



WATERSHED PROJECTS GRANT PROGRAM: LOCAL AND REGIONAL - ROUND 1

NOTICE OF FUNDING AVAILABILITY (NOFA)

State of Louisiana U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant-Mitigation (CDBG-MIT) Program.

Program implementation pending HUD's approval of the State's Master CDBG-MIT Action Plan¹ developed in response to Federal Register Docket No. FR-6109-N-02.

PRE-APPLICATIONS DUE BY

3 p.m. (CST) Jan. 17, 2020

(Must be submitted online via watershed.la.gov)

FULL APPLICATION DUE BY

3 p.m. (CST) April 24, 2020

(Late submissions may be disqualified)

For further information

LaKesha Hart

Louisiana Office of Community Development 225-342-1948

Lakesha.Hart@la.gov

No Choice Limiting Action until Environmental Review

Grantees and contractors (or Applicants) are prohibited from undertaking or committing any funds or choice-limiting actions, including property acquisition, demolition, movement, rehabilitation, conversion, repair or construction, or leasing or disposition prior to the execution of the "Authority to Use Grant Funds" (HUD 7015.16) or equivalent letter.

Note that violation of this provision may result in the denial of any Watershed Projects Grant Program: Local and Regional – Round 1 funds. Entering a contract obligating the applicant to any of the above constitutes a choice limiting action.

¹ Participating Louisiana Watershed Initiative State Agencies are fulfilling citizen participation requirements to facilitate submittal of the State's Master CDBG-MIT Action Plan to HUD. HUD must issue full or partial approval of the Action Plan in order to authorize the funds and for this program to move forward. The program may be adjusted based on HUD's review and approval of the Action Plan.



TABLE OF CONTENTS

I. DEFINITIONS.....	3
II. PROGRAM CONTEXT & PURPOSE	4
III. PROGRAM TIMELINE	5
IV. AVAILABILITY OF FUNDS	6
V. MINIMUM AND MAXIMUM AWARD	6
VI. ALLOWABLE ACTIVITIES/USE OF FUNDS.....	6
VII. ELIGIBILITY	9
VIII. PRE-APPLICATION REQUIREMENTS	10
IX. PRE-APPLICATION SUBMITTAL.....	10
X. PRE-APPLICATION EVALUATION PROCESS.....	10
XI. FULL APPLICATION EVALUATION PROCESS	11
XII. PROGRAM MANAGEMENT, REPORTING AND MONITORING.....	11
XIII. ADDITIONAL CONSIDERATIONS	12
Appendix A: Pre-Application Form	
Appendix B: Full Application Scoring Criteria	



I. DEFINITIONS

Action Plan or AP: Once HUD publishes a Federal Register Notice (FRN) for a congressional appropriation, the grantee (eligible government) must develop and submit an AP that describes the needs, strategies and projected uses of funds. HUD must approve the AP before funds are available. For CDBG-MIT funds, HUD issued FR-6109-N-02. The state's AP developed in response to this FRN is available online [here](#).

Community Development Block Grant-Mitigation or CDBG-MIT: CDBG-MIT assistance is a term for a HUD funding stream allocated to eligible disaster recovery entities via congressional appropriation. HUD provides flexible CDBG-MIT grants to cities, counties and states to assist areas impacted by recent disasters. Grantees are empowered to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses, while at the same time transform state and local planning.

Cooperative Endeavor Agreement (CEA): The written contract between the state and the Grantee, required following notice of project award.

Full Application: Form required to apply for funding in Round 1. Applicants will be requested to submit a full application upon successful pre-application completion. Full applications must include a full project description, expected impacts, budget, timeline and supporting documentation.

Great Floods of 2016: Louisiana's severe storms and flooding in both March (Disaster Number 4263) and August (Disaster Number 4277) 2016 that resulted in parishes receiving a federal disaster declaration.

Louisiana Watershed Initiative or LWI: Gov. John Bel Edwards established the Council on Watershed Management, which serves as the coordinated, interagency structure at the state level for watershed-based flood risk reduction. More information on the LWI and its associated activities is available online at watershed@la.gov.

Mitigation activities: Those 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.

Notice of Funding Availability or NOFA: A NOFA is published to describe and advertise a competitive funding opportunity, including information required to submit a pre-application/full application, required submittal dates, etc. Project selection is based upon specific factors and criteria identified in a NOFA.

Pre-Application for Round 1: Form required to apply for Round 1 and utilized to determine if a proposed project meets basic threshold eligibility requirements. Applicants that successfully



submit eligible project proposals will be invited to submit a full application for Round 1. The pre-application form is available online at www.watershed.la.gov.

Program: Program refers to the Watershed Projects Grant Program: Local and Regional as provided for in the state’s Action Plan developed in response to Federal Register Docket No. FR-6109-N-02.

Provisional watershed regions: The LWI established [provisional watershed regions](#) (shapefiles [here](#)) statewide. These regions aggregate HUC 8-level watersheds into eight watershed regions for LWI management purposes.

Round 1: The first of three anticipated funding rounds as part of the Watershed Projects Grant Program: Local and Regional.

U.S. Department of Housing and Urban Development: Administering agency for the Community Development Block Grant-Mitigation (CDBG-MIT) funds that are available to the state from an appropriation by the United States Congress and provide the funding for the program.

Watershed: A watershed is a geographic area within the boundary of a drainage divide. The USGS defines a watershed as follows: “A watershed is an area of land that drains all the streams and rainfall to a common outlet such as the outflow of a reservoir, mouth of a bay, or any point along a stream channel”.

II. PROGRAM CONTEXT & PURPOSE

The state’s CDBG-MIT AP includes funding for three “rounds” of the **Watershed Projects Grant Program: Local and Regional**. Round 1 of this program makes available **\$100 million** for eligible projects statewide to provide citizens with immediate relief from intense and frequent storms and floods: *We must reduce known risks as quickly as possible*.

While the state is focused on reducing known flood risks as quickly as possible, the importance of making objective, data-driven investments to reduce future flood risks in Louisiana cannot be overstated. As such, future rounds of funding associated with this program will leverage LWI watershed-based computer models developed to help predict the flow of water across the state’s watershed regions.

To this effect, Round 1 will provide grant assistance to public entities to:

1. Fund low-risk, high-reward projects that (1) create a significant, positive impact on local or regional flooding conditions, (2) improve the natural and beneficial function of the floodplain and (3) do not have the potential to shift flood risk to surrounding upstream or downstream communities. Proposed projects must have demonstrable and quantifiable mitigation outcomes.
2. Help change existing decision-making paradigms regarding flood mitigation projects and



activities from a localized, community or agency-based framework to long-term, transparent, regional, collaborative decision-making frameworks. The state will allocate up to \$5 million to each watershed region to select regional projects in furtherance of this objective.

3. Build trust, partnerships and technical capacity among local and regional partners through project and program implementation, including moving current projects forward and enhancing existing projects in preparation for future rounds of funding.

Round 1 of this program is designed to recognize the value of local and regional input, enhance the opportunity to work regionally, and ensure program funding is provided for high-quality projects that will reduce flood risk without adversely impacting surrounding areas. The state anticipates awarding up to \$5 million dollars in each of the eight LWI provisional watershed regions, selected by LWI steering committees. Additionally, up to \$60 million will be awarded competitively by the state.

III. PROGRAM TIMELINE

The Louisiana Office of Community Development (OCD) will evaluate pre-applications to determine threshold eligibility for invitation to full application submission. Full applications will be competitively scored in coordination with LWI participating state agencies and based on LWI and CDBG-MIT criteria.

Table 1. Important Dates

Event	Date
NOFA issued	11/22/19
Pre-application briefings and technical assistance opportunities per watershed region	12/2/19 - 12/11/19
Deadline for receipt of pre-application	1/17/20
Full application briefings and technical assistance opportunities per watershed region	2/17/20 - 3/13/20
Deadline for receipt of full application	4/24/20
Initial award letters issued and remaining eligible projects referred to regional award selection	5/22/20

Note: Dates are subject to change. The state will notify applicants of any subsequent changes.

Applicants or parties considering application shall be responsible for their own expenses incurred in connection with the investigation of and/or preparation of any project or application. OCD may cancel or modify this NOFA any time and is not responsible for any expenses or losses associated with such modification or cancellation.

IV. AVAILABILITY OF FUNDS

Anticipated program funding is made through the U.S. Department of Housing and Urban



Development's Community Development Block Grant-Mitigation (CDBG-MIT) Program.² As of the issuance of this NOFA, the state's AP has not been approved by HUD. In the event that HUD disapproves the AP or only partially approves the AP, the state may amend or cancel this NOFA.

Programs implemented with these funds are not entitlement programs. Awards are not subject to appeal or judicial review and are subject to availability of funding. Awards are subject to compliance with 24 CFR Part 570 and all other applicable federal, state and local laws, regulations, action plans and policies governing the funds.

V. MINIMUM AND MAXIMUM AWARD

The minimum grant award amount is **\$500,000**. The maximum grant award amount is **\$10,000,000**. OCD may consider limited exceptions, but pre-approval for submittal is required. Disbursements for eligible expenses incurred must comply with CDBG-DR requirements and be in accordance with 2 CFR 200, as well as the Division of Administration (DOA) Grant Administration Grantee Administrative Manual, located [here](#), and requirements outlined within HUD's FRN Docket No. [FR-6109-N-02](#).

Advance disbursements are not allowed. No indirect costs will be funded under this grant. All program funding will be provided via reimbursement. Although there is no required local or regional match for this program, the entity applying for the grant must budget for the long-term operation and maintenance of infrastructure and public facility projects funded with CDBG-MIT funds. The submission of a pre-application or full application does not guarantee funding.

VI. ALLOWABLE ACTIVITIES/USE OF FUNDS

Proposed projects or activities:

- Must be for mitigation activities – defined as those 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 or hardship by lessening the impact of future disasters³
- Must not have potential adverse impacts in the watershed or surrounding areas
- Must have demonstrable and quantifiable mitigation outcomes
- Must be ready for implementation (*see scoring criteria in Appendix B for more detail*)
- Must not be currently underway and will be subject to HUD environmental review
- Must benefit at least one HUD or LA most impacted and distressed (MID) area

² Pending HUD's approval of the State's CDBG-MIT Action Plan.

³ Page 10 of Federal Register Notice: FR-6109-N-02



associated with the Great Floods of 2016⁴ detailed in the state’s [CDBG-MIT AP](#) illustrated in Figures 1 and 2.

Figure 1. HUD-Identified MID or HUD MID

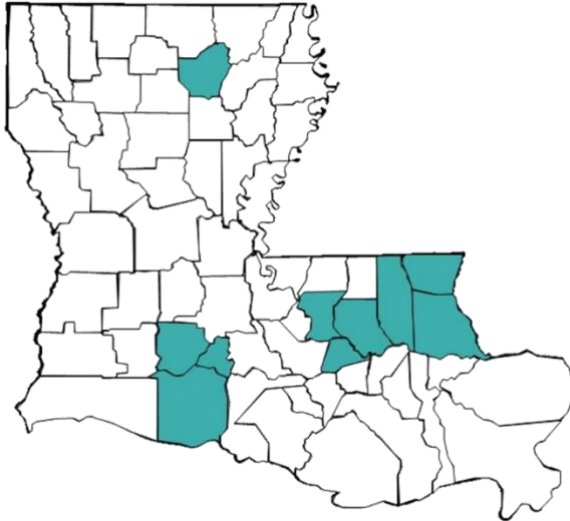
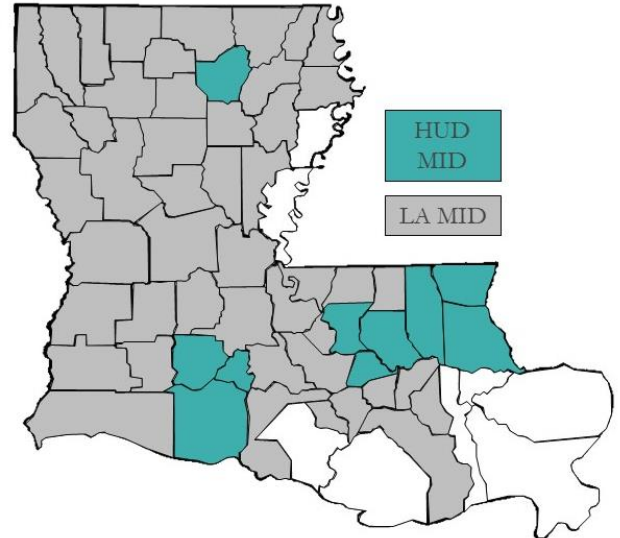


Figure 2. MIDs Impacted by 2016 Floods



HUD MIDs: *East Baton Rouge, Livingston, Ascension, Tangipahoa, Ouachita, Lafayette, Vermilion, Acadia, Washington, and St. Tammany parishes*

LA MIDs: *Allen, Assumption, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, De Soto, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Jefferson Davis, LaSalle, Lafourche, Lincoln, Madison, Morehouse, Natchitoches, Pointe Coupee, Rapides, Red River, Richland, Sabine, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, Union, Vernon, Webster, West Baton Rouge, West Carroll, West Feliciana, and Winn parishes*

- Should prioritize benefits to low-and moderate-income persons
- Should reduce flood risk in the immediate future
- Should enhance natural functions of the floodplain
- Should minimize long-term maintenance and operation costs
- Should provide multiple benefits to surrounding areas and communities (mitigation, recreation, economic development, etc.)
- Should advance long-term resilience
- Should align with other planned capital improvements
- Should promote community-level and regional planning for current and future disaster recovery and mitigation
- Multiple related, localized activities may be grouped into a comprehensive project and may include more than one mitigation activity

⁴ Page 14 of the Action Plan for the Utilization of CDBG-MIT Funds – link provided in Definitions section.



- Should incorporate nature-based solutions, as applicable
- Should incorporate green infrastructure, as applicable

Specifically, the following activity types will categorize eligible project funds:

- **Floodplain Restoration and Preservation:** Enhancement of critical areas and ecological restoration activities to promote flood resilience that would enhance the storage capacity and other ecosystem services of existing floodplains, floodways and waterways (e.g., floodplain reforestation, floodplain expansion/benching, stream restoration, wetlands/marshland restoration/ creation, conservation easements/land acquisitions, and riparian buffers).
- **Flood Storage:** Activities that improve resilience to flooding, provide significant stormwater detention or are flood protection in nature (e.g. regional detention basin and retention basins, including bundled smaller upstream projects).
- **Critical Facilities and Infrastructure Flood Mitigation:** Flood mitigation measures for critical and essential facilities. For example, activities may include water and sanitary sewer protective measures, other public utility protective measures including roads and bridges, and key infrastructure protective measures (ASCE 7 and 24 risk category III or IV facilities, evacuation routes).
- **Physical Non-Structural Mitigation (Residential/Commercial/Agricultural/Industrial):** Elevations that meet CDBG-MIT requirements, voluntary acquisition, reconstruction, relocation, and wet or dry-flood proofing (applicable to non-residential structures only) of flood-prone structures (excluding activities primarily utilizing fill). Proposals for non-structural protection must be for community or neighborhood scale activities (i.e. not for single structures).
- **Stormwater Management - Gray Infrastructure:** Necessary gray stormwater infrastructure measures including storm drain and culvert improvements and/or redesign, hardened channels, and floodgates/flap gates. Increasing the flow of waterways with upgrades or modifications to river crossings, roadways, and removal of other impediments/constrictions such as spoil-banks, old railroad spurs, old bridge pilings, or weirs. These activities should demonstrate they will not increase flooding downstream. Pairing these types of projects with green stormwater infrastructure measures is encouraged.
- **Stormwater Management- Green Infrastructure (GI):** Green infrastructure activities that improve existing stormwater management infrastructure (e.g. stream daylighting, permeable pavement, green roofs, bioswales/stormwater parks, green streets/urban tree canopy, rain gardens/bioretenion, cisterns and rainfall harvesting devices, subsurface infiltration, etc.). Proposals for green infrastructure protection should be incorporated into community or neighborhood scale projects.
- **Other Innovative and/or Replicable Flood Control Activities:** For example, groundwater storage, levee removal to improve floodplain capacity and storage, and recovery or community transformation activities that integrate flood risk



mitigation with economic, social and recreational benefits not otherwise captured in the activity list above.

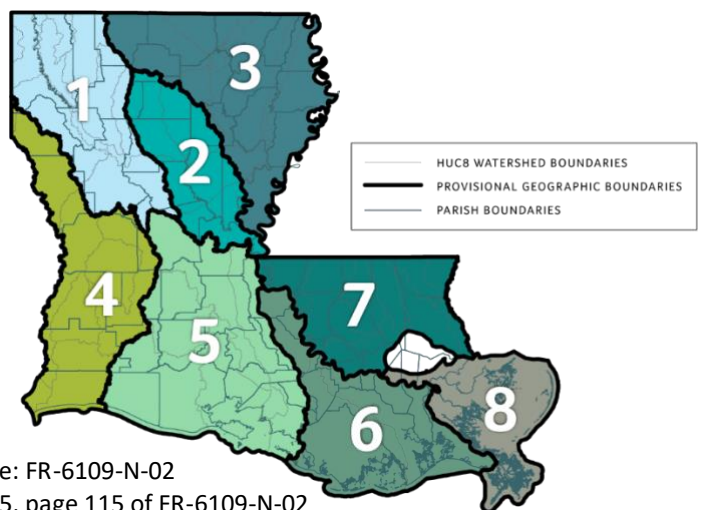
Ineligible Activities:

- In accordance with the FRN, CDBG-MIT funds to assist flood control structures (i.e., dams and levees) are prohibited from being used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. Special requirements exist for the use of CDBG-MIT funds for levees and dams⁵. OCD approval should be obtained for submittal of any project involving the proposed construction or demolition of a dam, levee or other flood control structure.
- CDBG-MIT funds cannot be used to assist privately-owned utilities.
- CDBG-MIT funds cannot be used for ongoing or deferred maintenance projects.
- CDBG-MIT funds cannot be used for programs and projects to provide emergency response services⁶. However, CDBG-MIT funds may be used for mitigation activities to enhance the resilience of facilities used to provide emergency response services, provided that such assistance is not used for buildings for the general conduct of government as defined in 24 CFR 570.3.
- CDBG-MIT funds cannot be used to support any federal, state, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use⁷.

VII. ELIGIBILITY

To ensure a transparent, competitive and highly inclusive process, eligible applicants include any public entity within one of the state's provisional watershed regions illustrated in **Figure 3**. Eligible applicants must have the authority and jurisdiction to implement, operate and maintain the proposed project⁸. Applicants must specifically demonstrate how the expenditure of CDBG-MIT funds on their proposed project, including those located outside of a HUD or LA-identified MID⁹, will measurably mitigate risks identified within a HUD or LA identified

Figure 3. Louisiana's Provisional Watershed Regions



⁵ Section V.C.2, Page 113-114 of the Federal Register Notice: FR-6109-N-02

⁶ Emergency Response Services are defined in Section V.C.5, page 115 of FR-6109-N-02

⁷ Must be in accordance with the public use definition in Section V.D.7, page 117 of FR-6109-N-02.

⁸ The AP notes a broader list of eligible entities, which addresses eligibility for later rounds of program funding.

⁹ Data analysis presented in the State's CDBG-MIT Action Plan support the designation of LA MID areas. This determination is pending HUD's approval of the Action Plan.



MID area (e.g., upstream water retention projects to reduce downstream flooding in the MID areas).

Per FR-6109-N-02, OCD will evaluate the capacity of applicants to (1) serve as a subrecipient for CDBG-MIT funds and (2) ensure procedures are employed to detect and prevent fraud, waste and abuse¹⁰.

VIII. PRE-APPLICATION REQUIREMENTS

To apply for Round 1 funding, applicants must electronically submit a complete pre-application, available at watershed.la.gov. The pre-application form is also located in **Appendix A**. Pre-applications should align with one or more of the following current applicable local and state plans. Note that the proposed project does not need to be listed in the plan but must demonstrate that it is not in conflict with stated goals and objectives.

- State Hazard Mitigation Plan
- Coastal Master Plan
- Wildlife Action Plan
- Inland Water Body Management Plan
- Scenic River Management Plan
- Statewide Transportation Plan
- FEMA-Approved Local Hazard Mitigation Plan
- Local master plan
- Stormwater or floodplain management plan
- Natural resource and/or open space management plan
- Other local plans

IX. PRE-APPLICATION SUBMITTAL

Round 1 pre-applications must be submitted online via watershed.la.gov by **3 p.m. (CST) Friday, Jan. 17, 2020** and must include the signature of an individual authorized to submit the pre-application, as per the instructions. All application materials, including this solicitation, are available on the LWI's website at watershed.la.gov.

Late pre-applications may be disqualified.

X. PRE-APPLICATION EVALUATION PROCESS

OCD, in coordination with the LWI, will evaluate pre-applications for CDBG-MIT basic threshold eligibility, ensuring no disqualifying factors for the proposed project. Disqualifying factors include, but are not limited to:

¹⁰ FR-6109-N-02, Section (6); Page 26.



- Applicant is not an eligible entity
- Proposed project is not an eligible activity
- Proposed project has no demonstrable plans or design
- Proposed project does not mitigate flood risk
- Proposed project has potential to increase flooding in surrounding areas
- Proposed project does not demonstrate a benefit within a HUD or LA identified MID

Eligible project applicants will receive notification to complete an online full application, which is due by Friday, April 24, 2020.

IX. FULL APPLICATION EVALUATION PROCESS

Full applications will be evaluated and scored in a process managed by the OCD. Projects submitted for Round 1 funding can earn up to 100 points. Each project is anticipated to be scored and ranked according to the criteria detailed in Appendix B, subject to required approvals and finalization. OCD maintains the right to verify determination of adverse regional impact through a third-party review if application information does not support sufficient data for a clear decision by reviewers.

OCD will make awards for projects up to \$60 million. Submitted full applications that are not awarded by the LWI and that earn a minimum of 50 points will be sent to the local steering committee(s) of the benefitting watershed region(s) for consideration of award. Each watershed region will select project(s) that meet regional priorities up to \$5 million and submit award decisions to OCD for final determination and award.

XII. PROGRAM MANAGEMENT, REPORTING AND MONITORING

1. Grant recipients will be required to submit a report on a quarterly basis to OCD in electronic format. OCD will establish the report format and submittal process.
2. OCD will monitor grant recipients to ensure they comply with all applicable federal and state regulations. In addition to reviewing data reported, OCD will conduct monitoring visits to ensure compliance and quality of the program.
3. OCD will ensure that grant recipients comply with all federal regulations, including, but not limited to, 24 CFR 570.482 and 2 CFR Part 200. OCD program managers, or their designees, will make scheduled and random visits to grant recipients to ensure program success and accuracy of information sent to OCD. Grant recipients will be required to comply with information requests.
4. Grant recipients will maintain accurate books and records concerning the program, including, without limitation, the following:
 - a. Financial records (e.g. budget, general ledger, bank statements, cancelled checks, supporting invoices, financial statements, procurement activity, etc.);
 - b. Uses of funds documentation; and



- c. Any other documents that grant recipients consider material to a potential audit.
5. Grant recipients agree to maintain all books and records for five years following the final close-out of the grant from HUD to OCD; provided, however, that if any litigation, claim, negotiation audit or other action involving the records has been started before the expiration of the five year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five year period, whichever is later.
6. In addition, grant recipients shall provide access to all books, accounts, records, reports, files, and other papers pertaining to the administration, receipt and use of federal funds and necessary to facilitate such reviews and audits.
7. If the applicant's partner or contractor provides services through the program, it is the applicant's responsibility to ensure that all partners or contractors are in full compliance with the agreement and program rules, including the submission of any and all requirements listed above, required reports and OCD established program policies, procedures and timeframes. Grant recipients will ensure any partner or contractor is compliant with the Louisiana Code of Ethics. The Cooperative Endeavor Agreement will contain further information on program requirements, reporting and monitoring.

XIII. ADDITIONAL CONSIDERATIONS

1. By submitting a pre-application or full application, each applicant authorizes OCD to contact any and all other persons identified in its application or in any inquiry conducted by or on behalf of OCD or the state, and to obtain the release of pertinent financial and other information, as well as to obtain verification of the information provided by each applicant.
2. The program funds and any remuneration for eligible costs will be funded in whole by federal funds made available through HUD CDBG-MIT funds. Cooperative Endeavor Agreements will therefore be subject to all applicable provisions required by HUD CDBG-MIT and OCD.
3. OCD will not be held liable for any costs incurred by any applicant for work performed in the preparation and production of an application, including any requests for additional information, interviews or negotiations, or for any work performed prior to written authorization from OCD to proceed. All applications, including pre-applications, submitted will become the property of OCD and may be subject to disclosure under the Louisiana Public Records Law.
4. OCD reserves the right to:
 - a. Reject all ineligible applications received.
 - b. Allocate and or reallocate funds in any amount, depending upon the number and quality of applications received.
 - c. Negotiate any element of an application and require the submission of modifications or additions to applications as a condition of further participation in the selection



process.

- d. Amend this Notice of Funding Availability.
 - e. Amend the program policies and procedures, as necessary, during the application and award process and through life of the program.
5. To be eligible to receive program funds from OCD, an applicant must:
- a. Be legally able to receive and use the proceeds as herein stated.
 - b. Meet any other requirements herein stated for the specific purpose of the program.
 - c. Meet HUD CDBG-MIT requirements, including the gathering and reporting to OCD of all required information, and the maintenance of all records pertaining to the making of eligible grants.
 - d. Must not be debarred, suspended or excluded from or ineligible for participation in federal assistance programs.
 - e. Not have any open findings or audits associated with the use of HUD funds provided directly or indirectly through OCD or be a defendant in proceedings brought by the U.S. Department of Justice relating to the use of HUD funds or obligations associated with the receipt and use of HUD funds, including the Fair Housing Act or civil rights. OCD may waive this requirement if, in OCD's sole determination, the applicant is compliant with a plan of action agreed to by OCD and the applicant relative to any such findings, audits, or judicial proceedings.