS to maintain stream gages. The standard operating procedure for USGS gages specifies a vertical accuracy of +/- 0.03 feet. Transmitted data are reviewed daily for anomalies, and routine field visits are made to gages every 8 weeks to check gage calibration.

USACE maintains 120 real-time gages, most of which measure stage.<sup>1</sup> Additionally, USACE maintain 150 high water staff gages that are used only during high water and flood events. Many of these gages are concentrated in the New Orleans area in support of the Hurricane & Storm Damage Risk Reduction System (HSDRRS), as well as around the Mississippi and Atchafalaya Rivers to maintain navigation and support river forecasting. Other rivers with major stream gage sites include the Red, Ouachita, and Bouef-Tensas Rivers. USACE also has a few gages in the coastal areas. Gages may be managed by either the New Orleans District (MVN) or the Vicksburg District (MVK) of the Mississippi Valley Division of USACE. USGS gage readings are accurate to within +/- 0.05 feet, with the accuracy of the stage reference elevation +/- 0.1 feet.

LDEQ collects some flow data during its water quality monitoring operations. The data collected are typically not continuous data and are only available for 2- to 7-day periods. The data are typically collected as height or depth and are converted to flow, based on cross-sections defined by depth measurements along a tag line across the stream. Because low flows lead to more water quality issues, most of LDEQ's data are collected during drier conditions. In addition to providing typical or low-flow values in the stream, the cross-sections may provide stream channel geometry in cases where streambeds have not been surveyed. While these measurements are not typically tied to a datum or epoch, they may provide insight to approximate stream depth and geometry.

#### **POTENTIAL ISSUES:**

**Need for additional stream gages** – Based on a preliminary analysis of the USGS gage locations, only 13 of 59 HUC8s have sufficient gages to characterize hydrologic response in the sub-basin. Of the remaining sub-basins, 9 had no USGS gages. A University of Louisiana (UL) at Lafayette analysis of the Vermillion, Teche, and Mermentau Basins indicated that additional gages were recommended (i.e., a minimum of 50 stage-only gages and a smaller number of flow gages).

Both analyses indicate an overall need for stream gages. Additional analysis of USGS gages included examining full flow historical gages for potential reactivation and how they might benefit modeling efforts. Of the 600 to 700 gages evaluated, 181 of them were found to have enough data to be statistically significant to a flood frequency analysis and, therefore, may be good candidates for reactivation. Overall, recommendations on placement of additional gages should be guided by the following:

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<sup>1</sup> USACE contracts USGS to maintain some of its gages. These gages may be included in both the USGS and USACE gage counts.

- Comprehensive review, including all active and statistically significant inactive gages (USGS and USACE gages)
- Possible reactivation of inactive sites
- Feedback from modelers
- Iterative/adaptive process

**Improve access to historical records** – Adding historical readings to the available period of record could increase the period of record that would be accessible and available for analyses.

- Hard copy historical records – many records for USACE gages are available only in hard copy. These are difficult to access and cannot easily be incorporated into analyses.
- There is also no way to access inactive USGS data online.

**Datum and Epochs** – Not all current gages collect data referenced to the same datum and epoch. For example, approximately 4 years ago, all USACE gages on the Lower Mississippi River (below mile 60) were set to NAVD88 (2009.55), while above mile 60, the gages reference NGVD29. Guidance should be provided to agencies installing new gages on which datum to use, how to account for datum discrepancies, and steps that will be needed when NAVD88 is retired after the release of the NAPGD2022 datum, resulting from the National Geodetic Survey (NGS) Gravity for the Redefinition of the North American Vertical Datum (GRAVD) Program. USGS is piloting a program to deploy permanently mounted GPS units at stations – a procedure they recommend for any new gages installed as part of LWI efforts. The NGS recommendations on preparing for the release of a new datum, described under the LiDAR section of this report, should also be reviewed.

**Communications Technology** – Many of the gages report data through satellite connections or through the cellular network. Federally funded stations are authorized to use the Geostationary Operational Environmental Satellite (GOES) system. However, gages that use GOES for transmitting recorded data are subject to issues with satellite alignment and challenges with antennas. GOES gages are limited to hourly reporting. Other options to improve data transmissions from gages include the non-stationary Iridium satellite network or utilization of the cellular network for data transmission.

## CONVEYANCE STRUCTURES, HYDRAULIC STRUCTURES, RAISED ROADS AND BRIDGES

The natural flow of rivers can be affected by structures that are built to control flooding, allow navigation, or to enable transportation. Flood control structures are designed to alter natural flow in a specific, known way by moving flow from one location to another when certain flow conditions are met. Navigation structures allow the passage of ships through structures that would otherwise block their passage from one waterway to another. Transportation structures, such as bridges or culverts, allow people to cross waterways. While they are designed to allow water to flow underneath, they are typically designed based on a calculated flow and may not allow higher flows to pass, causing flooding upstream of the bridge or culvert. With an understanding of how the structures were designed, or about their size, shape, and other physical characteristics, the amount of flow that is carried by these structures can be included in a model that can then help predict flow and flooding patterns. This allows floodplain managers and planners to predict how changes in the watershed can increase or decrease

flooding. **The NHD is well suited and appropriate as the collective repository of the geospatial locations of such structures in association with the water features on which they are located. These NHD GIS features can be linked to their respective custodial agency database attributes for additional information not appropriate for inclusion within the NHD.**

### **Roads and Bridges**

DOTD is a key resource for information on bridges and culverts, though their focus is on attributes supporting bridge condition assessments and maintenance. Bridge data is submitted to the Federal Highway Administration (FHWA) and is incorporated into their National Bridge Inventory (NBI). However, DOTD does not collect data on culvert or bridge opening shape or invert elevations. While these data may be available on as-built plans, electronic records of plans only date back to 2005, with much of the bridge inventory built before that date. Consequently, microfilm record searches might be required to find the drawings. A public records request may be required to access the data and will likely only cover state and federal roadways. Additional information may be available through the DOTD Bridge Maintenance group, which collects scour data in a database. This may include streambed profiles at bridge locations, though it would likely have to be exported from their software (Spectec). A streambed profile is usually done at either the upstream or downstream face of a bridge crossing to capture a representative cross-section.

Acquiring as-built drawing information on local roadways would likely require requests to local governments. As with state and federal roadways, many of these drawings are not likely available as electronic records.

The Southeast Aquatic Resources Partnership (SARP) also collects key data bridge crossings. As part of their Barrier Inventory, SARP has compiled additional attributes that are useful during hydraulic modeling, such as structure material, inlet type, and opening width and length. While the reporting forms for SARP data collection include GPS coordinates, elevations are not recorded. The SARP Barrier Inventory is a living dataset, updated as additional data are collected by the program's partners. **The NHD is the appropriate collective repository of the geospatial locations of bridges and culverts. These NHD GIS features can be linked to their respective custodial agency database attributes for additional information not appropriate for inclusion within the NHD.**

### **Dams and Levees**

USACE is the main source of information regarding large flood control structures, navigation structures, and dams through their project data, the National Levee Dataset (NLD), and the National Inventory of Dams (NID). USACE project data are not publicly available for download and must be requested from USACE. NLD is frequently updated, but, while it is easily accessible on USACE's website, detailed data (like elevations and alignments) must be downloaded for each levee individually (no bulk download available). In order to acquire the comprehensive dataset, it must be requested from USACE. NID, on the other hand, is updated bi-annually. More current data must be requested through the Louisiana Dam Safety Program. While some drawings may be available through the Louisiana Dam Safety Program, many of the elevations listed in the drawings are referenced to mean sea level, so elevations derived from LiDAR data at the dam may be more reliable<sup>2</sup>. Both NID and the Louisiana Dam Safety Program only track regulated dams; smaller dams are not included in the inventory.

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<sup>2</sup> Personal correspondence with Ed Knight, December 14, 2018.

SARP also collects information on dams as part of their Barrier Inventory. The SARP Barrier Inventory dam data includes the width and height of the dam but does not include information on volume or elevations of either the spillway or the embankment. Because their Barrier Inventory includes smaller, unregulated dams, SARP records on many dams are not included in the NID.

An additional source of levee data in the southern portion of the state is CPRA, which has compiled levee data in coastal areas as part of its master planning effort. Their dataset includes both USACE NLD features as well as local features. Local features were developed through two sources: field data collection and analysis of high-resolution LiDAR data. The methodology for identifying levees through LiDAR data identified both levees and other raised features, such as above-grade roadways. This methodology was used in the analysis conducted for the CPRA Master Plan<sup>3</sup> and is documented in the plan. The data were developed solely for the areas covered by the CPRA Master Plan. **The NHD is the appropriate collective repository of the geospatial locations of dams, levees, and raised roads and railroads that function hydrologically as levees. These NHD GIS features can be linked to their respective custodial agency database attributes for additional information not appropriate for inclusion within the NHD.**

## POTENTIAL ISSUES

**Lack of invert data for culverts** – While SARP collects useful information like opening size, shape, and material, it does not collect invert data. Elevation data are also not collected by DOTD.

**Lack of drainage structure data** – A comprehensive dataset of stormwater piping and ditches is not available. As discussed at the November 14, 2018 workshop, drainage structure data are a gap in the dataset. It would take an extensive effort to collect data for this dataset, because many features are buried or obscured and some may be non-functional. If this dataset was created, it would require a large effort to maintain.

**Lack of data on smaller dams and bridges** – Bridges smaller than 20 feet are not in the NBI dataset and are a data gap. Similarly, smaller, unregulated dams are not included in NID or the State Dam Safety Program list of dams. Many of these would be captured by the SARP Barrier Inventory project.

**Lack of data on smaller levees** – Smaller levees and unaccredited levees are not captured by national or state datasets. Raised roads, which may function like small levees, are also not included in the levee dataset.

**Need to incorporate local data** – Based on a 2012 directive from the FHWA, DOTD performed a one-time data collection effort on local roads. Generally, DOTD collects and maintains information on state and federal roads. Any updates to the local roads require partnerships with local agencies.

**DOTD** is currently working with the Acadiana Planning Commission to pilot a standard framework and/or process to integrate local datasets into the DOTD statewide dataset.

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<sup>3</sup> Roberts, H. and Z. Cobell. 2017. 2017 Coastal Master Plan: Attachment C3-25.1: Storm Surge. Version Final. (pp. 1-110). Baton Rouge, Louisiana: Coastal Protection and Restoration Authority.



**NHD database schema limitations** – Whereas the NHD is the appropriate repository for geospatial locations of the features discussed in this section, the NHD database schema does not currently provide for the storage of some of the engineering attributes required for hydrologic modelling. Initially, the NHD GIS features can be linked to other databases that provide such technical attributes. A long-term solution of requesting a modification of the NHD database schema to include additional attributes can be pursued; but, for reasons of security, some attributes may not be appropriate for inclusion in a publically accessible dataset. Such additional feature attributes can be linked to secure databases maintained by the appropriate agencies. The NHD can and should function as a geospatial inventory of these features, since the NHD is compatible with all of the other states, and can be downloaded from the National Map by all of the Watershed Management Committee, as well as the general public.

## SUMMARY

The NHD is well suited as a collective repository of the geospatial locations of stream gages, bridges, culverts, dams, levees, and raised roads and railroads that function hydrologically as levees, in association with the water features on which they are located. These NHD GIS features can be linked to their respective custodial agency records for additional attribute information not contained within the GIS database. Whether LWI chooses to use NHD, WBD, NHDPlus, or 3DEP data directly for hydrologic (flood) modelling or not, the additional hydrography data that is produced through LWI modelling should be used to update these “living datasets”, to prevent duplication of effort within Louisiana and to ensure compatibility with national standards thereby enabling regional coordination along watershed boundaries. There will be costs associated with this updating effort. **Therefore, the submitting authors recommend that the current LWI *Watershed Initiative Action Plan* should be modified to include funding for the Louisiana NHD partners to make editorial updates to these “living datasets”, both before and after any LWI hydrologic modelling results are made available.**

**ATTACHMENT NO. 2 (Letter and Map)**

**Re: Public Comment No. 60**



DRAINAGE AND WATER  
CONSERVATION DISTRICT

October 14, 2019

**John Bel Edwards**

Governor

Dietmar Rietschier  
Executive Director

**Board of Commissioners**

Col. Ben B. Babin  
Ascension Parish  
President

Jerry Thibeau  
Ascension Parish  
Vice President

David Hoover  
Finance Chairman

Kenneth Welborn  
East Baton Rouge Parish

Tamiara L. Wade, PhD  
East Baton Rouge Parish

Edwin R. Parker  
East Feliciana Parish

Larry N. Thomas  
East Feliciana Parish

James A. Little  
Livingston Parish

Mark R. Harrell  
St. Helena Parish

Willie George Lee  
St. Helena Parish

Lionel L. Bailey, Sr.  
St. James Parish

*Vacancy*  
St. James Parish

Donald E. Thompson  
Member-at-Large

Toni B. Guitrau  
Executive Secretary

Ms. Alex Gelpi Carter, AICP  
Resiliency Planning Manager  
Louisiana Watershed Initiative  
Office of Community Development  
P.O. Box 94095  
Baton Rouge, Louisiana, 70802

Re: Proposed Watersheds within Provisional Watershed Region 7

Dear Ms. Gelpi:

The Amite River Basin Commission (ARBC) would like to provide input into the definition of Watersheds located within the Provisional Watershed 7 as defined under the State Watershed Initiative.

The Amite River Basin is centrally located within this Provisional Watershed that encompasses portions of seven (7) Parishes – East Feliciana, St. Helena, East Baton Rouge, Livingston, Ascension and St James Parishes. This watershed and the Amite River Basin Commission, the agency designated to coordinate all regional water/flood amelioration projects and programs within the basin- was created by State Statutes R.S 3309 et.sec. in 1989.

We are requesting that as the State Watershed initiative evolves, that special consideration be given to an established regional flood control agency like the ARBC whose jurisdiction is based on the Amite River Watershed Boundaries and that the structure of ARBC as a planning coordinating agency be maintained.

Also, we are requesting that consideration be given that Provisional Watershed 7 which historically has been referred to as the Ponchartrain Basin Watershed, be divided into the 7 natural watersheds that compose this larger watershed. In the ultimate analysis, it is at the natural watershed levels where models, studies, planning, etc. will take place because they are hydrological separate from each other and during major floods they stay separate except along the southern part of the watersheds fronting Lake Ponchartrain and Maurepas. See map delineating areas impacted by backwater and surge from the Lakes.

We would suggest that the Proposed Watershed 7 be divided as follows:

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Watershed	Rivers	Parishes affected
1	Thompson Creek/Bayou Sarah	West and East Feliciana
2	Amite/Blind Rivers	East Feliciana, St. Helena Baton Rouge, Livingston E. Iberville, Ascension St. James
3	Tickfaw/Blood Rivers	Livingston, St. Helena, Tangipahoa
4	Tangipahoa Rivers	Tangipahoa, Washington
5	Tchefuncte/Bogue Falaya Rivers	St Tammany, Washington
6	Bogue Chito/Pearl Rivers	Washington, St. Tammany
7	Bogue Lusa, Pear Rivers	Washington

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We recommend that each of these watersheds be managed by a Committee or ultimately commission that will set up its own priorities within each watershed. Each committee/commission will be composed of appointed commissioners from the Parishes within each Watershed. For example, Watershed 3 will be composed of representatives from Livingston, St. Helena and Tangipahoa Parishes.

Since the State, as a first step in this process, will be developing H&H models based on Watersheds the committees/commissions will have the tools at their disposal to make better decisions.

An important consideration for the watersheds fronting the northern shore of Lakes Ponchartrain and Maurepas is hurricane/storm surges. As part of the modeling development effort we urge the OCD to include the impact of storm/hurricane surge along the shore of Lakes Ponchartrain and Maurepas. The Lake Ponchartrain Foundation has and is doing extensive work on this issue. The riverine modeling effort in these watersheds fronting Lake Ponchartrain and Maurepas should include storm/hurricane impacts. This scenario will not materialize at every major riverine flood, but if it does, we will have tools to better predict the flooding in the lower sections of the watersheds, generally south of the 1-12 corridor. Of course, we all know that the worst possible scenario is the confluence of riverine flooding and storm surge.

These are some of our thoughts concerning the path forward. We hope that these suggestions will be considered as we move forward. Thank you in advance for your consideration and attention to these suggestions.

Sincerely,

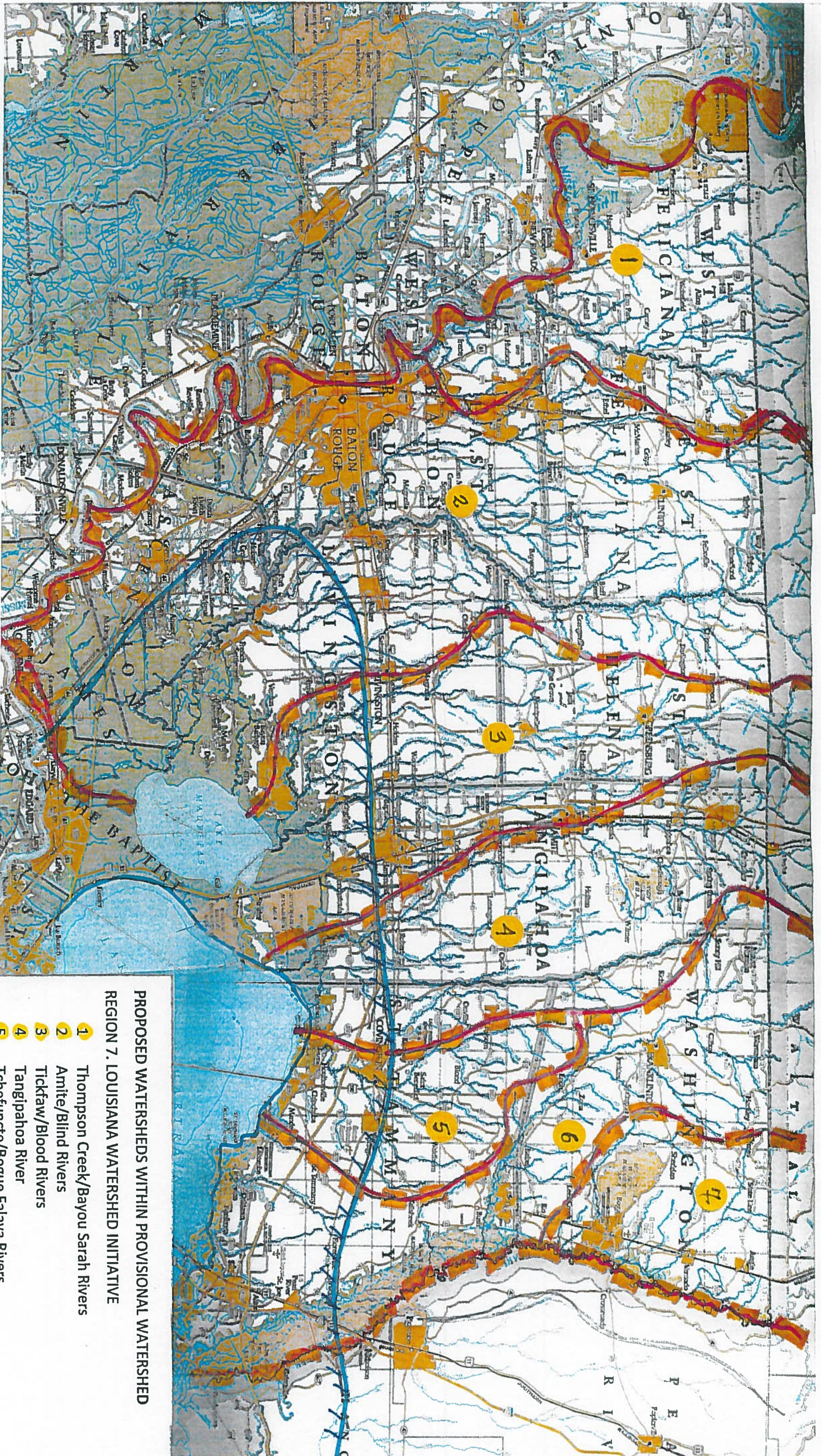
A handwritten signature in blue ink, appearing to read "D. Rietschier", with a stylized flourish at the end.

Dietmar Rietschier

Executive Director

Attachment(s)

Cc: Col Ben Babin (R) ARBC President



**PROPOSED WATERSHEDS WITHIN PROVISIONAL WATERSHED  
REGION 7. LOUISIANA WATERSHED INITIATIVE**

- 1 Thompson Creek/Bayou Sarah Rivers
- 2 Amite/Blind Rivers
- 3 Tickfaw/Blood Rivers
- 4 Tangipahoa River
- 5 Tchefuncte/Bogue Falaya Rivers
- 6 Bogue Chito/Pearl Rivers
- 7 Bogue Lusa, Pearl Rivers



Area Impacted by Storm/Hurricane Surge

**ATTACHMENT NO. 3 (Comments)**

**Re: Public Comment No. 61**

Parish of Ascension  
615 E. Worthey Rd  
Gonzales, LA 70737

November 29, 2019

VIA Electronic Mail [watershed@la.gov](mailto:watershed@la.gov) &  
[ocd@la.gov](mailto:ocd@la.gov) & Certified Mail

Louisiana Division of Administration  
Office of Community Development  
Disaster Recovery Unit  
P.O. Box 94095  
Baton Rouge, Louisiana 70804-9095

Attn: Janice Lovett

Re: Public Comment - *Master Action Plan for the Utilization of Community Development Block Grant Mitigation Funds (CDBG-MIT)*

Dear Ms. Lovett:

The Ascension Parish Government submits the following comments in response to the Draft *Master Action Plan for the Utilization of Community Development Block Grant Mitigation Funds* (Draft Action Plan) issued by the State of Louisiana, Office of Community Development (OCD).

**Overview of Comments**

The State has acted prematurely in approving the Draft Action Plan before the expiration of the mandatory 45-day public comment period and without the benefit of considering all public comments. In compliance with the federal Department of Housing and Urban Development (HUD) requirements for the allocation of Community Development Block Grant Mitigation (CDBG-MIT) funds (\$1,213,917,000.00 granted to the State of Louisiana), as set forth in Docket No. FR-6109-N-02 (the HUD Rule), the State must allow public comments during a 45-day comment period and should fully consider all comments received by the November 29, 2019 deadline before acting to approve and submit an Action Plan to HUD. The premature approval gives the impression that no comments of substance have or will be submitted. The State must re-visit its Draft Action Plan after receiving and reviewing all comments made during the comment period.

The current Draft Action Plan fails to fulfill the intended purpose of the federal Supplemental Appropriations Act<sup>1</sup> or meet HUD requirements for the allocation of the CDBG-MIT \$1.2 billion funds.<sup>2</sup> In the passage of the Supplemental Appropriations Act, the United States Congress intended that the CDBG-MIT funds be spent to support “mitigation”<sup>3</sup> that would effectively and efficiently alleviate flooding in those areas most heavily impacted by the catastrophic flooding of 2016 and at most risk in the future. In its rule made pursuant to the Supplemental Appropriations Act, HUD identifies **ten (10)** parishes (Ascension, East Baton Rouge, Livingston, Tangipahoa, Lafayette, Vermillion, Acadia, Washington, St. Tammany and Ouachita) as the areas that were “**Most Impacted and Distressed**” due to the floods of March 2016<sup>4</sup> and August of 2016<sup>5</sup> (the 2016 Floods).<sup>6</sup> In contrast and without the required supporting “quantifiable and verifiable data,” the State plans to distribute the funds (intended by Congress for the areas that were “Most Impacted and Distressed” due to the 2016 Floods) to **forty-six (46)** parishes across the State.

As explained in these comments, the Draft Action Plan is deficient because it:

- Lacks a defined governance structure for the proper distribution of funds.
- Provides insufficient detail to allow meaningful public comment.
- Lacks any discernible process for the selection of mitigation projects.
- Improperly designates “State-identified” Most Impacted and Distressed areas without requisite supporting data.
- Erroneously expands State-identified Most Impacted and Distressed areas well beyond the HUD-identified Most Impacted and Distressed areas and contrary to the requirements of the HUD Rule.
- Fails to apportion funding based on impacts of the 2016 Floods, including historic and repetitive flood loss and damages.
- Diverts critical CDBG-MIT funding from the areas that are Most Impacted and Distressed from the 2016 Floods.
- Fails to establish a method and criteria for allocation of mitigation funding among the areas that are Most Impacted and Distressed from the 2016 Floods.

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<sup>1</sup> The *Further Additional Supplemental Appropriations for Disaster Relief Requirements Act*, 2018 (Division B, Subdivision 1 of the Bipartisan Act of 2018, Pub. L. 115-123, approved February 9, 2018).

<sup>2</sup> 84 FR 45838 (August 30, 2019).

<sup>3</sup> “Activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.” 84 FR 45838, 45840.

<sup>4</sup> Disaster No. 4263.

<sup>5</sup> Disaster No. 4277.

<sup>6</sup> 2016 Disasters: 81 FR 83254; 82 FR 5591; 82 FR 36812.

- Omits any tangible mechanism to ensure that at least 50% of the mitigation funds are spent within or for the benefit of the HUD-identified Most Impacted and Distressed areas.

Accordingly, the Ascension Parish Government respectfully submits that the OCD, after receipt, review and consideration of **all** public comments, must revise and modify the Draft Action Plan to address its deficiencies in order to establish a clear, transparent and watershed-driven process for the selection and funding of mitigation projects, i.e., one that is focused solely on the areas Most Impacted and Distressed by the 2016 Floods in compliance with the HUD Rule.

The Ascension Parish Government has a real and actual interest in the Draft Action Plan:

- Ascension Parish was severely impacted by the 2016 Floods.
- It sustained significant damage from both the (1) March 2016 Flood and (2) the August 2016 Flood.
- Ascension Parish is included within the Amite River Basin District which sustained the vast majority of damages resulting from the August 2016 Flood.<sup>7</sup>
- Of the ten HUD-identified Most Impacted and Distressed areas, Ascension Parish is one of the most severely impacted.<sup>8</sup>
- Ascension Parish sustained significantly greater damage than most other State-identified Most Impacted and Distressed areas.<sup>9</sup>
- Ascension Parish is one of the most populous parishes in the State and has one of the fastest growing populations. It is heavily populated in the lower part of the Amite River Basin and is among those parishes that are most at risk.<sup>10</sup>
- Ascension Parish has proactively invested time and money in flood mitigation assessment, modeling, planning and restrictions; it is well positioned to efficiently and effectively apply and leverage CDBG-MIT funds.
- In conjunction with other federal and state agencies, the Amite River Basin and Water Conservation District (of which Ascension Parish is a member) has developed models, information and data for the Amite River Basin that are more advanced than any existing programs for any other watershed area of the state.

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<sup>7</sup> See **Table 1** attached hereto.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*



Ascension Parish Government has closely reviewed and studied the Draft Action Plan and expressed its opposition to multiple aspects of the plan.<sup>11</sup> Its representatives have met with representatives of both the OCD and the Louisiana Watershed Initiative (LWI)/Council on Watershed Management and conveyed concerns. A representative of the Ascension Parish Government also appeared and testified regarding the Draft Action Plan before the Council on Watershed Management. The Draft Action Plan has been discussed and considered at meetings of the Ascension Parish Council, and has been discussed with other stakeholders.

Key stakeholders agree with the major points made on behalf of the Ascension Parish Government in these comments. Included among these key stakeholders are (1) members of the Louisiana House of Representatives representing districts within the Amite River Basin and (2) the Amite River Basin Commission. These stakeholder comments are consistent with and further support the comments made on behalf of the Ascension Parish Government:

- October 17, 2019 Letter by Members of the Louisiana House of Representatives to the Council on Watershed Management.<sup>12</sup> The authors of this letter include representatives of the following parishes:
  - Ascension
  - East Baton Rouge
  - Livingston
  - St. James
  - St. John the Baptist
  
- October 14, 2019 Letter by the Amite River Basin Commission to the LWI/OCD.<sup>13</sup> The Amite River Basin District includes the following parishes:
  - Ascension
  - East Baton Rouge
  - East Feliciana
  - Livingston
  - St. Helena
  - St. James

Accordingly, these letters are attached and their content is incorporated herein by reference.

**Comment 1 - The State Pre-judged Public Comments and Prematurely Approved the Draft Action Plan Before the Expiration of the HUD-mandated Public Comment Period**

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<sup>11</sup> See, e.g., "Ascension officials leery of large steering committee to vet post-'16 flood drainage projects," *The Advocate*, 9/23/2019; "Louisiana's \$1.2B anti-flooding plan taking shape, though questions remain," *New Orleans City Business*, 10/1/2019.

<sup>12</sup> See **Attachment 1**.

<sup>13</sup> See **Attachment 2**.

The Council on Watershed Management (LWI) voted to approve the Draft Action Plan on November 21, 2019<sup>14</sup> before the expiration of the mandatory public comment period that ends on November 29, 2019. The HUD Rule requires that the State provide for a minimum of 45 days for public comment on the Draft Action Plan.<sup>15</sup>

- By acting to approve the Draft Action Plan on November 21, 2019 before the expiration of the mandatory public comment period prescribed by HUD (i.e., November 29, 2019), the State has not fulfilled the HUD public participation requirements and has acted in deviation of the federal grant process.<sup>16</sup> By acting to approve the plan on November 21, 2019, the State has not provided the requisite 45-day comment period.
- Additionally, the deadline of the 45-day comment deadline falls on a state holiday. The setting of the public comment period on a holiday curtails public participation and does not serve to promote HUD's directive for public input.
- Further, we believe that the State did not properly notify the public that it would act on the Draft Action Plan at its November 21, 2019 meeting. While the agenda for the November 21, 2019 meeting included a general reference to the Action Plan under New Business on the agenda, it did not notify the public that it would entertain a motion to approve or take action on the plan at the meeting.<sup>17</sup>
- In approving the plan before the expiration of the comment period, the Council stated that it would submit public comments and its responses to such comments to HUD at the time of the submission of the Draft Action Plan to HUD but it imposed no requirement or obligation to re-visit its Draft Action Plan after the expiration of the comment period and, in fact, by separate motion, set its next meeting in February 2020.
- In acting prematurely and in contravention of the HUD Rule mandates, the State went a step further to characterize the comments received prior to November 21, 2019 as being "non-substantive" because, according to the State, the comments that had been received up to the date of the November 21 meeting focused on "getting more details." Yet, as explained herein, it is the Draft Action Plan's lack of detail that causes it to be deficient in a number of ways. Indeed, the plan's lack of detail restricts the public's ability to make meaningful and/or substantive comments. The State's November 21, 2019 characterization

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<sup>14</sup> November 21, 2019 meeting of the Council on Watershed Management, Louisiana Water Initiative (LWI); *see also The Advocate*, "Louisiana plan to spend \$1.2B on post-2016 flood recovery sent for approval; key to federal aid access."

<sup>15</sup> 84 FR 45838, 45843 and 45852 (August 30, 2019).

<sup>16</sup> 84 FR 45838, 45843 and 45849 (August 30, 2019).

<sup>17</sup> An agenda description of "comments/discussion" is not sufficient to make the public aware that a public body may take final action on a matter before it and is thus deficient. *See* La. Atty. Gen. Op. 10-0225, 2010 WL 5638089; *see also* La. R.S. 42:11, *et seq.* (Open Meetings Law).

of the public comments was and is presumptuous and dismissive of the public's right to meaningful comment during and up until the end of the HUD-mandated comment period.

In summary, the State's pre-judging of "comments" and approval of the Draft Action Plan - before the deadline for comments and before receiving and considering all timely comments - is contrary to the public participation process mandated by HUD. The Draft Action Plan must be re-visited in the context of all public comments made during the comment period.

### **Comment 2 - Draft Action Plan Lacks any Defined Governance Structure**

The Draft Action Plan does not provide for a governance structure for the prioritization and selection of work and projects to be funded. Rather, it includes general references to potential selection criteria and states that selection criteria and procedures **will be** outlined within the specific LWI program policies and procedures. The Draft Action Plan itself should include identifiable criteria and procedures that will be used to distribute grant funds, including prioritization criteria, selection procedures and a procurement process, on which the public can comment. The State should receive and consider public comment on these criteria and procedures before submitting the Draft Action Plan to HUD.

- With respect to decision-making in implementing the Action Plan, the Draft Action Plan states that allocation of the grant funds will be implemented through the state Division of Administration, OCD, and the LWI. However, the Draft Action Plan does not specify the person(s) or representative(s) within these agencies and/or governing bodies who will be making the decisions regarding allocations of grant funds. General references within the Draft Action Plan suggest that the LWI will oversee funding of projects to be implemented using grant funds. To the extent that the State plans to default to the LWI's 17-member panel, Ascension Parish opposes the 17-member panel for the governance and/or administration of the Funds. The composition of the panel is cumbersome and inefficient, unduly restrictive, and does not support the HUD Rule requirements.
- The State should reduce the current proposed number of State-identified MIDs to include **only** those parishes (if any) that were Most Impacted and Distressed by the 2016 Floods, in compliance with the HUD Rule.
  - This subset of State-identified MIDs and the HUD-identified MIDs (properly representing only the Most Impacted and Distressed areas) should then be divided by respective watersheds. A decisional structure based on a "bottom up" principle by which the regions "give answers to the state" (not the opposite approach as taken in the Draft Action Plan) should be developed. The bottom up approach is a practical and effective approach that has been utilized in other disaster relief programs.
  - A "governing" council, similar to that used in the Louisiana Coastal Protection and Restoration Authority (CPRA), could be utilized to make final decisions on projects

based on certain, defined criteria. The council might consist of one representative from each major technically established watershed, based upon established criteria that maximize mitigation efforts and foster the goals of the mitigation funding.

**Comment 3 - Draft Action Plan Improperly designates “State-identified” Most Impacted and Distressed (MID) Areas**

Congress and HUD have mandated that the \$1.2 billion CDBG-MIT funds be used for the mitigation of flood risks in those areas of the State of Louisiana “**most** impacted and distressed” by the 2016 Floods **only**.<sup>18</sup>

HUD itself identified a ten-parish area as comprising the areas Most Impacted and Distressed by the 2016 Floods (based upon earlier 2016 flood recovery appropriations)<sup>19</sup> for purposes of CDBG-MIT funding (the HUD-identified MIDs).<sup>20</sup> While HUD allows the State of Louisiana as a Grantee State to identify areas that it determines to be the Most Impacted and Distressed by the 2016 Floods (the State-identified MIDs), the State nevertheless must base its determination on “**quantifiable and verifiable data**.”<sup>21</sup>

- Rather than limiting CDBG-MIT funding to the **Most** Impacted and Distressed areas as mandated by Congress, the State (through the OCD) designated **forty-six (46)** parishes in addition to the ten (10) HUD-identified MIDs as State-identified MIDs areas eligible to receive mitigation funding. In doing so, the OCD failed to support this designation with “quantifiable and verifiable data.” Such data is not articulated or provided in the Draft Action Plan as support or for review and comment.
- A review of relevant documentation (not addressed by the Draft Action Plan) reveals that the vast majority of these 46 parishes are **not** among the Most Impacted and Distressed areas by the 2016 Floods by any fair or reasonable interpretation.<sup>22</sup> In comparison to the HUD-identified MIDs, the bulk of these 46 parishes sustained significantly less impacts and damage than the HUD-identified MIDs.<sup>23</sup>

***State did not designate the 46 State-identified MIDs based on quantifiable and verifiable data.***

Without any supporting rationale or facts, the Draft Action Plan summarily states:

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<sup>18</sup> Div. B, Subdivision 1 of the Bipartisan Budget Act of 2018, Pub. L. 115-123, approved February 9, 2018; 84 FR 45838, 45841 – 45842 (August 30, 2019).

<sup>19</sup> 84 FR 45838, 45841-42 (August 30, 2019).

<sup>20</sup> 84 FR 45838, 45841 (August 30, 2019).

<sup>21</sup> *Id.*

<sup>22</sup> See State of Louisiana Action Plan Amendment No. 3 for the Utilization of Community Development Block Grant Funds in Response to the Great Floods of 2016 (**La. Plan Amendment #3**); The Economic Impact of the August 2016 Floods on the State of Louisiana (**LED Report**); and Table 1.

<sup>23</sup> La. Plan Amendment #3 at pp. 20, 56 and 57; LED Report at pp. 9 - 10, and Table 1.

“The state **contends** that the remaining 46 parishes with federal disaster declarations were also most impacted and distressed, thus should be eligible to receive CDBG-MIT funds.”<sup>24</sup> (Emphasis added)

The State’s contention that 46 State-identified MID areas are the Most Impacted and Distressed areas by the 2016 Floods is simply a cursory statement that is based not on statutorily mandated “quantifiable and verifiable data.” Rather, it is based on whether a parish was declared eligible for either “public” or “individual” Federal Emergency Management Agency (FEMA) Assistance because of the 2016 Floods. Reliance on the FEMA designations only does not constitute an analysis or review of “quantifiable and verifiable data” regarding the actual impact and/or damage suffered by the individual parishes included among the State-identified MID areas, or represent a comparison of the impact/damage suffered by those individual State-identified MID areas and the ten HUD-identified MID areas.

In fact, the referenced federal disaster declarations were issued as basic, broad requests by the State of Louisiana without any quantifiable and verifiable data of the actual extent of damage suffered by the 46 State-identified MID areas. While such generalized requests may be appropriate in seeking an initial disaster declaration, they are inappropriate for mitigation under the HUD Rule. Because the federal disaster declarations do not provide any quantifiable and verifiable data of flood damages or impacts, they cannot and do not form a sound or legitimate basis for the State’s designation of additional parishes as Most Impacted and Distressed areas. Yet, this is the only purported support given by the State in the entire Draft Action Plan.

Due to its failure to base State-MID areas on “quantifiable and verifiable data,” the Draft Action Plan is (1) deficient, (2) inconsistent with the Supplemental Appropriations Act, and (3) fails to meet the requirements of the HUD Rule.

***Quantifiable and verifiable data confirm that the impact of and distress caused by the 2016 Floods on the ten HUD-identified MID areas is an order of magnitude greater than that sustained by the 46 State-identified MID areas.***

The quantifiable and verifiable data that has been collected from the 2016 Floods confirm that the impact and distress caused by the 2016 Floods on the ten HUD-identified MID areas is an **order of magnitude greater** than the damage suffered by the vast majority of the 46 State-identified MID areas.

For instance, the ten-parish HUD-MID area suffered a greatly disproportionate **residential property damage impact**. Data establish that the ten HUD-MID Parishes accounted for **83% of total households (owner-occupied & rentals) with damage from combined 2016 flooding**<sup>25</sup>

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<sup>24</sup> Draft Action Plan, p. 17.

<sup>25</sup> La. Plan Amendment #3, pp. 20 – 22. As noted in the La. Plan Amendment #3, “By far, the greatest number of instances of significant owner-occupied housing damage occurred in the Baton Rouge Capitol Region, specifically in East Baton Rouge, Livingston, Ascension and Tangipahoa parishes”; and “It is important to note 68,319 of the total 84,842 owner-occupied households with damage are located within the ten parish most impacted area representing more than 81% of the total.” (pp. 22 and 26 respectively) “It is important to note 25,701 of the total 28,470 renter

and **97% of residential units flooded** during the August 2016 flood.<sup>26</sup> See Table 1. For example, compare the three HUD-identified MIDs located within the Amite River Basin with a sample of the State-identified MIDs from Table 1:

HUD-MIDS	State-MIDS	Households with Damage (August & March Floods)
East Baton Rouge		36,938
Livingston		21,243
Ascension		7,963
	LaSalle	83
	Jackson	77
	Catahoula	75
	Franklin	65
	Red River	49

The ten-parish HUD MIDs likewise suffered a greatly disproportionate **economic impact** from the 2016 Floods. Data confirm that during the August 2016 flood, the ten-parish HUD-MID area accounted for:

- **87% of total business disruptions** during the peak of the flooding. See Table 1 and compare the three HUD-identified MIDs located within the Amite River Basin with a sample of the State-identified MIDs from Table 1:

HUD-MIDS	State-MIDS	Peak Flood Business Disruption
East Baton Rouge		8,000

households with damage are located within the 10-parish most impacted area, representing more than 90 percent of the total.” (p. 38)

<sup>26</sup> LED Report, at p.14.

Livingston		1,800
Ascension		1,200
	East Feliciana	100
	Iberville	100
	Pointe Coupee	100
	St. Helena	<100

- **91%** of total worker/employment disruptions during the peak of the flooding.<sup>27</sup> See Table 1 and compare the three HUD-identified MIDs located within the Amite River Basin with a sample of the State-identified MIDs from Table 1:

HUD-MIDs	State-MIDs	Peak Flood Employee Disruption
East Baton Rouge		143,700
Livingston		18,700
Ascension		17,100
	East Feliciana	800
	Pointe Coupee	400
	St. Helena	200
	West Feliciana	200

- **98%** of total lost labor productivity.<sup>28</sup> See Table 1 and compare the three HUD-identified MIDs located within the Amite River Basin with a sample of the State-identified MIDs from Table 1:

HUD-MIDs	State-MIDs	Lost Productivity
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<sup>27</sup> *Id.*

<sup>28</sup> LED Report, at p. 10; and La. Plan Amendment #3 at p. 57.

		Labor (in Millions)
East Baton Rouge		\$213.00
Livingston		\$27.00
Ascension		\$24.90
	Evangeline	\$0.20
	Pointe Coupee	\$0.10
	St. Helena	\$0.10
	West Feliciana	\$0.10

- **97% of total lost value added.**<sup>29</sup> See Table 1 and compare the three HUD-identified MID's located within the Amite River Basin with a sample of the State-identified MID's from Table 1:

HUD-MID's	State-MID's	Lost Value Added (in millions)
East Baton Rouge		\$540.20
Livingston		\$97.80
Ascension		\$68.50
	Evangeline	\$0.90
	Pointe Coupee	\$0.50
	St. Helena	\$0.20
	West Feliciana	\$0.20

Additionally, of significant importance:

- Five out of the ten HUD-identified MID's (i.e., Ascension, Livingston, St. Tammany, Tangipahoa and Washington) sustained flooding in **both** of the 2016 flood events.<sup>30</sup>

<sup>29</sup> *Id.*

<sup>30</sup> La. Plan Amendment #3, pp. 3-4.



- 48% of the population residing in the 51 Individual Assistance (IA) parishes are located within one of the ten HUD-identified MIDs, including three of the state's largest metropolitan areas (Baton Rouge, Lafayette and Monroe) as well as two parishes currently experiencing significant population growth, Ascension and Livingston.<sup>31</sup>
- The population residing within the ten HUD-identified MIDs comprises 34.84% of the states total population.<sup>32</sup>
- The top six HUD-identified MID parishes “have a slightly larger African-American population compared to the balance of state and the other IA parishes.”<sup>33</sup> By percentage, 32.31% of the population in the six most impacted parishes is African-American, which is roughly 1 percentage point more than that of the state as a whole (31.91%) and almost 2 percentage points more than that of the 51 IA parishes (30.67%). By comparison, the African-American population of the additional four most impacted parishes is 15.1% at the parish level; East Baton Rouge (45.20%) and Ouachita (37%) parishes have the largest proportion of African-American residents.<sup>34</sup>
- In the top six HUD-identified MID parishes, the proportion of people with income below the poverty line is higher than the other IA parishes or statewide totals. 27.22% of households in the most impacted area have incomes below the poverty line, 8.21 percentage points more than statewide totals and 7.89 more than the other IA parishes, respectively. Comparatively, 14.8% of households in the additional four HUD-identified MID parishes had incomes below the poverty line.<sup>35</sup>
- “It is important to note that 68,319 of the total 84,842 owner-occupied households with damage are located within the ten-parish most impacted area, representing more than 81% of the total. Additionally 51,742 households within that population are likely to have unmet needs, with damage levels at major-low, major-high or severe. This population represents more than 90% of the 57,631 affected of owner-occupied households likely to have unmet needs.”<sup>36</sup>

The OCD should revise its designation of State-identified MIDs to include only those parishes for which **quantifiable and verifiable data** show they are the **Most Impacted and Distressed areas** from the 2016 Floods. When this exercise is properly done, the number of appropriately named State-identified MIDs is far less than the 46 State-identified MIDs currently designated by the State in the Draft Action Plan and would be in closer alignment with the HUD-identified MIDs.

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<sup>31</sup> See La. Plan Amendment #3, p. 9.

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*, p. 10.

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*, p. 11.

<sup>36</sup> *Id.*, p. 26.

**Comment 4 - The Draft Action Plan improperly diverts funds from the Most Impacted and Distressed Areas**

HUD mandated that the State expend **at least** 50% of the CDBG-MIT funds for the benefit of those areas that HUD identified as the Most Impacted and Distressed by the 2016 Floods.<sup>37</sup> Instead of recognizing that the 50% is a **minimum** requirement, the Draft Action Plan improperly applies it as a **restriction**. Thus, rather than allowing the State to use greater than 50% of the mitigation funds to benefit those parishes for which quantifiable and verifiable data confirms were disproportionately impacted by the 2016 Floods (i.e., the ten-parish HUD-identified MID), the Draft Action Plan limits the amount of mitigation funding for those most impacted parishes to no more than 50%. This artificial cap on the amount of mitigation funding available to the most disproportionately impacted parishes in favor of parishes that suffered *de minimis* - or a much lesser impact - from the 2016 Floods<sup>38</sup> is contrary to the purpose of the mitigation funding and in direct contravention of the HUD Rule. Also, the remaining 50% (i.e., the remaining percentage beyond the 50% that must be used for mitigation activities that address identified risks within the HUD-identified MID areas) must still be used for mitigation activities that address **identified risks** within those areas that Grantee determines are **most impacted and distressed** resulting from the major disasters identified by the disaster numbers listed in Table 1 (4263, 4277, 4272).<sup>39</sup>

The quantifiable and verifiable data support that the majority of funding should be focused on mitigation in the Amite River Basin.

- The Amite River Basin comprises the parishes of Ascension, East Baton Rouge, East Feliciana, Livingston, St. Helena and St. James. It therefore includes those parishes subject to repetitive historical flooding<sup>40</sup> that were among the Most Impacted and Distressed by the 2016 Floods, e.g., Ascension, Livingston and East Baton Rouge parishes.
- The Amite River Basin also includes parishes that are among those at the greatest risk of future catastrophic flooding, e.g., Ascension, Livingston and East Baton Rouge parishes.<sup>41</sup>
- The Amite River Basin has been the subject of significant flood events including significant flood events in 1921, 1928, 1942, 1947, 1953, 1957, 1962, 1964, 1967, March 1973, April 1977, April 1979, April 1983, August 1983, October 1985 (Hurricane Juan), January 1990,

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<sup>37</sup> 84 FR 45838, 45841 (August 30, 2019).

<sup>38</sup> For example, parishes included within the State-identified MID that sustained significantly less or minor impact from the 2016 floods include, but are not limited to, St. John the Baptist, St. Charles, Assumption and Cameron Parishes.

<sup>39</sup> 84 FR 45838, 45841 (August 30, 2019).

<sup>40</sup> As set forth in the HUD Rule, "Through this allocation for mitigation, HUD seeks to: support data-informed investments in high-impact projects that will reduce risks attributable to natural disasters, with particular focus on **repetitive** loss of property and critical infrastructure." (Emphasis added) 84 FR 45838 (August 30, 2019).

<sup>41</sup> See Table 1.

January 1993, January 1994, June 2001 (Tropical Storm Allison), September 2008 (Hurricane Gustav), March 2016, and August 2016.<sup>42</sup>

- The Amite River Basin has been the subject of extensive flood plain management and flood mitigation activities and projects over the last century.<sup>43</sup>
- The Louisiana Legislature acknowledged the importance of flood control in the Amite River Basin when it statutorily created and established the Amite River Basin Drainage and Water Conservation District in 1981.<sup>44</sup> It is the only watershed entity in the entire state.
  - The principal purpose of the District is to address floodplain management, drainage and flood mitigation in the Basin.
  - The District and its governing Board are vested with broad authority, including certain taxing authority, to establish adequate drainage and flood control including but not limited to the construction of reservoirs, diversion canals, drainage systems and other flood control works and the control of all public drainage, flood control and water resources development, reservoirs and diversion canals in the District.
- The flood damage sustained by Ascension, Livingston and East Baton Rouge Parishes dwarfs the minimal damages sustained by State-identified MIDs. For example, several of the State-identified MID parishes (i.e., Calcasieu, Assumption, St. John the Baptist, St. Charles and Lafourche) were ineligible to receive any FEMA individual assistance (IA). Moreover, those State-identified MID parishes that were eligible to receive FEMA IA were far less impacted than those HUD-identified parishes located in the Amite River Basin (Ascension, Livingston and East Baton Rouge). For example, the average number of households damaged in Livingston, Ascension and East Baton Rouge equaled 22,048 compared to 349 in Avoyelles, 173 in Rapides and 49 in Red River.<sup>45</sup>
- The vast majority of residential damage suffered in the 2016 floods, i.e., 81% (91,628 of 113,312 residential flooding), is attributable to the August 2016 Flood.<sup>46</sup> In addition, the HUD-identified MID parishes located in the Amite River Basin (Ascension, Livingston and East Baton Rouge) sustained the vast majority of the damages resulting from the August 2016 Flood. For example, these three Amite River Basin Parishes sustained: 55% of the business interruptions; 64% of the impacted employees; 88% of productivity loss; 84% of the value-added loss; and 85% of the housing units flooded in the August 2016 Flood.<sup>47</sup>

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<sup>42</sup> *August 2016 Flood Preliminary Report Amite River Basin*, August 21, 2017, p. 32; and *Amite River Basin Floodplain Management Plan*, November 2015, p. 2-13.

<sup>43</sup> See *August 2016 Flood Preliminary Report Amite River Basin*, August 21, 2017, pp. 35-36; and *Amite River Basin Floodplain Management Plan*, November 2015, p. 2-16.

<sup>44</sup> La. R.S. 38:3301 - 3309.

<sup>45</sup> La. Plan Amendment #3, pp. 20-22.

<sup>46</sup> *Id.* at p.19.

<sup>47</sup> *Id.* at pp. 9, 10 and 14.

- Given the concentration of residents, industrial and commercial businesses and the number of higher education institutions within the parishes in the Amite River Basin (including Ascension Parish), future catastrophic flooding will have significant economic impacts not only in these areas but will have significant economic impacts statewide.

In addition to the foregoing, the Draft Action Plan allots only 47% of the mitigation funding to watershed projects and programs. It improperly assigns the majority of available funding to the general categories of non-specified state projects and programs; cost share assistance; watershed monitoring, mapping and modeling; administrative costs; and watershed policy, planning and local capacity assistance.<sup>48</sup> The diversion and dilution of mitigation funds to these general and ill-defined categories will not result in maximum flood mitigation in the areas Most Impacted and Distressed by the catastrophic 2016 Floods, as intended by Congress, and opens up the possibility of politically driven decisions that help a small group of people. A much greater percentage of the funding should be dedicated to watershed-based mitigation projects and programs.

Further, the Draft Action Plan dedicates a fixed percentage of mitigation funding to the following general categories: (1) watershed monitoring, mapping and modeling;<sup>49</sup> and (2) watershed policy, planning and local capacity assistance.<sup>50</sup>

- The Amite River Basin and its tributaries, which includes those parishes subject to repetitive historical flooding that were most impacted/damaged by the 2016 Floods, has already been extensively studied, monitored, mapped and modeled.
- In addition, Ascension Parish has been proactively engaged in watershed policy and planning including the adoption of ordinances and development restrictions to mitigate flood risks.
- Ascension Parish has also funded major flood control projects financed exclusively by Ascension Parish for tens of millions of dollars.

To the extent the Draft Action Plan dedicates funds for project/activities Ascension Parish may not need because of actions already taken by the Amite River Basin and/or Ascension Parish, it effectively penalizes Ascension Parish for proactively addressing flood risk and flood mitigation in advance of the disbursement of mitigation funding and wrongfully diverts mitigation funding from parishes within the Amite River Basin: the area **most** impacted by the 2016 Floods.

**Comment 5 - The Draft Action Plan provides No Discernable Method for the Allocation of Mitigation Funding among Most Impacted and Distressed Areas**

To comply with the HUD Rule, the Draft Action Plan must describe the method of distribution of funds and criteria for the distribution of funds including the relative importance of each criterion:

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<sup>48</sup> Draft Action Plan at pp. 12, 48 and 51-64.

<sup>49</sup> 12% or \$144 million.

<sup>50</sup> 2% or \$24 million.

“For State grantees that choose to allocate funds directly to a local government . . . **the action plan shall describe the method of distribution of funds and/or descriptions of specific mitigation programs or projects the grantee will carry out directly.** If the State will carry out activities directly, the description must include . . . (2) The threshold factors and grant size limits that are to be applied . . . (5) when funds are subgranted to local governments . . . **all criteria to be used to distribute funds to local governments . . . including the relative importance of each criterion** (6) When applications are solicited for programs to be carried out directly, **all criteria used to select applications for funding, including the relative importance of each criterion.**”<sup>51</sup> (Emphasis added)

None of this is described in the Draft Action Plan.

In addition, the Draft Action Plan must include information sufficient to allow interested parties to prepare responsive comments.<sup>52</sup> The public comment process is meaningless if the proposed governmental action lacks sufficient detail. Contrary to these mandates, the Draft Action Plan provides no meaningful insight into the methods, procedures and criteria to be used in the distribution of mitigation funds. Indeed, at its November 21, 2019 meeting, the Council on Watershed Management acknowledged that commenters (to-date) were seeking “more detail.” Among other critical items, the Draft Action Plan does not identify:

- How mitigation funding requests are to be made.
- To whom the requests are to be submitted.
- Who/what entity will make the funding decision.
- What criteria will be used in making the funding decision.
- How mitigation funds will be allocated among the Most Impacted and Distressed Areas.

In short, the Draft Action Plan fails to provide stakeholders with even the most basic description of the methods and processes to be used for the allocation/award of mitigation funds. Instead, the Draft Action Plan admittedly **defers** the development of such methods and processes to some undetermined date in the future:

“However, mitigation projects are not identified in state or local [Hazard Mitigation Plans] to address identified hazards. For this reason site-specific mitigation projects are not included in this AP and **methods to identify, rigorously evaluate and select proposed projects and activities** (including the state’s current understanding of the use of CDBG-MIT funds geographically by type at the lowest

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<sup>51</sup> 84 FR 45838, 45849 (August 30, 2019).

<sup>52</sup> *Id.*

level practicable) **are addressed as an anticipatory activity** in Section VII.”<sup>53</sup>  
(Emphasis added)

Section VII of the Draft Action Plan repeatedly states that selection criteria and procedures “**will be developed in the future**,”<sup>54</sup> and “[p]rojects **will be** selected based on criteria[,] and procedures **will be** outlined within the program’s policies and procedures.”<sup>55</sup> (Emphasis added)

OCD must revise the Draft Action Plan to include a description of **the** method of distribution of funds and criteria for distribution of funds including the relative importance of each criterion as mandated by HUD. Without this critical information, stakeholders are denied the opportunity to provide meaningful comments on one of the most, if not the most, critical elements of the Draft Action Plan. Further, the void created by the absence of criteria in the Draft Action Plan makes its implementation susceptible to undefined interpretation and undue political influences.

Postponing the establishment of sound methods and criteria through later amendments to the Draft Action Plan is imprudent and circumvents the requirements of the HUD Rule that are applicable now to the Draft Action Plan.

Ascension Parish Government acknowledges the existence of the LWI’s “*Watershed Projects Grant Program: Local and Regional – Round 1*” document; however, this document is not included in or made part of the Draft Action Plan released on September 26, 2019. The *Round 1* document was issued separately and later in November 2019 (after the publication of the Draft Action Plan and the commencement of the public comment period). The document was developed without public input and before HUD’s review or approval of the State’s Draft Action Plan. The document provides that it may be adjusted, amended, modified or cancelled<sup>56</sup> at any time and/or based on HUD’s review and approval of the Draft Action Plan. Further, it considers potential provisions for only a portion of the funds (\$100 million dollars out of a total of \$1.2 billion dollars) to become available under the CDBG-MIT funds and thus the document (which is subject to modification or cancellation at any time without any specified procedures or standards for such actions) does not purport to consider the balance of \$1.1 billion dollars.

#### **Comment 6 -The Draft Action Plan Fails to Fulfill Other Requirements and Objectives of the HUD Rule**

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<sup>53</sup> Draft Action Plan, p. 20. Section VII repeatedly states that selection criteria and procedures **will be developed in the future** (e.g., “Selection criteria and procedures **will be** outlined within the program’s policies and procedures” and “Specific criteria regarding maximum awards - including exceptions criteria – **will be** incorporated in the program’s policies and procedures.” (p.54); “Projects **will be** selected based on criteria and procedures will be outlined within the program’s policies and procedures.” (p. 58). (Emphasis added)

<sup>54</sup> Selection criteria and procedures **will be** outlined within the program’s policies and procedures” and “Specific criteria regarding maximum awards - including exceptions criteria - **will be** incorporated in the program’s policies and procedures.” (Draft Action Plan at p. 54)(Emphasis added)

<sup>55</sup> *Id.* at p. 58.

<sup>56</sup> See pp. 1, 5 – 6, 9 of the document.

As explained above, the Draft Action Plan does not include all elements required by the HUD Rule and therefore, it is substantially incomplete.<sup>57</sup>

The Draft Action Plan does not adequately “coordinate and align” the funds with other mitigation projects funded by FEMA, the U.S. Army Corps of Engineers, etc.<sup>58</sup>

**Comment 7 -The Draft Action Plan should Separate the Statutorily Created Amite River Basin District from Inclusion in a Bureaucratically Created Region 7**

If the regions established by the LWI are to serve as the means for distribution of mitigation funds in accordance with Congressional intent, then the **Amite River Basin** should serve as a separate and unique region for the purposes of the “Watershed Initiative” and as a Most Impacted and Distressed area. The Amite River Basin is organized around a watershed and is statutorily created.<sup>59</sup> As stated above, the State’s Legislative Branch created this geographical region specifically for flood control and mitigation. To circumvent the Legislature’s designation of this watershed region by including it within an executive agency-created region that includes other parishes that are **not** similarly situated or hydraulically connected (such as St. Tammany and Washington parishes) is inconsistent with the Legislature’s intent in creating the Amite River Basin District and contradictory to express, statutory law.

- The Louisiana Legislature created the Amite River Basin Commission to function as the floodplain manager and coordinator of flood risk reduction in the basin.
- The Amite River Basin Commission serves as a multi-parish authority to accomplish flood control measures; facilitate cooperation between federal, state and local governing bodies to foster floodplain management; maintain and operate structures built under the auspices of the Commission; and coordinate river management within the basin.
- This statutorily established regional flood control body is well positioned to work with the Legislature and administrative bodies on efforts to enhance watershed and floodplain management in the Basin.

As explained above, the Amite River Basin is comprised of the parishes of Ascension, East Baton Rouge, East Feliciana, Livingston, St. Helena, and St. James. These parishes were all declared as disaster areas in 2016. Factors supporting the establishment of the Amite River Basin as a separate region are numerous and compelling:

- The Amite River Basin includes the three of the most impacted parishes in the 2016 Floods: (1) Ascension, (2) East Baton Rouge, and (3) Livingston. These three parishes were among the most impacted of the HUD-identified MIDs.

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<sup>57</sup> 84 FR 45838, 45840-41.

<sup>58</sup> *Id.*

<sup>59</sup> *See* La. R.S. 38: 3301.

- “Of the ten most impacted parishes [impacted by the 2016 Floods], six parishes, including **Ascension, East Baton Rouge, Lafayette, Livingston, Ouachita** and **Tangipahoa** were **more severely impacted** than Acadia, St. Tammany, Vermillion and Washington.”<sup>60</sup> The Parish of Livingston experienced three presidential major disaster declarations within an 11-month span.<sup>61</sup>
- The Amite River Basin includes East Baton Rouge Parish, the most populous parish in the state, and Ascension Parish and Livingston Parish, currently two of the fastest growing parishes in Louisiana.
  - According to the 2010 census, East Baton Rouge Parish is the most heavily populated parish and the combined population of East Baton Rouge, Ascension and Livingston accounts for approximately 15% of the state’s total population as of the 2010 census.<sup>62</sup>
  - The estimated population in 2043 has Ascension, East Baton Rouge and Livingston Parishes accounting for approximately 16% of the total population of the state.<sup>63</sup>
  - The projected vulnerable population growth rates of East Baton Rouge, Livingston and Ascension Parishes are among the highest in the state at 13% (Ascension Parish), 11% (Livingston Parish) and 6% (East Baton Rouge).<sup>64</sup>
- It is crucial that these fast-growing areas address infrastructure and flood risk quickly to promote continued economic and community growth within the state. There has been significant focus and attention to anticipated growth and construction in the Amite River Basin in recent years and it is uniquely positioned to serve as a model for implementation of regional watershed management.
- Two major universities are located within the Basin, including Louisiana State University (East Baton Rouge) and Southern University (East Baton Rouge), which are strategically important educational institutions, “as well as significant drivers for their regions and the state as a whole.”<sup>65</sup>
- “By far, the greatest number of instances of significant owner-occupied housing damage occurred in the Baton Rouge Capital Region, specifically, in East Baton Rouge, Livingston, Ascension and Tangipahoa Parishes.”<sup>66</sup> See Table 1 and compare the three HUD-identified MIDs located within the Amite River Basin with a sample of the State-identified MIDs from Table 1:

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<sup>60</sup> La. Plan Amendment #3, p.10.

<sup>61</sup> DR4300, DR4263, and DR4277.

<sup>62</sup> See 2019 State HMP Update, p. 144,

<sup>63</sup> *Id.*

<sup>64</sup> *Id.* at p. 146.

<sup>65</sup> See La. Plan Amendment #3, p. 10.

<sup>66</sup> *Id.* at p. 22.



HUD-MIDs	State-MIDs	Households with Damage
East Baton Rouge		36,938
Livingston		21,243
Ascension		7,963
	LaSalle	83
	Jackson	77
	Catahoula	75
	Franklin	65
	Red River	49

- “For owner-occupied household populations, a concentration of need is found in corridors throughout the Baton Rouge Capital Region. There are a total of six census tracts in the 51 IA declared parishes classified as having high levels of damage as well as high levels of social vulnerability. All six of these census tracts are located within the Capital Region. Five of the census tracts are located within East Baton Rouge Parish, specifically, and one is located in Livingston Parish. These census tracts are all within a 5-mile area and five of the census tracts are located in a line along the I-12/Florida Boulevard corridor that runs between Baton Rouge and Denham Springs.”<sup>67</sup>
- East Baton Rouge, Livingston and Ascension Parishes were among the top five parishes suffering peak business disruption during the August 2016 flood event.<sup>68</sup>
- Ascension, Livingston and East Baton Rouge Parishes were the top three parishes suffering productivity and value-added losses during the August 2016 flood event.<sup>69</sup>
- East Baton Rouge Parish is among the top five most vulnerable jurisdictions with regard to flooding.<sup>70</sup>

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<sup>67</sup> *Id.* at p. 23.

<sup>68</sup> *Id.* at p. 56.

<sup>69</sup> *Id.* at p. 57 and Table 1 attached hereto.

<sup>70</sup> See 2019 State HMP Update, p. 20.

- The risk assessment calculating projected average annual loss for the year 2043 estimates that the combined flood property losses for Ascension, East Baton Rouge and Livingston will account for approximately 15% of the total estimated flood property losses in 2043.<sup>71</sup>
- In terms of risk, the Amite River Basin is exposed to extraordinary risk to flooding. Recognition of this heightened risk is evidenced by the appropriation of \$1.4 billion to construct legacy U.S. Army Corps of Engineers projects as well as the \$1.2 billion to address future protection.
- Separation of the Amite River Basin as its own region meets the criteria of the HUD Rule and fulfills the Congressional intent of the Appropriations Act.
- The Amite River Basin District is best positioned “to mitigate against disaster risks”<sup>72</sup> and reduced future losses. Utilization of the Amite River Basin District will “[maximize] the impact of available funds by encouraging leverage, private-public partnerships, and coordination with other Federal programs.”<sup>73</sup> The Amite River Basin District already has existing ties to and acts in coordination with the following federal program partners: FEMA, the U.S. Army Corps of Engineers, the U.S. Geological Survey, and the U.S. Environmental Protection Agency.
- Emphasis on the Amite River Basin serves to achieve the “*national objectives* of the CDBG program,” i.e., providing benefit to low- and moderate-income persons; and addressing a severe and recently urgent community welfare or health need.”<sup>74</sup>
- Moreover, the Amite River Basin District represents one of the “most impacted and distressed (MID) areas.”<sup>75</sup>
- Focus on the Amite River Basin District achieves the goal of “maximizing efficiencies.”<sup>76</sup>
- The HUD Rule mandates that the State’s HMP “inform” the State’s Action Plan.<sup>77</sup> Notably, the State’s FEMA - approved HMP classifies the parishes of Ascension, East Baton Rouge and Livingston among those at the **highest projected flood risk**, yet the Draft Action Plan does not properly recognize this risk despite being informed of it by the HMP .<sup>78</sup>
- The Amite River Basin has been modeled, studied and scrutinized more than any other watershed in the state. The U.S. Army Corps of Engineers, Department of Transportation and

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<sup>71</sup> *Id.* at p. 149.

<sup>72</sup> 84 FR 45838, 45840 and 45841.

<sup>73</sup> 84 FR 45838.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

<sup>77</sup> 84 FR 45838 – 45839.

<sup>78</sup> 2019 State HMP Update, p. 149.

Development, East Baton Rouge Parish, Ascension Parish and various municipalities have conducted various design, planning and modeling efforts for over thirty years. More intense design, planning and modeling efforts have been instituted over the past three years. The information and data developed in relation to the Amite River Basin is more advanced than in other watershed areas of the state. This presents a unique opportunity, in compliance with the HUD directive to leverage<sup>79</sup> to build on existing studies and data to implement effective flood mitigation projects and solutions that will provide a valuable roadmap for future use in other watershed areas throughout the state.

- The Amite River Basin Commission is well positioned and experienced in facilitating cooperation between federal, state and local governing bodies to foster watershed based floodplain management. Existing data and information for the Amite River Basin can be used by state and local educational and research institutions as well as by state agencies to more quickly develop, expand upon and implement watershed-based flood management projects to reduce flood risk.
- Efforts have already been proposed to develop or improve key waterways in the Amite River Basin that will require specialized knowledge and technology and cooperation between various state and local entities. Specifically, the development and improvement of Darlington Reservoir, LA 22 Spillway, Bayou Manchac, Amite River, Bayou Paul, Spanish Lake and other waterways will require specific, focused expertise and local knowledge of the Amite River Basin.
- The Amite River Basin (which includes Louisiana's Capital Region) is a vital political and economic region that is home to the state government, higher education institutions and many key industrial facilities and businesses. Given the vulnerability of the area to flooding risk and the importance of the region, it is well situated to be the "model" for further watershed-based flood management efforts.
- After a 1983 record flood in the Amite River Basin, Congress directed the U.S. Army Corps of Engineers to partner with Louisiana and constituent parishes to design flood protection to mitigate the risk of future, similar flooding. The Corps proposed five major flood protection projects throughout the basin. After the 2016 Floods, recognizing the vulnerability of the Amite River Basin, two of the projects were expedited and fully funded in 2018. However, these funds only partially address the risks to the Amite River Basin and additional funding must be utilized to mitigate the additional risks. The Amite River Basin Commission is best positioned to work with federal and state resources to identify, prioritize and acquire funding mechanisms for needed watershed-based mitigation projects.
- There may be no better model than the one in the Amite River Basin to align the statewide flood plain management around regional watersheds. Based on the Basin's extreme flood risk, present and future residential and industrial developments, prolific data and analysis and

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<sup>79</sup> 84 FR 45838 (August 30, 2019).

watershed governance, the Amite River Basin is uniquely positioned to be a nationally and internationally recognized model for watershed-based floodplain management.

- The use of the Amite River Basin District funds, “in combination with” other federal funds will have “long-term benefits by supporting high-quality mitigation planning, building a foundation for continuous coordination and data-driven outcomes, and providing common goals for selecting high impact project across multiple programs and funding sources.”<sup>80</sup>
- The Amite River Basin District provides “substantial governmental policies and infrastructures to enhance the impact of HUD-funded investments” that are already “in place.”<sup>81</sup>
- The Draft Action Plan fails to address or recognize that the Amite River Basin District “[represents] a targeted strategic investment for the grantee based on current or foreseeable risks.”<sup>82</sup> The State simply ignored that the Amite River Basin District project(s) are “projects/activities” “that can move forward quickly.” The State failed to conduct this “exercise” to “help to identify Federal regulatory relief that is critical to helping clear the path for these projects/activities.”<sup>83</sup> Beyond being the most advanced in the planning and permitting process, the Amite River Basin District “[focuses] on high impact investments and a thorough understanding of what will be necessary to move those investments forward rapidly.”<sup>84</sup>
- The Amite River Basin District projects/activities meet the definition of “mitigation.” They are “activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.”<sup>85</sup>
- Without any sound technical or other rational basis, the LWI places the Amite River Basin parishes in Region 7 along with several other parishes. While the parishes of St. Tammany and Washington were among the Most Impacted and Distressed areas from the 2016 Floods, they are not located within the same or similar watershed sub-basin as the Amite River Basin. A mitigation project in St. Tammany/Washington parishes does not address issues in the Amite River Basin and *vice versa*. Instead of reducing competition and promoting cooperation to maximize the benefits from the funds, the inclusion of hydraulically separated parishes in one region inherently and unfairly places the areas in competition with one another – to the disadvantage of everyone.

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<sup>80</sup> *Id.* at 45839.

<sup>81</sup> *Id.*

<sup>82</sup> *Id.* at 45840.

<sup>83</sup> *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> *Id.* at 45840.

November 29, 2019

Page 24

**Closing**

Thank you in advance for your attention to these comments to the Draft Action Plan. Please notify us when responses to comments have been made and provide us with a copy of or access to the OCD's written responses to public comments. Also, please notify us when an Action Plan has been submitted to HUD and provide us with a copy of or access to the Action Plan.

Sincerely,

Ascension Parish Government

BY: 

Kenny Matassa, Parish President

Encl.

cc:

U.S. Dept. for Housing and Urban Development ([disaster\\_recovery@hud.gov](mailto:disaster_recovery@hud.gov))

The Honorable John Bel Edwards, Governor of the State of Louisiana

The Honorable Bill Cassidy, U.S. Senate

The Honorable John Kennedy, U.S. Senate

The Honorable Garret Graves, U.S. House of Representatives

The Honorable Cedric Richmond, U.S. House of Representatives

The Honorable Regina Barrow, Louisiana Senate

The Honorable Edward J. Price, Louisiana Senate

The Honorable Mack "Bodi" White, Louisiana Senate

The Honorable Tony Bacala, Louisiana Legislature

The Honorable Ken Brass, Louisiana Legislature

The Honorable Rick Edmonds, Louisiana Legislature

The Honorable Clay Schexnayder, Louisiana Legislature

The Honorable Barbara Freiberg – La. State Representative Elect

The Honorable Franklin Foil - La. State Representative Elect

## Table 1

MID Parishes <sup>4</sup>	Peak Distruption <sup>1</sup> of Business	Peak Distruption <sup>1</sup> of Employees	Lost Labor <sup>1</sup> Productivity (in millions)	Lost Value Added <sup>1</sup> (in millions)	Households with Damage <sup>3</sup>	Flood Loss Risk <sup>2</sup>
Acadia	400	3,900	\$0.60	\$2.40	2,000	\$3,974,012.00
Allen					83	\$805,454.00
Ascension	1,200	17,100	\$24.90	\$68.50	7,963	\$15,696,666.00
Assumption						\$1,353,836.00
Avoyelles	100	1,200	\$0.40	\$1.60	349	\$2,555,262.00
Beauregard					144	\$594,851.00
Bienville					231	\$106,379.00
Bossier					690	\$11,311,567.00
Caddo					714	\$7,341,406.00
Calcasieu					326	\$13,049,845.00
Caldwell					157	\$646,973.00
Cameron						\$5,583,446.00
Catahoula					75	\$1,099,314.00
Claiborne					226	\$108,970.00
De Soto					159	\$433,113.00
East Baton Rouge	8,000	143,700	\$213.00	\$540.20	36,938	\$27,491,184.00
East Carroll					294	\$10,953.00
East Feliciana	100	800	\$0.30	\$0.90	755	\$253,881.00
Evangeline	200	1,500	\$0.20	\$0.90	673	\$1,457,856.00
Franklin					65	\$552,308.00
Grant					323	\$624,236.00
Iberia	600	8,200	\$1.80	\$8.00	1,866	\$6,601,218.00
Iberville	100	2,000	\$1.10	\$2.90	395	\$1,272,617.00
Jackson					77	\$131,409.00
Jefferson Davis	300	2,200	\$0.30	\$1.70	569	\$1,464,005.00
Lafayette	3,100	40,000	\$8.60	\$31.10	5,650	\$8,325,476.00
LaSalle					83	\$278,653.00
Lincoln					173	\$495,265.00
Livingston	1,800	18,700	\$27.00	\$97.80	21,243	\$23,789,561.00

<sup>1</sup> August 2016 Flood Only; *The Economic Impact of the August 2016 Floods on the State of Louisiana.*

<sup>2</sup> Represents Total Loss Risk (Property and Crops); *State of Louisiana 2019 State Hazard Mitigation Plan Update.*

<sup>3</sup> Combined totals: March and August 2016 Floods; *State of Louisiana Action Plan Amendment No. 3 for the Utilization of Community Development Block Grant Funds in Response to the Great Floods of 2016.*

<sup>4</sup> HUD-identified MID Parishes located within the Amite River Basin are highlighted in yellow.

## Table 1

MID Parishes <sup>4</sup>	Peak Distruption <sup>1</sup> of Business	Peak Distruption <sup>1</sup> of Employees	Lost Labor <sup>1</sup> Productivity (in millions)	Lost Value Added <sup>1</sup> (in millions)	Households with Damage <sup>3</sup>	Flood Loss Risk <sup>2</sup>
Madison					102	\$337,035.00
Morehouse					1,311	\$235,775.00
Natchitoches					689	\$1,351,070.00
Ouachita					6,133	\$5,144,834.00
Pointe Coupee	100	400	\$0.10	\$0.50	551	\$1,306,603.00
Rapides					173	\$18,044,297.00
Red River					49	\$158,870.00
Richland					598	\$632,580.00
Sabine					104	\$1,679,245.00
St. Charles						\$15,908,384.00
St. Helena	<100	200	\$0.10	\$0.20	1,394	\$237,647.00
St. James					169	\$445,118.00
St. John the Baptist						\$5,552,716.00
St. Landry	600	6,300	\$1.00	\$3.30	1,998	\$5,113,660.00
St. Martin	400	3,100	\$0.50	\$2.50	1,459	\$4,299,088.00
St. Tammany	900	8,000	\$2.90	\$8.40	1,345	\$56,705,395.00
Tangipahoa	1,500	17,000	\$17.40	\$62.20	8,906	\$8,902,431.00
Union					445	\$622,413.00
Vermillion	400	3,700	\$0.70	\$2.70	2,179	\$13,501,325.00
Vernon					354	\$462,284.00
Washington	<100	300	\$0.10	\$0.40	1,663	\$1,326,370.00
Webster					583	\$355,690.00
West Baton Rouge					117	\$275,318.00
West Carroll					383	\$210,089.00
West Feliciana	<100	200	\$0.10	\$0.20	171	\$235,681.00
Winn					216	\$206,444.00

<sup>1</sup> August 2016 Flood Only; *The Economic Impact of the August 2016 Floods on the State of Louisiana*.

<sup>2</sup> Represents Total Loss Risk (Property and Crops); *State of Louisiana 2019 State Hazard Mitigation Plan Update*.

<sup>3</sup> Combined totals: March and August 2016 Floods; *State of Louisiana Action Plan Amendment No. 3 for the Utilization of Community Development Block Grant Funds in Response to the Great Floods of 2016*.

<sup>4</sup> HUD-identified MID Parishes located within the Amite River Basin are highlighted in yellow.

LOUISIANA



HOUSE OF REPRESENTATIVES

October 17, 2019

Council on Watershed Management  
P.O. Box 94095  
Baton Rouge, LA 70804-9095

We the undersigned who represent citizens, businesses and communities devastated by the Great Flood of August 2016, respectfully request that your administration designate the Amite River Basin as a separate and unique region for the purposes of the Watershed Initiative.

The Amite River Basin is comprised of the parishes of Ascension, East Baton Rouge, East Feliciana, Livingston, St. Helena, and St. James. All of these were declared disaster areas in 2016. Iberville Parish was likewise devastated and is hydraulically connected to Amite River watershed.

The Amite River Basin includes the most populous parish in the state and two of the fastest growing parishes in Louisiana. The region includes the three most impacted parishes in all of the 2016 floods. One of these parishes experienced three presidential disaster declarations within an 11-month span.

Without a doubt, the Amite River Basin is exposed to extraordinary risk to natural disaster, and therefore should receive urgent, exclusive focus. The US Congress and Trump Administration recognized this when they allocated \$1.4 billion to construct legacy Corps of Engineer projects and \$1.2 billion to address future protection.

In 1983, the Amite River Basin experienced a record flood. As a result, Congress directed the U.S. Army Corps of Engineers to partner with the State of Louisiana and constituent parishes to design flood protection to mitigate the risk of future, similar flooding. The Corps proposed five major flood protection projects throughout the basin, none of which were in place in August 2016. Had these protection measures been in place, fewer lives would have been lost and less property would have been damaged. Congress and the President recognized this vulnerability to the Basin when they order the tow of these projects to be expedited in 2016 and fully funded them in 2018.

They likewise recognize that these funds only partially address 1983 risk, which is why Congress and the Administration allocated an additional \$1.2 billion to address future threats. The Amite River Basin – which includes the state's Capital Region – remains exposed to extraordinary risk, which must be addressed with concentrated effort.

The "rain bomb" of June 6, the historic Mississippi River flood fight, and the projected impact of Hurricane Barry reminded us just this year of the horrifying, multi-dimensional threat of inadequate protection to the Capital Region.

In terms of data collection and analysis, the Amite River Basin has been modeled, studied and scrutinized more than any watershed in the state. The US Corps of Engineers on numerous occasions past and present, the Department of Transportation and Development, East Baton Rouge Parish, Ascension Parish, and various municipalities within the Basin have all conducted several design, planning and modeling efforts for at least the

Attachment 1



last thirty years, and none more intensely than the last three years. With as much focus, attention and anticipated construction occurring in this

particular watershed, the Amite River Basin presents the best opportunity for the state to implement its goal of regional watershed management.

Lastly, the Amite River Basin is also the only region in the state politically organized around a watershed. The State of Louisiana created the Amite River Basin Commission to function as the floodplain manager and coordinator of flood risk reduction in the basin. Considering your efforts to align floodplain management statewide around regional watersheds, there is perhaps no better model than the one that exists in the Amite River Basin. Emulating the composition and success of the Coastal Protection and Restoration Authority, which is comprised of geographical representatives and subject matter experts supported by professional staff who are nationally recognized in their fields, a reconstituted Amite River Basin Commission could be both a model for the state and the country.

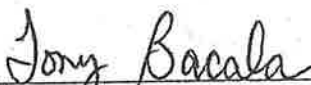
By virtue of flood risk, present and future project development, prolific data and analysis, and watershed-based governance, the Amite River Basin absolutely must exist as its own region in the Watershed Initiative.

Proposed efforts to develop or improve the Darlington Reservoir, LA 22 spillway, Bayou Manchac, Amite River, Bayou Paul, Spanish Lake, and many waterways will require focused, knowledgeable expertise exclusive to the Amite River Basin.

The Amite River Basin should stand alone, not merely for program administration, but because it is a unique watershed with a unique history and a unique position to advance effective flood mitigation by correcting the problems of the past and building the solutions for the future.


We thank you for your consideration and look forward to working with you as a regional watershed, determined to achieve lasting results for our citizens, businesses and communities.

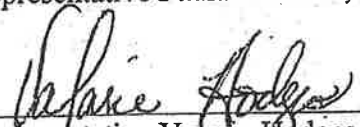
**REPRESENTATIVES:**

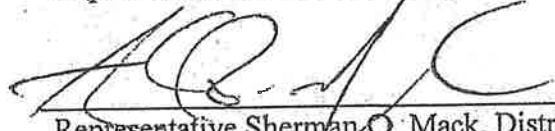
  
\_\_\_\_\_  
Representative Tony Bacala, District 59

  
\_\_\_\_\_  
Representative Johnny Berthelot, District 88


  
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Representative Paula P. Davis, District 69

  
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Representative Rick Edmonds, District 66

  
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Representative Valerie Hodges, District 64

  
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Representative Sherman Q. Mack, District 95

  
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Representative J. Rogers Pope, District 71

  
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Representative Clay Schexnayder, District 81

  
\_\_\_\_\_  
Representative Steve Carter, District 68



October 14, 2019

**John Bel Edwards**  
Governor

**Dietmar Rietschier**  
Executive Director

**Board of Commissioners**

**Col. Ben B. Babin**  
Ascension Parish  
President

**Jerry Thibeau**  
Ascension Parish  
Vice President

**David Hoover**  
Finance Chairman

**Kenneth Welborn**  
East Baton Rouge Parish

**Tamiara L. Wade, PhD**  
East Baton Rouge Parish

**Edwin R. Parker**  
East Feliciana Parish

**Larry N. Thomas**  
East Feliciana Parish

**James A. Little**  
Livingston Parish

**Mark R. Harrell**  
St. Helena Parish

**Willie George Lee**  
St. Helena Parish

**Lionel L. Bailey, Sr.**  
St. James Parish

**Vacancy**  
St. James Parish

**Donald E. Thompson**  
Member-at-Large

**Toni B. Guitrau**  
Executive Secretary

**Ms. Alex Gelpi Carter, AICP**  
Resiliency Planning Manager  
Louisiana Watershed Initiative  
Office of Community Development  
P.O. Box 94095  
Baton Rouge, Louisiana, 70802

Re: Proposed Watersheds within Provisional Watershed Region 7

Dear Ms. Gelpi:

The Amite River Basin Commission (ARBC) would like to provide input into the definition of Watersheds located within the Provisional Watershed 7 as defined under the State Watershed Initiative.

The Amite River Basin is centrally located within this Provisional Watershed that encompasses portions of seven (7) Parishes – East Feliciana, St. Helena, East Baton Rouge, Livingston, Ascension and St James Parishes. This watershed and the Amite River Basin Commission, the agency designated to coordinate all regional water/flood amelioration projects and programs within the basin- was created by State Statutes R.S 3309 et.sec. in 1989.

We are requesting that as the State Watershed initiative evolves, that special consideration be given to an established regional flood control agency like the ARBC whose jurisdiction is based on the Amite River Watershed Boundaries and that the structure of ARBC as a planning coordinating agency be maintained.

Also, we are requesting that consideration be given that Provisional Watershed 7 which historically has been referred to as the Ponchartrain Basin Watershed, be divided into the 7 natural watersheds that compose this larger watershed. In the ultimate analysis, it is at the natural watershed levels where models, studies, planning, etc. will take place because they are hydrological separate from each other and during major floods they stay separate except along the southern part of the watersheds fronting Lake Ponchartrain and Maurepas. See map delineating areas impacted by backwater and surge from the Lakes.

We would suggest that the Proposed Watershed 7 be divided as follows:

Attachment 2

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Watershed	Rivers	Parishes affected
1	Thompson Creek/Bayou Sarah	West and East Feliciana
2	Amite/Blind Rivers	East Feliciana, St. Helena Baton Rouge, Livingston E. Iberville, Ascension St. James
3	Tickfaw/Blood Rivers	Livingston, St. Helena, Tangipahoa
4	Tangipahoa Rivers	Tangipahoa, Washington
5	Tchefuncte/Bogue Falaya Rivers	St Tammany, Washington
6	Bogue Chito/Pearl Rivers	Washington, St. Tammany
7	Bogue Lusa, Pear Rivers	Washington

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We recommend that each of these watersheds be managed by a Committee or ultimately commission that will set up its own priorities within each watershed. Each committee/commission will be composed of appointed commissioners from the Parishes within each Watershed. For example, Watershed 3 will be composed of representatives from Livingston, St. Helena and Tangipahoa Parishes.

Since the State, as a first step in this process, will be developing H&H models based on Watersheds the committees/commissions will have the tools at their disposal to make better decisions.

An important consideration for the watersheds fronting the northern shore of Lakes Ponchartrain and Maurepas is hurricane/storm surges. As part of the modeling development effort we urge the OCD to include the impact of storm/hurricane surge along the shore of Lakes Ponchartrain and Maurepas. The Lake Ponchartrain Foundation has and is doing extensive work on this issue. The riverine modeling effort in these watersheds fronting Lake Ponchartrain and Maurepas should include storm/hurricane impacts. This scenario will not materialize at every major riverine flood, but if it does, we will have tools to better predict the flooding in the lower sections of the watersheds, generally south of the 1-12 corridor. Of course, we all know that the worst possible scenario is the confluence of riverine flooding and storm surge.

These are some of our thoughts concerning the path forward. We hope that these suggestions will be considered as we move forward. Thank you in advance for your consideration and attention to these suggestions.

Sincerely,

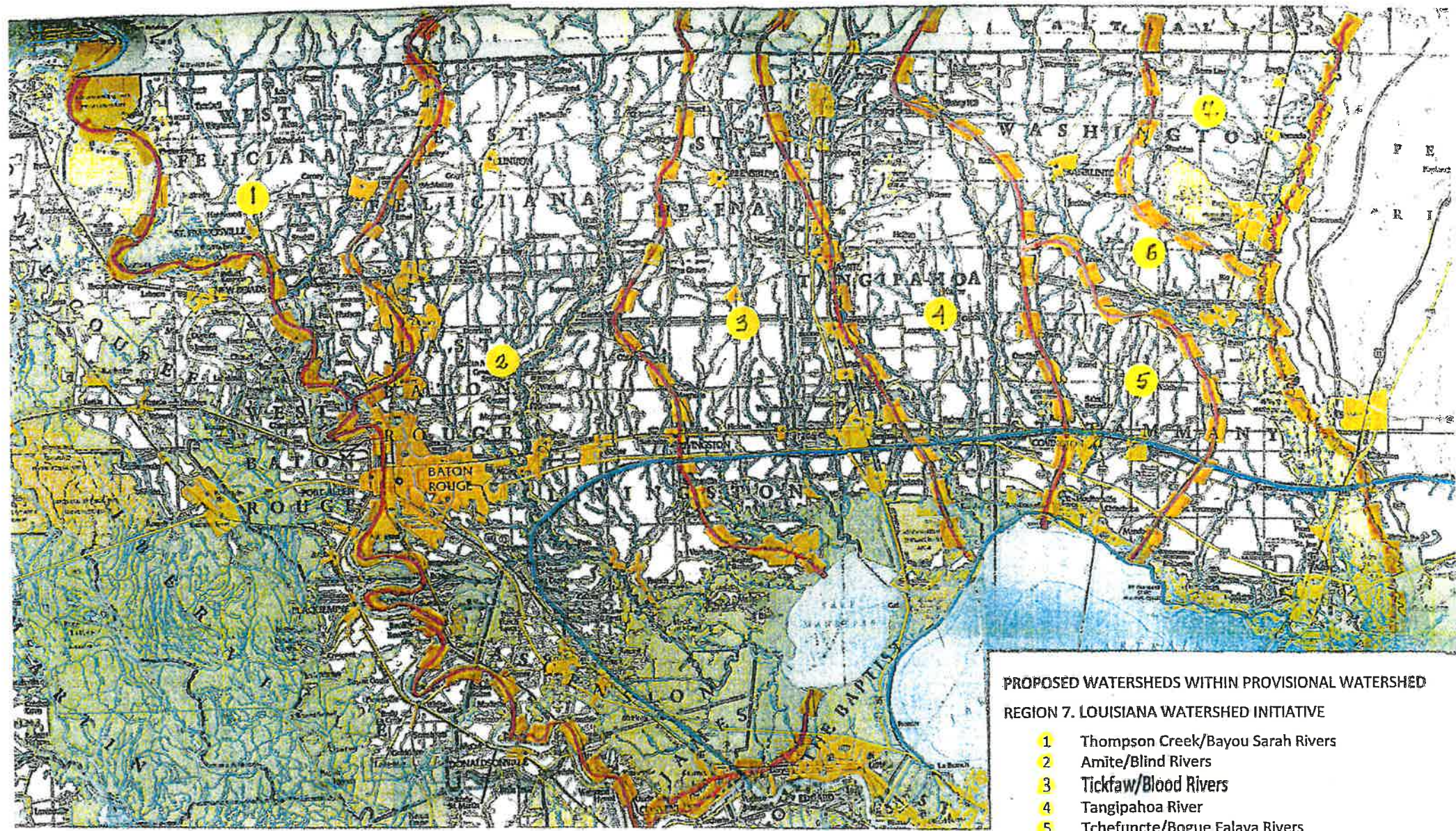
A handwritten signature in blue ink, appearing to read "D. Rietschier", with a stylized flourish at the end.

Dietmar Rietschier

Executive Director

Attachment(s)

Cc: Col Ben Babin (R) ARBC President




**PROPOSED WATERSHEDS WITHIN PROVISIONAL WATERSHED  
REGION 7. LOUISIANA WATERSHED INITIATIVE**

- 1** Thompson Creek/Bayou Sarah Rivers
- 2** Amite/Blind Rivers
- 3** Tickfaw/Blood Rivers
- 4** Tangipahoa River
- 5** Tchefuncte/Bogue Falaya Rivers
- 6** Bogue Chito/Pearl Rivers
- 7** Bogue Lusa, Pearl Rivers



**Area Impacted by Storm/Hurricane Surge**

 WATERSHED	REGION 7 REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET												
	Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
# of RSC Members	1	1	1	1	3							10	17
PARISHES													
Ascension	1												
East Baton Rouge	1												
East Feliciana	1												
Iberville	1												
Livingston	1												
St. Charles	1												
St. Helena	1												
St. James	1												
St. John the Baptist	1												
St. Tammany	1												
Tangipahoa	1												
Washington	1												
West Feliciana	1												
Total Parishes	13												

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS*											
Region 7	Race/Ethnicity		Gender		Age				Home Location		
	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language
# of RSC Members	10	7	8	9	5	4	4	4	13	4	0
Percent	61.6%	38.4%	48.9%	51.1%	26.5%	21.1%	24.8%	25.5%	75.2%	24.8%	2.4%

Required
Considerations

\*Source: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2  
 \*\*The U.S. Census dataset defines this category as "Percent Who Speak English Less Than Very Well"

## Tangipahoa's efforts may reshape flood maps

BY EMMA KENNEDY  
Staff writer

**HAMMOND** — Tangipahoa Parish is leading the state in a series of watershed meetings that, depending on public input, could help reshape federal flood maps in the future.

During an open house Tuesday hosted by the Water Institute

of the Gulf, Tangipahoa Parish officials sought to gather specific details about community floodings that are sometimes overlooked on the whole when mapping out a watershed. They were looking at such factors as blocked culverts, troublesome bridges and often-waterlogged

► See FLOOD MAPS, page 25

## FLOOD MAPS

Continued from page 15

roadways.

The watershed getting closer scrutiny sits in large part in Tangipahoa Parish but also stretches into St. Helena and into two counties in Mississippi. It made it to the top of the list when the Federal Emergency Management Agency was prioritizing remapping endeavors because of its heavy flooding in recent years, according to Water Institute research scientist Ryan Clark.

He led the public meeting, which is part of FEMA's Base Level Engineering process.

"We're trying to get community input as early as possible in the process so that people are engaged and the community is part of the process, it's not just a FEMA-driven thing," he said.

He said that makes sense because people in the communities know best where flooding happens and have ideas for solutions.

Eighth Ward Volunteer Fire Chief Ira Brown, of Ponchartroula, hovered over a large-scale printed map of his area Tuesday, adding notes about areas with a significant degree of flooding that often get overlooked.

He said growing development in what used to be rural areas has in some cases led to water

problems where they didn't exist before so aren't documented anywhere.

"I'm all for development, but let's do it in a way that's planned and makes sense," he said, while marking a small stream that often backs up near a bridge, causing problems.

Parish President Robby Miller said the parish has already been pushing to collect more flooding data to shape its own rules and regulations and future development.

But he said he's confident that Tangipahoa will be "leaps and bounds" ahead of others when it comes time to begin hazard mitigation and flooding studies, given that it topped the list as

one of the first watershed meetings.

Residents are unlikely see the results of these planned meetings for some time, though, because FEMA may take more than a year to host similar meetings across the state and process the data received.

But Clark said parishes and municipalities can start making decisions immediately.

"Communities like Independence and Orytha, Mississippi, can use this information right away to make permitting decisions, they can use it to help establish base level elevations where there's no current information and they can start thinking about hazard mitigation projects," he said.



*Senate  
State of Louisiana*

ATTCHMENT NO.4 (letter)  
Re: Comment No. 62

P.O. Box 94183  
Baton Rouge, Louisiana 70804  
(225) 342-2040

October 24, 2019

Council on Watershed Management  
ATTN: Mr. Pat Forbes  
Post Office Box 94095  
Baton Rouge, LA 70804-9095

Members:

We, the undersigned who represent citizens, businesses and communities devastated by the Great Flood of August, 2016, respectfully request that your administration designate the Amite River Basin as a separate and unique region for the purposes of the Watershed Initiative.

The Amite River Basin is comprised of the parishes of Ascension, East Baton Rouge, East Feliciana, Livingston, St. Helena and St. James. All of these parishes were declared disaster areas in 2016. Additionally, Iberville parish was likewise devastated and is hydrologically connected to the Amite River watershed.

The Amite River Basin includes the most populous parish in the state and two of the fastest growing parishes in Louisiana. The region includes the three most impacted parishes in all of the 2016 floods. One of these parishes experienced three presidential disaster declarations within an 11-month span.

Without a doubt, the Amite River Basin is exposed to extraordinary risk to natural disaster, and therefore should receive urgent, exclusive focus. The U.S. Congress and Trump Administration recognized this when they allocated \$1.4 billion to construct legacy Corps of Engineer projects and \$1.2 billion to address future protection.

In 1983, the Amite River Basin experienced a record flood. As a result, Congress directed the U.S. Army Corps of Engineers to partner with the State of Louisiana and constituent parishes to design flood direction to mitigate the risk of future, similar flooding. The Corps proposed five major flood protection projects throughout the basin, none of which were in place in 2016. Had these measures been in place, fewer lives would have been lost and less



property impacted. Congress and the President recognized this vulnerability to the Basin when they ordered these projects be expedited in 2016 and fully funded them in 2018.

They likewise recognize that these funds only partially address the 1983 risk, which is why Congress and the Administration allocated an additional \$1.2 billion to address future threats. The Amite River Basin - which includes the state's Capital Region - remains exposed to extraordinary risk, which must be addressed with concentrated effort.

The "rain bomb" of June 6, the historic Mississippi River flood fight and the projected impact of Hurricane Barry just this past year, reminded us of the horrifying, multi-dimensional threat of inadequate protection the Capital Region.

In terms of data collection and analysis, the Amite River Basin has been modeled, studied and scrutinized more than any watershed in the state. The U.S. Corps of Engineers, on numerous occasions - past and present -, the Department of Transportation and Development, East Baton Rouge parish, Ascension Parish, and various municipalities within the Basin have all conducted several design, planning and modeling efforts for at least the last thirty years, and none more intensely than the last three years. With as much focus, attention and anticipated construction occurring in this particular watershed, the Amite River Basin presents the best opportunity for the state to implement its goal of regional watershed management.

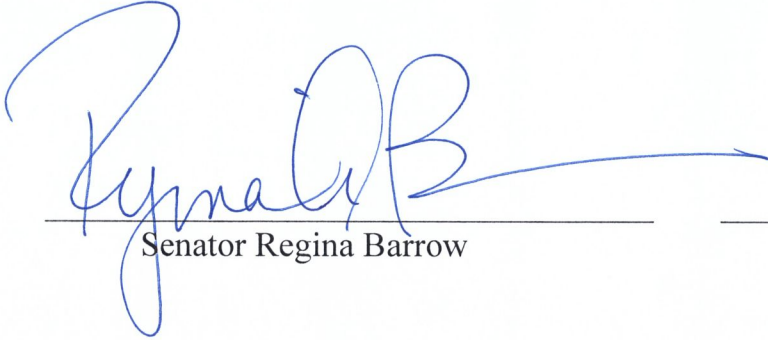
Lastly, the Amite River Basin is also the only region in the state politically organized around a watershed. The state of Louisiana created the Amite River Basin Commission to function as the floodplain manager and coordinator of flood risk reduction in the basin. Considering your efforts to align floodplain management statewide around regional watersheds, there is perhaps no better model than the one that exists in the Amite River Basin. Emulating the composition and success of the Coastal Protection and Restoration Authority, which is comprised of geographical representatives and subject matter experts supported by professional staff who are nationally recognized in their fields, a reconstituted Amite River Basin Commission could be a model for the state and the country.

By virtue of flood risk, present and future project development, prolific data and analysis, and watershed-based governance, the Amite River Basin absolutely must exist as its own region exclusive to the Amite River Basin.

The Amite River Basin should stand alone, not merely for program administration, but because it is a unique watershed with a unique history and a unique position to advance effective flood mitigation by correcting the problems of the past and building the solutions for the future.

We thank you for your consideration and look forward to working with you as a regional watershed, determined to achieve lasting results for our citizens, businesses and communities.

## SENATORS



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Senator Regina Barrow



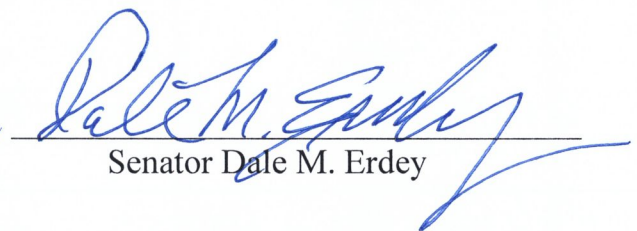
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Senator Dan Claitor



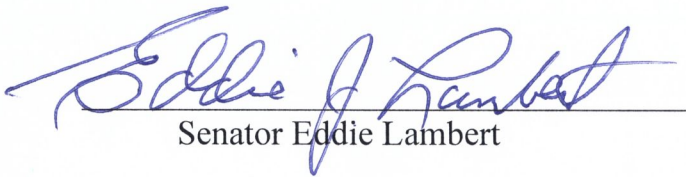
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Senator Yvonne Colomb



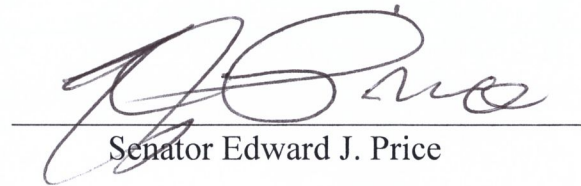
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Senator Dale M. Erdey



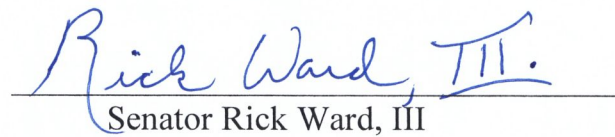
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Senator Eddie Lambert



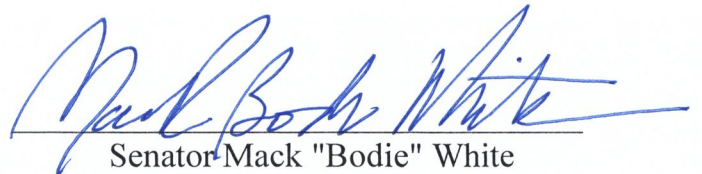
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Senator Edward J. Price



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Senator Rick Ward, III



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Senator Mack "Bodie" White