

DISASTER MITIGATION INITIATIVE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Allocations, Common Application, Waivers and Alternative Requirements for
Community Development Block Grant Mitigation Grantees
Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018
(Public Law 115-123)

Federal Register Docket No. FR-6109-N-02
Published Aug. 30, 2019
Line of Credit Established Sept. 17, 2020

LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT
DIVISION OF ADMINISTRATION

STATE OF LOUISIANA
ACTION PLAN AMENDMENT NO. 3 (SUBSTANTIAL) FOR
THE UTILIZATION OF
COMMUNITY DEVELOPMENT BLOCK GRANT
MITIGATION FUNDS (CDBG-MIT)

Public Comment Period: August 9 – September 7, 2023
Submitted to HUD: October 19, 2023
HUD Approved: December 15, 2023



LOUISIANA
Office of
COMMUNITY
DEVELOPMENT



John Bel Edwards, Governor

Billy Nungesser, Lieutenant Governor

Jay Dardenne, Commissioner of Administration

A. SUMMARY OF CHANGES

This Action Plan Amendment No. 3 modifies the method of distribution for the Local and Regional Projects and Programs, and amends allocations to the Local and Regional Projects and Programs, State Projects and Programs, and the Non-Federal Cost Share Assistance Program.

This amendment is considered substantial because it includes a change in program benefit for the Local and Regional Projects and Programs.

Local and Regional Watershed Projects and Programs

The method of distribution as it relates to rounds of funding has been changed. The Local and Regional Projects and Programs budget is increased by \$15M to cover increased construction costs due to inflation.

State Projects and Programs

The State Projects and Programs allocation included \$15M for State Economic Development and Resilience. APA3 moves this \$15M into the State Projects and Programs – State Infrastructure and Housing allocation.

Non-Federal Cost Share Assistance

The Non-Federal Cost Share Assistance budget is decreased by \$15M. The Non-Federal Cost Share Assistance Program budget was increased by \$15M in APA1 to address local and state match requirements as they undertake mitigation projects as part of Hurricanes Laura and Delta (DR-4559 and DR-4570) recovery activities. Since that time, additional CDBG-DR appropriations were made to the State of Louisiana specific to hurricanes Laura and Delta. The funding necessary for the HMGP non-federal cost share assistance needed for these disasters has been allocated in the 2020 and 2021 Storms Master Action Plan and subsequent amendments. The funding is no longer needed from this grant.

B. TOTAL CDBG-MIT ALLOCATION

CDBG-MIT Program Budget				
	Previous Allocation	Change	Revised Allocation	Percent Change
Local and Regional Projects and Programs	\$ 570,666,243	\$ 15,000,000.00	\$ 585,666,243.00	2.6%
State Projects and Programs				
State Infrastructure and Housing	\$ 297,757,590	\$ 15,000,000.00	\$ 312,757,590.00	5.0%
State Economic Development and Resilience	\$ 15,000,000	\$ (15,000,000.00)	\$ -	
Non-Federal Cost Share Assistance	\$ 111,988,107	\$ (15,000,000.00)	\$ 96,988,107.00	-13.4%
Watershed Monitoring, Mapping, and Modeling	\$ 145,670,040		\$ 145,670,040	
Watershed Policy, Planning, and Local Capacity Assistance	\$ 24,278,340		\$ 24,278,340	
Administrative Costs	\$ 48,556,680		\$ 48,556,680	
Total Allocation	\$ 1,213,917,000	\$ -	\$ 1,213,917,000	0%

C. AMENDMENTS TO EXISTING PROGRAMS

Local and Regional Projects and Programs

Clarification – APA 1 included language that the Local and Regional Projects and Programs is amended to increase the awards from \$5,000,000 to \$6,000,000. The Master Action Plan included language that the maximum award amount per project is \$10,000,000. The \$10,000,000 maximum award amount in the Master Action Plan is the State’s intent.

The Local and Regional Projects and Programs as set forth in the Master Action Plan and amended in APA1 was to be awarded in three distinct rounds.

Round 3 as described in the Master Action Plan is being removed in this amendment. An increase to the funding level described in the Master Action Plan for rounds 1 and 2 are being increased to allow for up to 20% for cost increases due to inflation for all projects awarded. Additional funding for LMI projects due to inflation will be available for Round 1 and DSP projects previously awarded. Due to these anticipated increases, the maximum award amount for all projects in rounds 1 and 2 is being increased to \$20,000,000. See Table 1 for funding levels.

Round	Funding Level
1	up to \$130,000,000
Round 2	
Design Support Program	up to \$130,000,000
Round 2	up to \$225,000,000

Region 9 Allocation

\$100,000,000 will be allocated to LWI Region 9 (identified in APA 2) from the Local and Regional Projects and Programs allocation. Region 9 includes all or a portion of the following parishes: East Feliciana, St. Helena, East Baton Rouge, Livingston, Iberville, Ascension, and St. James. As identified in the Master Action Plan for the Great Floods of 2016, 67,835 of the total 91,628 (74%) households with damage from the August 2016 flood were in one of these parishes.

This allocation will allow for the implementation of identified projects with demonstrable and quantifiable mitigation outcomes in Region 9. It is anticipated projects identified may be large, transformative projects that could meet the definition of a covered project (requiring additional criteria) in Federal Register Docket No. FR-6109-N-02. In accordance with this notice, a covered project is defined as an infrastructure project having a total cost of \$100 million or more, with at least \$50 million of CDBG funds. Region 9 is encouraged and evaluated for these types of covered projects but not necessarily required.

Any project identified will be submitted by the region to the Office of Community Development and the OCD, in coordination with state agency staff representing the LWI Council agencies, will evaluate pre-applications for CDBG-MIT basic threshold eligibility, ensuring no disqualifying factors for the proposed project.

Eligible applications will be reviewed by the Region 9 Steering Committee (RSC).

Supported by the state agency project technical advisory group (TAG), the RSC will select a set number of projects to submit full project applications on behalf of its region for this funding opportunity. Disqualifying factors include, but are not limited to:

- Applicant is not an eligible entity
- Proposed project is not an eligible activity
- Proposed project does not mitigate flood risk
- Proposed project has potential to increase flooding in surrounding areas
- Proposed project does not demonstrate risk mitigation benefits for a MID area

Eligible project applicants will receive notification from the RSC and recommendations will be made to the Council of Watershed Management. The Council of Watershed Management will review and announce projects. The maximum award amount for this region 9 allocation is \$100 million.

D. PUBLIC COMMENTS

Thank you to all parties submitting comments, questions and input on Action Plan Amendment No. 3 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 and responded accordingly.

Note: The following comments generally address public hearings, and are grouped and answered collectively below.

- 1. PUBLIC COMMENT:** *I believe significant changes as proposed in amendment 3 deserve a statewide round of Public Hearings such as the one I attended in Lafayette hosted by Mr Pat Forbes so the public may be adequately notified and given a chance to question the impact on projects in our local watershed regions.*
- 2. PUBLIC COMMENT:** *We are very worried and concerned about the significant changes being proposed in amendment 3 affecting the course of our state's flood mitigation project. Near the anniversary of the 2016 event and still fresh in our community's memory, please do the right thing and host a statewide round of Public Hearings to give us a chance to understand more and question the potential impact on projects in our respective regions.*
- 3. PUBLIC COMMENT:** *As someone whose home was directly impacted by the 2016 floods, I have a vested interest in Louisiana's watershed. The proposed change to the LWI master plan for the state in Amendment 3 deserve Public Hearings at a statewide level. My community must be adequately notified and given a chance to question the impact on projects in our local watershed regions, as this could have a direct impact on our homes.*
- 4. PUBLIC COMMENT:** *Please allow for public input in my region as it relates to the LWI Flood Mitigation project amendments. Without sufficient communication between the local, state and federal taskmasters and taxpayers, I believe funding for flood mitigation will be wasteful. We had a foot of bayou water in our dwelling, with no flood insurance as we were not listed in a flood zone. We need more help although thankfully some bit of help has come our way. Please allow for our input in the Lafayette area before reallocating our anticipated funding elsewhere.*
- 5. PUBLIC COMMENT:** *I believe significant changes as proposed in amendment 3 deserve a statewide round of Public Hearings. This amendment if passed in its current form I believe would negatively impact our efforts at obtaining funding for much needed projects in the Teche-Vermilion Watershed to prevent/mitigate regional flooding events. The public must be adequately notified and given a chance to question the impact on projects in our local watershed regions here (The Teche-Vermilion Watershed) which has seen its degree of destructive flooding much impact because of poor water management and increased flows from the northern part of the region because of self serving diverting water projects previously drained into the Red River that now impact/inundate our region far too often with similar large rain events. We need a voice in making sure our region is represented and the amendment that is proposed does not supersede our needs for the benefits of others.*
- 6. PUBLIC COMMENT:** *The implementation of amendment 3 will endanger funding to projects in the Acadian region for which significant funding for modeling has been allocated (modeling incomplete), and for a region severely impacted by flooding in 2016, and remaining vulnerable to future flooding. I urge LWI to schedule public hearings on this matter to include all public and political entities involved. Your consideration is appreciated.*

7. **PUBLIC COMMENT:** *I am against the proposed amendment 3. There should be an adequate public hearing in Lafayette allowing the public to speak regarding the consequences of this amendment. A public hearing Much like the one done by Mr. Pat Forbes in Lafayette, where the impact of these projects are fully discussed and the public is allowed to challenge the merits of the amendment and weigh the consequences to the Teche Vermilion Watershed.*

RESPONSE: Thank you for your comment. The state appreciates your engagement and understands your concerns. In addition to this opportunity for written comment, a public hearing was held on July 25 in House Committee Room 1 at the Louisiana State Capitol, 900 N. Third St., Baton Rouge, at which time the Council on Watershed Management approved MIT APA 3 for public comment.

Note: The following comments generally address Action Plan Amendment No. 3, and are grouped and answered collectively below.

1. **PUBLIC COMMENT:** *I live in Lafayette parish, which is in the Teche Vermilion watershed region (District 5). We have many large flood reduction / prevention project needs. We were awaiting the modeling for these projects as directed LWI over the past few years. I understand that another district may be getting funding previously earmarked for our District? If so, how is that justified and equitable to our District? With such a large proposed change in the allocations of funding, can the comment period be extended and have public meetings in our watershed / District for transparency? This would seem to be fair to make sure all parishes, towns, and cities are treated fairly when LWI monies are allocated.*
2. **PUBLIC COMMENT:** *I have been notified that a major change (Amendment 3) to the LWI plan for the state where Round 3 projects will be canceled and \$100M of funding will be transferred to a newly created Watershed District 9 if accepted. We in St Landry Parish have a project for a flood gate between Bayou Courtableau and Bayou Amy. The Red River and Bayou Boeuf Levee board (RRABB) only has received minimal funding for design of the gate and that effort is on hold waiting on completion of modeling from the statewide effort before proceeding with this design. At completion of the design we were planning on re-submitting the gate project which was originally submitted by St Landry Parish in Round 1 as a concept that did not receive funding. We are concerned that this project will not receive funding or even be considered due to these changes to the state wide plan. This project is truly regional and will benefit a number of parishes in the watershed in addition to St Landry including Avoyelles, St Martin, Lafayette and Vermilion. St Landry Parish has low to mid household income and is a perfect fit for the intent of the HUD funded LWI initiative.*
3. **PUBLIC COMMENT:** *I formally object to Action Plan Amendment 3 of the Louisiana Watershed Initiative as currently drafted. I implore the LA Office of Community Development to revisit and reconsider the proposed changes outlined in APA 3, recognizing the potential adverse effects on ongoing and planned projects, as well as the disproportionate allocation of resources among affected parishes. I request that copies of my comments be transmitted to the Louisiana Council on Watershed Management, the LA Office of Community Development, and all relevant stakeholders to ensure that my concerns are duly noted and taken into account during the decision-making process.*
4. **PUBLIC COMMENT:** *As a concerned citizen and registered voter in Lafayette Parish, I am object to the canceling of Round 3 of the approval process, thus not allowing further consideration of certain regional drainage projects. This matter, complicated as it is at first glance, boils down to special interests prospering over long-term and carefully planned projects. On the one hand, is the newly proposed, one-time project with LWI funding for the newly formed District 9. On the other hand are*

the regional projects which have followed all the rules and are NOW being shunted aside by the newcomer, adversely affecting St. Landry, St. Martin, Lafayette, Vermilion, Avoyelles, and Vermilion parishes, plus others. To use one time-honored phrase, the regional drainage projects are “Up the Creek Without a Paddle.” It is not equitable to approve a new District 9 and command \$100 million dollars for this new District 9 in parishes east of Baton Rouge. It is not fair to cancel Round 3 for projects already in the running, thus crucifying the hopes and hard work of proponents of the previous projects! Please rectify the situation.

5. PUBLIC COMMENT: *I have lived in Port Barre and St. Landry Parish area for 73 years. I was just elected as a member the St. Landry Parish Council District 6. Approximately 7 years ago I assisted with “Dredge the Vermilion” Project Committee to identify problem flood areas from Krotz Springs to Port Barre and south of U.S. Highway 190 towards Henderson Lake. I received notice via email that the State is Accepting Public Comments on MIT Action Plan Amendment 3 for Distribution of funds in Louisiana Watershed Initiative. This is a change of the LWI Master Plan. I read the Mitigation APA3 and noted the proposed changes to the program. I’m particularly concerned about the proposal of Round 3 to be eliminated and funds for Round 1 and Round 2 will be increased up to 20% for the projects to be allocated to Round 1 and Round 2 projects. This will increase the maximum award for all projects in Round1 and Round 2 from \$10 million to \$20 million. The \$100 million allocated to LWI for a newly formed Region 9 which includes all or part of the following parish: Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, St. Helena, and St. James parishes. We originally had 8 Regions identified for the funding. You indicated that the Great Flood of 2016 had 74% of damaged households in the above-mentioned parishes. In October 2019 “Dredge the Vermilion” project was started by teaming up with St. Martin parish and St. Landry parish and the State of Louisiana Coastal Restoration Authority (CPRA) in flood mitigation and water quality improvements for areas in the West Atchafalaya Floodway starting just South of where US 190 crosses the floodway down to Henderson Lake. A proposal for a Multi-phase prioritized list of projects was drafted and was accepted by CPRA for consideration and execution. Our Priority 1 Project: Enterprise Dixie Pipeline spoil bank gapping is near completion. It was timely to survey our Priority 2 Project: Grimmer Canal Outlet improvement designed to address the drainage and water quality south of Courtableau Floodgates and North of our Priority 1 Project. Why are these projects important? The Great Flood of 1927 and before 1935, Bayou Courtableau would drain into the Atchafalaya River South of Krotz Springs.*

- *The Federal Government and US Army Corp of Engineers built more levees and the Mississippi River Floodway system which included the West Atchafalaya, Morganza and Bonne Carre Floodways in Louisiana.*
- *1940 – Great Flood ever recorded at Surrey Gage of 7’ higher than 2016 flood.*
- *1943 – a second major flood in our region.*
- *1947 -- a third major flood event.*
- *1950 – dredged the Vermilion (Project 1)*
- *1957 – added flood gates for Bayou Courtableau (Project 2) and outfall for these gates, Grimmer Canal*
- *2016 – The great flood of 2016 –the first major flood in 69 years since the 2 projects above were completed.*

The DTV conducted research regarding the 2016 flood and the role Bayou Courtableau Flood gates and their outfall flow paths and conclude improving the drainage path would have potentially saved 1,000's of homes and businesses from flooding in our watershed. Hurricanes Marco and Laura firm up our analysis providing evidence there were major problems with the ability the West Atchafalaya floodway to handle flood flows and move the flood flows south to Henerson Lake, ultimately these projects align with our objectives of maximizing the utilization of natural retention areas like the Henderson Swamp for the flood water management divert flood flows away from natural flow flows away from the land side of the West Atchafalaya Floodway into the flooding side as well as our objectives to improve water quality and wildlife habitat. I wish that Louisiana Watershed Initiative (LWI) would reconsider the impact that the proposed Amendment 3 would have in our area of South-Central Louisiana. Please consider sharing the Federal money for the LWI Local and Regional Watershed Projects and Programs. It is only right for each of our Regions to get a fair share of the Federal dollars for our projects.

- 6. PUBLIC COMMENTS:** *The Acadiana Planning Commission is honored to serve as the LA Watershed Initiative Region 5 fiscal agent and coordinating entity. We have taken this role seriously and take great pride in what we have been able to accomplish. Today, we are the second region to be officially authorized in legislation to sustainably continue the efforts initiated under the Louisiana Watershed Initiative. We extend our sincere gratitude for all the work that the LA Office of Community Development has undertaken on behalf of our communities. Your work has brought a new perspective on how the LWI Region 5, soon transitioning to the Acadiana Watershed District, will manage waterways moving forward.*

On July 25, 2023, an Action Plan amendment was submitted to the LA Council on Watershed Management, eliminating, and reappropriating nearly \$244 million in Round 3 funding for Local and Regional Projects and Programs. Please accept this letter as a formal objection to Action Plan Amendment 3 in its current form.

We strongly encourage the LA Office of Community Development to reconsider Action Plan Amendment 3. As currently written, APA 3 will provide:

- 1. An increase in Local and Regional Projects and Programs by \$15 million for state distribution.*
- 2. An increase in Round 1 and Design Support Program allocations to \$130 million.*
- 3. An increase of \$100 million for Round 2.*
- 4. A direct allocation of \$100 million to Region 9 for the Amite River Basin Commission.*
- 5. Complete removal of Round 3 Project Funding.*

First, these LWI programmatic revision were unexpected and have created significant disruption to local conceptual and planned projects that were awaiting both the H&H Watershed Models and the Local and Regional Projects and Programs Round 3 Funding.

Second, APA 3 amendments would result in a disproportionate funding allocation for parishes impacted. Both Region 5 and Region 9 have 3 out of the 10 HUD MID parishes. However, APA Amendment 3 provides a direct appropriation of \$100 million to Region 9. As it stands, Region 9 received 38% of the total project funding (Round 1, DSP, SPP, and HMGP), while Region 5 has received 16%. The Acadiana Watershed District (Region 5) requests any funding allocation to be equitable

between the parishes with disaster declarations. Therefore, we are proposing that the \$100 million allocation be split proportionately between each of the disaster declared parishes. The Acadiana Watershed District's (Region 5) allocation would total \$30 million and would be used for "transformative" projects within our area.

- 7. PUBLIC COMMENT:** *I am writing to post a public comment about the disbursement of funds for drainage projects. Rather than disbursing funds to concentrated areas interests in the Baton Rouge area, please let all 10 parishes hardest hit be the beneficiary of these funds to help improve their stormwater conveyance, storage, and flood control functions.*
- 8. PUBLIC COMMENT:** *I am writing to post a public comment about the disbursement of funds for drainage projects. Please allocate these funds to the 10 parishes hardest hit to be the beneficiaries of funds to help improve their stormwater conveyance, storage, and flood control functions. Please research the data and reasoning behind the allocation of drainage project funding to help the people of Louisiana.*
- 9. PUBLIC COMMENT:** *I am writing to express my opposition to Amendment 3 regarding distribution of funds within LWI regions. As provided in more detail below, this amendment proposes to change the Mitigation Action Plan to the detriment of Region 5. This region contains 10 MID parishes and 3 HUD MID parishes, but it appears that non-HUD MID parishes have been funded more. For instance, Acadia Parish in Region 5 is a MID parish and it has only received one \$2.97 million project, or about 1% of available funding. Whereas, Region 9 has already received \$198 million and this amendment proposes to allocate \$100 million more, which would be 25% of funding allocated to the state. This is not an equitable distribution of funding and it does not appear to align with HUD funding objectives. If \$100 million is going to be redistributed from Local and Regional Projects and Programs to Region 9 alone, the large project for which these funds are being allocated should at least be named and a benefit-cost ratio should be provided, along with all of the other requirements as listed in the HUD Mitigation Notice and the Action Plan. Region 5 is a region with many large project needs. It has been waiting for modeling for the large project submittals as directed. Current Round 1 and Round 2 guidance allows for projects of \$500,000 to \$10 million and \$15 million, respectively. By eliminating Round 3 just after the call for Round 2 projects has closed, OCD will be preventing parishes from submitting large projects that would be allowed under the new Round 2 funding levels.*
- 10. PUBLIC COMMENT:** *Kisatchie-Delta Regional Planning & Development District submits these comments on the proposed "Action Plan Amendment No. 3" in objection. Our agency is a state-enacted, Federally-chartered economic development district (per the U.S. Department of Commerce), organized by local parish and municipal governments of central Louisiana jurisdictions (and two Federally-recognized tribes), operating as a tax-exempt 501(c)4, having provided for ongoing regional planning and analysis of the region since 1967. We are well-acquainted with the values that regionalism, collaboration, and alignment of strategies for economic competitiveness and resilience bring to individuals and communities alike. We are experienced in project review, area-wide review, and clearinghouse review relative to the proposals of investment in the region and in ascertaining propensity for negative influences and/or cumulative impact that may result from Federal (or other) investments and funding-supported decisions. These comments are provided to address distinct concerns for harm that will result to our community, its economic and environmental recovery (as aided by the Louisiana Watershed Initiative), and the environment. Please find, beneath each item of excerpt, comments to the specific items of amendment for consideration by the Louisiana Office of Community Development and the U.S. Department of Housing and Urban Development. This is followed with additional comments for overarching concerns relative to the Amendment No. 3 proposed. PROPOSED by the Louisiana Office of Community Development in Action Plan Amendment*

No. 3, under the “Local and Regional Watershed Projects and Programs:

“Local and Regional Watershed Projects and Programs. The method of distribution as it relates to rounds of funding has been changed. The Local and Regional Projects and Programs budget is increased by \$15M to cover increased construction costs due to inflation.”

1. “Round 3 as described in the Master Action Plan is being removed in this amendment.”

COMMENT: Round 3 is the ‘bedrock’ of the Louisiana Watershed Initiative in its design to [OBJECTION] incorporate regional, multi-disciplinary (diverse) teams (Regional Steering Committees) to evaluate and develop projects that balance needs of flood mitigation and ecological/ecosystem integrity. Removal of Round 3 is contrary to the de-facto social contract which established expectations of citizens and leaders for 1) evidence-based decision-making 2) enhanced equity through participation of all regions 3) consideration of the overall-data (and experiences throughout Louisiana) that were to have resulted prior to Round 3’s launch in order to determine solutions for most impacted areas and highest benefit for flood mitigation and reduction of flood risk. Round 3 and the future initiatives of the Louisiana Watershed Initiative provide for evaluation of all flood circumstances in Louisiana, including those areas excluded from funding eligibility under the appropriation (referencing Federal Register Docket No. FR6109-N-02, Published August 30 2019, Line of Credit Established September 17, 2020) but allowed for coalition-building and state-wide inclusion for launching watershed regions to address long-term, continuous planning and watershed management. At onset of the forerunning white-paper and subsequent “Master Action Plan”, as amended, listening sessions, proposals, and intergovernmental participation created a sense of trust and equity. Removing Round 3 and effectively dismissing the use of data in decision-making removes the availability of our leaders to implement change that would directly improve circumstances of our communities (and all of Louisiana) that reduces flood risk and embraces a “point of beginning”, inclusive of a “framework for regional and local stakeholder input”, for “distribution of program funds” promised by the Louisiana Watershed Initiative at the establishment of Provisional Watershed Regions by the Council on Watershed Management, as formalized by its acceptance August 8, 2019 (refer to link:

https://d10zxfp0rexahc.cloudfront.net/docs/LWI_ProvisionalWatershedRegions_And_SupportingDocumentation.pdf).

2. “\$100,000,000 will be allocated to LWI Region 9 (identified in APA 2) from the Local and Regional Projects and Programs allocation.”

Based on President Joe Biden’s January 20, 2021 “Executive Order on Advancing Racial

[OBJECTION] Equity and Support for Underserved Communities Through the Federal Government”, we find that the proposed re-allocation and distribution of funding to a newlyformed “9th” watershed – for geographic areas that have equally been availed the same opportunities in Round 1 and Round 2 as the rest of the State’s communities – results in a net cumulative effect of 1) rewarding a region with higher tax basis, lobbying-capacity, and economic opportunity with advantage and 2) exacerbating the disparity and divides of the “systematic approach” -- further distancing the divides we suffer as a region, further excluding our region as areas of too-long experience and circumstance being “historically underserved, marginalized, and adversely affected by persistent poverty and inequality” and 3) is brazenly in conflict with NEPA and Council on Environmental Quality requirements. The proposed amendment does not comply with the Executive Order and does not “redress inequity in their policies and programs that serve as barriers to equal opportunity.” Flooding has been recorded to have affected our central Louisiana region spanning the mid-section of the state in substantial and

generational catastrophes dating well-before “The 1927 Floods” and the “Great Floods of 2016”, as our communities and region in central Louisiana are not availed additional funding for inland flooding experienced through the Red River Basin and the Mississippi River Basin delta areas studied by the Corps of Engineers for mitigation -- though the “9th watershed” has had both the same availability for Louisiana Watershed Initiative funding and its communities have had access, like other coastal zone areas have been availed, through the Louisiana Coastal Protection and Restoration Authority (which received its own funding in addition to designation/dedication of \$350 million surplus funding in 2019 and \$150 million in 2022, per posted statements on websites for the Office of the Governor). Every Statewide proposal and/or Technical Assistance Group finding – along with findings and comments on various studies and reports of the U.S. Corps of Engineers [oft quoted by Office of Community Development-Louisiana Watershed Initiative management and subject-matter-experts/agent] has identified the persisting needs for study, data, and investment for our region -- with our region also having been identified in EPA ecoregions (no less, also as being a priority in multi-state hypoxia areas) specifically describing our region and watershed 2 as lacking necessary sources of data to formulate the “evidence-basis” for watershed planning. This data is critically needed for the regional coalition-building to target areas of most need. The data proposed for use in Round 3 would support our region and all regions in Louisiana and would provide for coordinated review of all regions. “Displacement of opportunity” will occur by directing funding to the 9th Watershed and will inhibit our region’s ability to address flood risk – with the known lack of data; the times-over studied and cited in Gulf Dead Zone evaluations/reports that cite sedimentation, TMDLs, and other quality-‘contributors’ from our region; and short-stopping the equitable solutions that would allow for competitiveness of small communities and collaborating regions to receive sufficiency of funding in project implementation (without match requirements which are often the barrier for our communities). State Projects and Programs The State Projects and Programs allocation included \$15M for State Economic Development and Resilience. APA3 moves this \$15M into the State Projects and Programs – State Infrastructure and Housing allocation.

COMMENT: This funding should be retained for State Economic Development and Resilience. [OBJECTION] Insufficient funding and insufficient capacities for match exists in our region and its communities, with CDBG funding allowed as a ‘non-federal funding identity’, the removal of these program inhibits opportunities to advanced targeted low-and moderate-income eligible areas to marry up funding sources and redress critical development and economic recovery needs. Non-Federal Cost Share Assistance The Non-Federal Cost Share Assistance budget is decreased by \$15M. The Non-Federal Cost Share Assistance Program budget was increased by \$15M in APA1 to address local and state match requirements as they undertake mitigation projects as part of Hurricanes Laura and Delta (DR-4559 and DR-4570) recovery activities. Since that time, additional CDBG-DR appropriations were made to the State of Louisiana specific to hurricanes Laura and Delta. The funding necessary for the HMGP non-federal cost share assistance needed for these disasters has been allocated in the 2020 and 2021 Storms Master Action Plan and subsequent amendments. The funding is no longer needed from this grant.

COMMENT: [NO OBJECTION] We applaud the state’s efforts to leverage all resources toward communities’ needs and appreciate all efforts to address impacts from Laura and Delta. In just one of those hurricanes, 60% of the timber loss occurred in the Kisatchie-Delta Regional Planning & Development District’s parishes based on information supplied by the Louisiana Department of Agriculture and Forestry, with timber being the 3rd highest economic contributor to the State’s economy from natural resources.

We believe recent and ongoing wildfires are exacerbating the eco-catastrophic peril for our region based on the reduced water absorption from tree loss during Hurricanes Laura and Delta, the

increased sedimentation and risk presented from still-downed timber, and the current wildfires and wildfire risk that will worsen flooding conditions in the watersheds of our region. We commend the attention of the Louisiana Office of Community Development to address specific needs resulting from hurricanes Laura and Delta and appreciate all resources that can present mitigation and economic recovery that will be threatened and would be at heightened risk under recently updated projected hurricane season activity and weighing the interrelated environmental consideration of activities. The proposed areas for which our comments indicate objection are based in sincere belief that the proposed change place resources for communities of need at jeopardy. This undermines the coalition building and negatively impacts opportunities for our local communities. My concerns are rooted in geographic economic (in)justice, and a diminished opportunity for valuable mitigation resources and sizeable grant dollars -- with many of our communities and related Census Tracts already identified as "persistent poverty" and/or "hard to develop"(HUD-assignment) and ALL having been in series of diminished economic recovery due to repeated disaster impacts and insufficient resources. Prior to the CDBG-MIT funding for post-2016 "Great Floods", central Louisiana had been impacted by 'both seasons' of this presidentially declared natural disaster, including one death in Rapides Parish. We also had suffered enormous impacts to the agricultural and timber related industries under USDA identified disasters. In advance of the community development origins of the Louisiana Watershed Initiative, the Louisiana Department of Transportation and Development completed (and continued updates) a series of responses to Senate Resolution 172 (2017) that incorporated technical assistance groups and findings that significant data 'insufficiency' persists in our more rural or less-densely population communities and regions -- and that this would require attention. Throughout the various programs under the CDBG-MIT funding and otherwise at the state and federal levels, the data insufficiency has persisted, and the mapping and modeling efforts under CDBGMIT/LWI have yet to reach much of our region -- and such has remained true for Watershed 2 areas, particularly. The LWI Action Plans at onset (made available for public comment as of 10/16/2019) identified evidence-based approaches for developing watershed management plans, priorities at regional scale, and influencing investment 'scoring' or competitiveness - emphasizing 'do no harm'. Various documents, presentations, and analysis from multiple Technical Assistance Groups have reiterated and cited on numerous occasions the continuing lack and need for data throughout all of the watershed regions, and particularly central Louisiana and the LWI Watershed 2 region. In October 2021, Kisatchie-Delta sought to incorporate ground-truthing from the mapping and modeling initiative for our region and watersheds associated with the Louisiana Watershed Initiative activities so as to incorporate changing landscapes sared by more recent disasters. Every region except Watershed 2 has had some attention to date with field visitation. We are still lacking equity in attention to flood risk. Kisatchie-Delta, two planning and development districts, and the three area watershed coordinators for 29 parishes of central and north Louisiana sought out additional technical assistance opportunities to aid in the 'search' or development of reliable data (separate from the LWI programming) in post-Laura-Delta-Zeta Economic-Recovery-Support-Functions (with FEMA interagency activities) that was requested July 23, 2021 and 'approved' October 27, 2021. US EPA Disaster Resilience Tools were to be provided -- coordinating with counterpart State agency/agencies, and have yet to be received under an 'approved' program/process for such assistance. No new data/evidence-basis for establishing planning priorities has been provided to-date -- including through LWI's Round 2 funding opportunity (accepted at May 31, 2023). Round 3 is/was to be based on watershed plans, priorities, and evidence-based watershed mapping and modeling, and nature-based solutions tools. Round 3 has been intended, since original conception, to result and reward regionally-based flood risk reduction projects and policies, vetted and justified by evidence basis. Removing Round 3 essentially undermines and erodes trust, coalitionbuilding, and equity for our region. Our data insufficiency, identified before 2017 and continuing present-day for these regional-scale and statewide program investments under the CDBG-MIT phased resource-deployment was to rely on evidence basis for Round 3 distributions/project

investments. Planning activities have reported our unmet needs, generally referenced in discussions as known vulnerabilities, risk, experience, and recurring impacts. The lack of a Round 3 or the data and activities necessary to support formation of equitable evaluation would result from the proposed Amendment 3 to the Action Plan. This prevents our communities, those of Watershed region 2, and all in Louisiana, the necessary "evidence-based" resources to adequately prepare plans or projects that can be competitive, opportunity provider, lender and employer Vernon, and Winn successful, and funded for meaningful and equitable mitigation and economic recovery. This prevents and inhibits equity and further marginalizes our region, effectively re-injuring our region. Our communities deserve data, deserve resources, deserve competitive opportunities -- and deserve attention and financial resources to attend to the serious needs of physical and economic recovery from disasters that impact our homes, our businesses, our economies, our resilience, and our future. We urge reconsideration and request participatory solutions as a necessary redress for equity. We herewith advocating for further engagement that supports our region, its communities, inclusive of a number of marginalized populations, disadvantaged communities, and two Federally recognized tribal jurisdictions. The promise of the 'new' approach is still viable without this amendment.

RESPONSE: Thank you for your comment. The state appreciates your engagement and understands your concerns. Overarching requirements for the CDBG-MIT funds are as follows:

1) The Period of Performance establishes a deadline for complete expenditure of the funds by 2032, and water sector projects funded with CDBG grants can take quite a long time to implement.

2) This grant requires that at least 50% of funds be spent on projects that benefit the Most Impacted and Distressed parishes. There are 10 MIDs for this grant, and the current allocation of funds is in line with this requirement, providing at least 58% to benefit MIDs. Not every MID was impacted equally. Geographic distribution of the funds is intended to meet three objectives: Meet the HUD requirement for benefits to MIDs, create incentives for Regional cooperation within watersheds, and fairly distribute the funds based on damages. The three MIDs in Region 9 sustained substantially more damage, based on FEMA data, than did the remaining MIDs in Regions 3, 5, or 7.

3) At least 50% of all funds must be spent to benefit Low-To-Moderate Income (LMI) households. For projects that benefit a larger area, the aggregate population of the benefit area must be LMI to meet the requirement.

Note: The following comment generally addresses Action Plan Amendment No. 3 and public hearings.

1. PUBLIC COMMENT: *I am a former resident of Lafayette and an environmental hydrologist. A part of my work involved analysis of water quantity and quality in the Teche-Vermilion Basin, and I am currently working on an unfunded analysis of historic flooding in Lafayette. As an interested citizen, I am requesting that a public hearing or hearings take place prior to any consideration of the proposed LWI Amendment #3. I have multiple concerns about this proposal that need to be addressed.*

- 1. A change of this magnitude should be openly discussed with the public prior to enactment.*
- 2. Prior to enactment, public disclosure and discussion is needed for a detailed analysis of how this change will impact future LWI administrative costs and overhead.*
- 3. Redirecting currently planned funding appears to be inequitable.*

4. *Without full public vetting of the rationale for this change there is an appearance of favoritism and back-room decision making.*

LWI represents a great step forward in Louisiana's water management. To continue its success, LWI needs statewide public support. One way to gain and keep that support is through seeking public input. The public hearing that I am requesting will help LWI maintain the strong public support that is vital to its future.

RESPONSE: Thank you for your comment. The state appreciates your engagement and understands your concerns. Overarching requirements for the CDBG-MIT funds are as follows:

1) The Period of Performance establishes a deadline for complete expenditure of the funds by 2032, and water sector projects funded with CDBG grants can take quite a long time to implement.

2) This grant requires that at least 50% of funds be spent on projects that benefit the Most Impacted and Distressed parishes. There are 10 MIDs for this grant, and the current allocation of funds is in line with this requirement, providing at least 58% to benefit MIDs. Not every MID was impacted equally. Geographic distribution of the funds is intended to meet three objectives: Meet the HUD requirement for benefits to MIDs, create incentives for Regional cooperation within watersheds and fairly distribute the funds based on damages. The three MIDs in Region 9 sustained substantially more damage, based on FEMA data, than did the remaining MIDs in Regions 3, 5, or 7.

3) At least 50% of all funds must be spent to benefit Low-To-Moderate Income (LMI) households. For projects that benefit a larger area, the aggregate population of the benefit area must be LMI to meet the requirement.

In addition to this opportunity for written comment, a public hearing was held on July 25 in House Committee Room 1 at the Louisiana State Capitol, 900 N. Third St., Baton Rouge, at which time the Council on Watershed Management approved MIT APA 3 for public comment.

Note: The following comments generally address Action Plan Amendment No. 3 and watershed models, and are grouped and answered collectively below.

1. **PUBLIC COMMENT:** *At today's meeting, a majority vote was approved for Region 5 to officially oppose the LWI Action Plan Amendment 3 (APA3). The summary of APA 3 is as follows:*

APA3 Summary LOCAL AND REGIONAL PROJECTS AND PROGRAMS

- *The Local and Regional Projects and Programs allocation increases by \$15 million.*
- *Round 1 and Design Support Program allocations increase to \$130 million. Funds will be reserved for all Round 1 and DSP projects awarded to cover cost increases due to inflation.*
- *Round 2 increases to a project funding opportunity of \$225 million.*
- *LWI Region 9 is allocated \$100 million for development of large, transformative projects in MID areas within the region.*
- *Round 3 as described in the Action Plan will be removed*

APA3 was proposed at the LWI Council on Watershed Management Meeting on July 25th. Please see below for more information:

Agenda: https://d10zxfp0rexahc.cloudfront.net/docs/Council-meeting-agenda_July-25.pdf

Slide Deck: https://d10zxfp0rexahc.cloudfront.net/docs/Council-Meeting_PPT-7-25-23-Final.pdf

Recording: <https://www.facebook.com/lawatershedinitiative>

Public comment is due to OCD 09/07/23. Please see a link to the press release below and attached: <https://www.doa.la.gov/media/ygnlcg4n/08-09-2023-mit-apa-3-news-release.pdf>

You may use the language below to submit your public comments on behalf of your organization, yourself and other stakeholders.

[ORGANIZATION] recognizes the unintended disruptions caused by the unexpected programmatic revisions, which have posed significant challenges to the implementation of planned projects reliant on both the H&H Watershed Models and the funding from the Local and Regional Projects and Programs Round 3. APA 3 amendment would result in an uneven allocation of resources, potentially disadvantaging parishes that have been disproportionately impacted by the changes.

[ORGANIZATION] formally objects to Action Plan Amendment 3 of the Louisiana Watershed Initiative as currently drafted. [ORGANIZATION] urges and encourages the LA Office of Community Development to revisit and reconsider the proposed changes outlined in APA 3, recognizing the potential adverse effects on ongoing and planned projects, as well as the disproportionate allocation of resources among affected parishes.

[ORGANIZATION] requests that copies of our comments be transmitted to the Louisiana Council on Watershed Management, the LA Office of Community Development, and all relevant stakeholders to ensure that our concerns are duly noted and taken into account during the decision-making process. [ORGANIZATION] remains committed to collaborative engagement and dialogue with all involved parties to achieve the most equitable and effective allocation of resources and ensure the continued success of water management initiatives within the Acadiana Watershed District.

2. PUBLIC COMMENT: *I am writing today to comment on the subject amendment regarding the use of the remainder of the \$1.2 billion in HUD funds. Respectfully, I offer strong opposition to this amendment for two key reasons.*

- 1. The removal of the third round will leave many jurisdictions who were planning for Round 3 projects without the opportunity that made the most sense to them – one that utilized the regional models that are being developed. Many (municipalities, parishes, and regional steering committees) wanted to utilize the models as they were advertised from the start of the watershed initiative - to inform them for better decisions on the development of large-scale, regionally impactful projects. The models were to be used for Rounds 2 and 3, then just round 3, and now with this amendment not at all. The repeated moving of the goal posts has left some and will leave more Louisiana communities and LWI participants feeling disenfranchised and removed from any effective decision-making regarding the use of one of the most significant hazard mitigation investments in our state. Instead of following through with the ground-breaking ideas that were birthed through the LWI, we will have defaulted back to doing more of the same; only now with well over \$100 million worth of unutilized*

modeling. Furthermore, while the Great Flood of 2016 was clearly the impetus for our federal government to send such a massive amount of financial aid – that single event should not be the only flood that informs where that investment is best used, which leads to my second key reason for opposition.

- 2. Carving out an additional \$100 million for Region 9 is a display of tunnel vision by using the single flood event to inform where the largest investment should go. It may be true that Region 9 needs that additional \$100 million more than anyone else for future flood proofing, but that should be determined by considering multiple floods across the state in addition to the use of the models that are being developed specifically for this reason. By considering more than one flood event to inform our decisions, the Council on Watershed Management could provide enormous mitigation benefits across the state in a way that feels less like political favoritism or a reaction to a single event without regard for the numerous other flood events in our state’s recent history.*

On a positive note, the council has been willing to adapt based on its responses to the many voices around the state vying for consideration. I hope that it will continue to be so, given that eight of the nine LWI regions of the state are likely to offer some form of opposition to this amendment. Good luck balancing all the voices and may God Bless your future decisions.

- 3. PUBLIC COMMENT:** *Acadiana Watershed District/LWI Region 5 recognizes the unintended disruptions caused by the unexpected programmatic revisions, which have posed significant challenges to the implementation of planned projects reliant on both the H&H Watershed Models and the funding from the Local and Regional Projects and Programs Round 3. APA 3 amendment would result in an uneven allocation of resources, potentially disadvantaging parishes that have been disproportionately impacted by the changes. Acadiana Watershed District/LWI Region 5 formally objects to Action Plan Amendment 3 of the Louisiana Watershed Initiative as currently drafted. Acadiana Watershed District/LWI Region 5 urges and encourages the LA Office of Community Development to revisit and reconsider the proposed changes outlined in APA 3, recognizing the potential adverse effects on ongoing and planned projects, as well as the disproportionate allocation of resources among affected parishes. Acadiana Watershed District/LWI Region 5 requests that copies of our comments be transmitted to the Louisiana Council on Watershed Management, the LA Office of Community Development, and all relevant stakeholders to ensure that our concerns are duly noted and taken into account during the decision-making process. [ORGANIZATION] remains committed to collaborative engagement and dialogue with all involved parties to achieve the most equitable and effective allocation of resources and ensure the continued success of water management initiatives within the Acadiana Watershed District.*
- 4. PUBLIC COMMENT:** *It isn’t complicated. Creating a 9th is jumping the line to steal money. Begs more questions than answers as is the edwards government way: Where in the 1 through 8 do those damaged properties exist? Those damaged didn’t go undiscovered or non covered all these years or they’re getting extra monies via this 9th. Money that has been dedicated, anticipated and pre spent on plans for solutions, which if the non existent 9th gets \$100M will effectively cause areas to deduct from their long anticipated monies, needed in Acadiana areas to prevent future floods and has been in motion since the 2016 floods. Money that has never been dedicated, anticipated or in consideration to benefit \$100M to a non existent 9th. That \$100M is to cover costs of planning and modeling since 2016 and future enacting the plans and models. Unethical. Dereliction. Corrupt. Anti democratic. Disdain for integrity.*
- 5. PUBLIC COMMENT:** *The BAYOU PIERITE DRAINAGE TASK FORCE recognizes the unintended disruptions*

caused by the unexpected programmatic revisions, which have posed significant challenges to the implementation of planned projects reliant on both the H&H Watershed Models and the funding from the Local and Regional Projects and Programs Round 3. APA 3 amendment would result in an uneven allocation of resources, potentially disadvantaging parishes that have been disproportionately impacted by the changes. The BAYOU PIERITE DRAINAGE TASK FORCE formally objects to Action Plan Amendment 3 of the Louisiana Watershed Initiative as currently drafted. The BAYOU PIERITE DRAINAGE TASK FORCE urges and encourages the LA Office of Community Development to revisit and reconsider the proposed changes outlined in APA 3, recognizing the potential adverse effects on ongoing and planned projects, as well as the disproportionate allocation of resources among affected parishes. The BAYOU PIERITE DRAINAGE TASK FORCE has been working on this project for over two years and expected to be funded in Round 2 or possibly Round 3. With the elimination of Round 3, our chances of being funded will be cut in half. We are highly concerned that due to the unexpected program changes, our chances of being funded have all but disappeared. This will leave the City of Marksville highly vulnerable to flooding. We have sympathy for the residents of Region 9, but we also have a responsibility to the citizens of Marksville and Avoyelles parish who are prone to flooding just as the citizens of Region 9. The disproportionate funds allocated to Region 9 are just not fair, considering the original design and intent of the LWI. The BAYOU PIERITE DRAINAGE TASK FORCE requests that a copy of our comments be transmitted to the Louisiana Council on Watershed Management, the LA Office of Community Development, and all relevant stakeholders to ensure that our concerns are duly noted and taken into account during the decision-making process. The BAYOU PIERITE DRAINAGE TASK FORCE remains committed to collaborative engagement and dialogue with all involved parties to achieve the most equitable and effective allocation of resources and ensure the continued success of water management initiatives within the Acadiana Watershed District.

6. PUBLIC COMMENT: *A Resolution by Louisiana Watershed Initiative Region 5 Objecting to Action Plan Amendment 3 of the Louisiana Watershed Initiative*

Whereas, Louisiana Watershed Initiative Region 5, has demonstrated a dedicated commitment to the sustainable management of water resources and fostering regional watershed coordination and development;

Whereas, the I-WI Region 5 acknowledges the significance of Acadiana being the second region officially authorized by legislation to continue the efforts of the Louisiana Watershed Initiative, which has contributed to the enhancement of water management practices;

Whereas, the LWI Region 5 expresses sincere appreciation to the LA Office of Community Development for its valuable efforts in benefitting our communities by providing a fresh perspective on the future management of waterways within the transitioning I-WI Region 5, soon to be known as the Acadiana Watershed District;

Whereas, an Action Plan amendment (APA 3) was submitted to the LA Council on Watershed

Management on July 25, 2023, proposing substantial changes to the distribution of funding for Local and

Regional Projects and Programs, including the elimination and reappropriation of approximately \$244 Million from Round 3 funding;

Whereas, the LWI Region 5 acknowledges the proposed modifications presented in APA 3, which include a \$15 Million increase for State distribution of Local and Regional Projects and Programs,

enhanced allocations for Round 1 and the Design Support Program amounting to \$130 million, a Round 2 increase of \$125 Million, a direct \$100 Million appropriation to Region 9 for the Amite River Basin Commission, and the complete removal of Round 3 Project Funding;

Whereas, the LWI Region 5 recognizes the unintended disruptions caused by the unexpected programmatic revisions, which have posed significant challenges to the implementation of planned projects reliant on both the H&H Watershed Models and the funding from the Local and Regional Projects and Programs Round 3;

Whereas, it is observed that the APA 3 amendment would result in an uneven allocation of resources, potentially disadvantaging parishes that have been disproportionately impacted by the changes;

Now, Therefore, Be It Resolved, that the LWI Region 5 formally objects to Action Plan Amendment 3 of the Louisiana Watershed Initiative, as currently drafted;

Be It Further Resolved; The Acadiana Watershed District (LWI Region 5) is proposing that the \$100 million allocation be split proportionately between each of the disaster declared parishes. The Acadiana Watershed District's (Region 5) allocation would total \$30 million and would be used for "transformative" projects within our area.

Be It Further Resolved, that the I-WI Region 5 urges and encourages the LA Office of Community

Development to revisit and reconsider the proposed changes outlined in APA 3, recognizing the potential adverse effects on ongoing and planned projects, as well as the disproportionate allocation of resources among affected parishes;

Be It Further Resolved, that copies of this resolution be transmitted to the Louisiana Council on

Watershed Management, the LA Office of Community Development, and all relevant stakeholders to ensure that our concerns are duly noted and taken into account during the decision-making process;

Be It Finally Resolved, that the I-WI Region 5 remains committed to collaborative engagement and dialogue with all involved parties to achieve the most equitable and effective allocation of resources and ensure the continued success of water management initiatives within the Acadiana Watershed District.

Adopted this 31st day of August 2023.

- 7. PUBLIC COMMENT:** *The City of Scott recognizes the unintended disruptions caused by the unexpected programmatic revisions, which have posed significant challenges to the implementation of planned projects reliant on both the H&H Watershed Models and the funding from the Local and Regional Projects and Programs Round 3. APA 3 amendment would result in an uneven allocation of resources, potentially disadvantaging parishes that have been disproportionately impacted by the changes. The City of Scott formally objects to Action Plan Amendment 3 of the Louisiana Watershed Initiative as currently drafted. The City urges and encourages the LA Office of Community Development to revisit and reconsider the proposed changes outlined in APA 3, recognizing the potential adverse effects on ongoing and planned projects, as well as the disproportionate allocation of resources among affected parishes. The City of Scott requests that copies of our comments be transmitted to the Louisiana Council on Watershed Management, the LA Office of Community Development, and all relevant stakeholders to ensure that our concerns are duly noted and taken into account during the decision-*

making process. The City remains committed to collaborative engagement and dialogue with all involved parties to achieve the most equitable and effective allocation of resources and ensure the continued success of water management initiatives within the Acadiana Watershed District.

- 8. PUBLIC COMMENT:** *On August 23, 2023, the Regional Steering Committee for Region 1 met and discussed the proposed MIT Action Plan Amendment 3. The members present that day unanimously voted to voice their opposition to this proposed amendment.*

The first concern is the removal of Round 3. A large amount of time and money in this program has been dedicated to developing data and models for a science-based understanding of how projects, policies and other measures will reduce flood risk across the state. Round 3 was originally planned to be the largest round of project funding and intended to use these models to evaluate large-scale, regionally impactful projects. While the removal of round 3 does not negate the value of having these models, it would mean they would not be used in project evaluation and informed decision making in projects using these CDBG-MIT funds.

The second concern is allotting \$100 million specifically to region 9. To date region 9, has already received 38% of the total project funding distributed through LWI. This is more than any other two regions combined. While region 9 does contain 3 of the parishes that were the most impacted and distressed in the Great Flood of 2016, there are 7 other MIDs outside of region 9.

The Regional Steering Committee does not have objections to the other changes proposed in Amendment 3.

- 9. PUBLIC COMMENT:** *I strongly object to changing a plan that toured the state for 2 years explaining how the money would be prioritized and spent. Changing the plan to ignore the detailed technical work that is almost complete regarding regional H&H models is a loss for our state. The models will allow new large scale large impact projects to be vetted and evaluated. If the funding is removed what did we spend millions of dollars in models for? Why does a sub-region get \$100,000,000 in funding without competition? Why did Region 7 get over 1/3 of current funding, get a promise of \$100,000,000 and a possibility of receiving more in Round 2 funding? How will OCD serve the entire State of Louisiana? How will the other regions talk to their residents and support LWI when we have been blindsided by this amendment?*

- 10. PUBLIC COMMENT:** *On behalf of the Regional Steering Committee (RSC) members of Region 7, I am writing in opposition to Amendment 3 for "Distribution of Funds in Louisiana Watershed Initiative." Allowing the amendment to pass would take away access to a crucial third round of funding needed by many impaired and impacted communities throughout our State. Furthermore, all funding would be distributed before the statewide watershed models are complete. Without use of these models to inform each RSC, projects cannot be chosen based on the best available science and data. This goes directly against the mission of the Louisiana Watershed Initiative (LWI). We strongly object to awarding the newly defined LWI Region 9 an outright \$100 million allocation. Like Region 7, the recently separated Region 9 largely consists of HUD most impacted and distressed (MID) parishes. Unlike other LWI Regions, Region 9 was allowed to breakaway based on the existence of the Amite River Basin Commission (ARBC). To date the Amite River Basin (ARB) has records of flooding dating back to at least 1921. Since the creation of the ARBC in 1989, the ARBC has had very little success in managing and mitigating flooding events, as evidenced by the HCR 46 ARB Management Study.*

Communities in Region 9, specifically located along the Amite River Watershed have already benefited from \$200 million in Round 1 appropriations, which totals 38% of the initial project allocations, and

only represents portions of 3 HUD MID parishes. Additionally, Region 9 has recently received \$8 million for planning and design projects that have yet to materialize. Their efforts have been largely focused on completion of the Comite River Diversion, a project first proposed in the 1980s. The reality being that implementation of this project would not have been possible without substantial resources provided by the US Army Corps of Engineers and the attention of state representatives. Our observation is that Region 9 projects have not been held to the same level of scrutiny with regards to HUD funding rules and regulations. When Region 9 was created it left Region 7 geographically fragmented and no longer contiguous. This goes against the objective of Executive Order Number JBE 2018-16 which states that the LWI should be “a path for the state and its various jurisdictions and political subdivisions to coordinate at a statewide and watershed level to maximize flood risk reduction...” The preferential treatment of Region 9 does not heighten levels of coordination, and has the potential to create hazards for neighboring communities outside their region.

11. PUBLIC COMMENT: *I am writing to express my opposition to Amendment 3 regarding distribution of funds within LWI regions. As provided in more detail below, this amendment proposes to change the Mitigation Action Plan to the detriment of Region 5. This region contains 10 MID parishes and 3 HUD MID parishes, but it appears that non-HUD MID parishes have been funded more. For instance, Acadia Parish in Region 5 is a MID parish and it has only received one \$2.97 million project, or about 1% of available funding. Whereas, Region 9 has already received \$198 million and this amendment proposes to allocate \$100 million more, which would be 25% of funding allocated to the state. This is not an equitable distribution of funding and it does not appear to align with HUD funding objectives. If \$100 million is going to be redistributed from Local and Regional Projects and Programs to Region 9 alone, the large project for which these funds are being allocated should at least be named and a benefitcost ratio should be provided, along with all of the other requirements as listed in the HUD Mitigation Notice and the Action Plan. Region 5 is a region with many large project needs. It has been waiting for modeling for the large project submittals as directed. Current Round 1 and Round 2 guidance allows for projects of \$500,000 to \$10 million and \$15 million, respectively. By eliminating Round 3 just after the call for Round 2 projects has closed, OCD will be preventing parishes from submitting large projects that would be allowed under the new Round 2 funding levels.*

12. PUBLIC COMMENT: *The Bayou Vermilion Preservation Association (BVPA) recognizes the unintended disruptions caused by the Action Plan Amendment 3 would result in an uneven allocation of resources, potentially disadvantaging parishes that have been disproportionately impacted by the changes. Many effective, worthwhile, and even exceptional watershed projects have not yet been proposed in anticipation of promised Round 3 funding with accompanying H&H Watershed Models. Removal of LWI Round 3 funding eliminates the most promising opportunities for flood reduction in our state. The BVPA formally objects to APA 3 of the Louisiana Watershed Initiative as currently drafted. The BVPA urges and encourages the Louisiana Office of Community Development to revisit and reconsider the proposed changes outlined in APA 3, recognizing the potential adverse effects on ongoing and planned projects, as well as the disproportionate allocation of resources among affected parishes. Any amendments should be structured to ensure our state’s best flood reduction ideas are not left high-and-dry, and should ensure funding is distributed equitably across our regions. The BVPA requests that copies of our comments be transmitted to the Louisiana Council on Watershed Management, the Louisiana Office of Community Development, and all relevant stakeholders to ensure that our concerns are noted and taken into account during the decision-making process. The BVPA remains committed to collaborative engagement and dialogue with all involved parties to achieve the most equitable and effective allocation of resources and ensure the continued success of water management initiatives within the Acadiana Watershed District.*

13. PUBLIC COMMENT: *With authorization of the Regional Steering Committee for Watershed 2 (W2-RSC)*

under the Louisiana Watershed Initiative, comprised by representation from 12 parishes and 2 Federally recognized tribal governments, the following letter of objection is presented in formal “Public Comment” on the “Disaster Mitigation Initiative” of the U.S. Department of Housing and Urban Development addressing a proposed State of Louisiana Action Plan Amendment No. 3 (Substantial).

The LWI Watershed steering committee of LWI Region 2, is extremely concerned and very troubled by the amendment that will do away with Phase 3 of the Initiative.

How did this amendment come about?

In 2017, the state had listening tours and devised the LWI white paper and an action plan to be evidence-based, with community input. Fast forward to 2023 and this major change is alarming and we feel is without foundation. The change has not been discussed with the communities and therefore lacks community-based input.

Local and regional funding was to have occurred in three rounds with the participation from a regional steering committee. The regional steering committees did not form until Round 1 of the applications had been submitted. Between Round 1 and Round 2, no new data was available to the steering committees on which to evaluate local and regional projects.

Round 3 was supposed to assure that watershed regions had the opportunity to make good decisions by having data and maps to understand where the worse problems were, so that we could offer up the best solutions for our area as a whole.

This proposed amendment removes the opportunity for data-based decisions and acts to further disenfranchise our region, which has been systematically ignored. Our region is one of persistent poverty, considerably underserved and receives unequal distribution of opportunities and resources. This amendment will contribute these inequities by guaranteeing that funding goes to much more urban areas with tax bases significantly more developed than ours.

The Southern Parts of Region 2 also is the area where the major Rivers converge that drain parts of Southern Arkansas and Eastern Texas and the outflow is restricted by actions of the USCOE have done in the past.

Also, the Southern Parts of Region 2 is affected when the Mississippi River is at high levels, the USCOE Old River Control Structure releases water into the Atchafalaya River and slows the outflow and causes flooding.

We object to the amendment.

RESPONSE: Thank you for your comment. The state appreciates your engagement and understands your concerns. The models are indeed a critical component of the Louisiana Watershed Initiative’s mitigation planning and will provide invaluable guidance to the state and the regions in all future flood risk reduction and floodplain management decision-making. Overarching requirements for the CDBG-MIT funds are as follows:

1) The Period of Performance establishes a deadline for complete expenditure of the funds by 2032, and water sector projects funded with CDBG grants can take quite a long time to implement.

2) This grant requires that at least 50% of funds be spent on projects that benefit the Most Impacted and Distressed parishes. There are 10 MID’s for this grant, and the current allocation of

funds is in line with this requirement, providing at least 58% to benefit MIDs. Not every MID was impacted equally. Geographic distribution of the funds is intended to meet three objectives: Meet the HUD requirement for benefits to MIDs, create incentives for Regional cooperation within watersheds and fairly distribute the funds based on damages. The three MIDs in Region 9 sustained substantially more damage, based on FEMA data, than did the remaining MIDs in Regions 3, 5, or 7.

3) At least 50% of all funds must be spent to benefit Low-To-Moderate Income (LMI) households. For projects that benefit a larger area, the aggregate population of the benefit area must be LMI to meet the requirement.

Note: The following comments generally address Action Plan Amendment No. 3, watershed models, and public hearings, and are grouped and answered collectively below.

- 1. PUBLIC COMMENT:** *I am retired professor of Geology with Ph.D. from Cambridge and 50 years of experience on four continents. I have been a resident of Lafayette since 1977. I am concerned that the implementation of amendment 3 will endanger funding to projects in the Acadian region for which significant funding for modeling has been allocated (modeling incomplete!), and for a region severely impacted by flooding in 2016, and remaining vulnerable to future flooding. I urge LWI to schedule public hearings on this matter to include all public and political entities involved. Your consideration is appreciated.*
- 2. PUBLIC COMMENT:** *My house flooded in 2016. I live in Lafayette. I have been following what has been done/will be done with great interest. I really liked the three plans or modeling which has been done to prevent my house from being flooded again. Now I am being told because of inflation, there is a change of plans and there will even be another Region added. What is this???? Why aren't there any public meetings to tell about this? Anytime money plans change, there is a "devil in the woodshed". Please do not change the plans as they have been worked on.*
- 3. PUBLIC COMMENT:** *The implementation of amendment 3 will endanger funding to projects in the Acadian region for which significant funding for modeling has been allocated (modeling incomplete), and for a region severely impacted by flooding in 2016, and remaining vulnerable to future flooding. I urge LWI to schedule public hearings on this matter to include all public and political entities involved. Your consideration is appreciated.*
- 4. PUBLIC COMMENT:** *Regarding the proposed amendment number 3 to the LWI program, I feel that public hearings better explaining the proposed changes along with potential funding impacts to projects that are currently waiting on the H&H models to be completed are warranted.*
- 5. PUBLIC COMMENT:** *I am writing to express my opposition to Amendment 3 regarding distribution of funds within LWI regions. As provided in more detail below, this amendment proposes to change the Mitigation Action Plan to the detriment of Region 5. This region contains 10 MID parishes and 3 HUD MID parishes, but it appears that non HUD MID parishes have been funded more. For instance, Acadia Parish in Region 5 is a MID parish and it has only received one \$2.97 million project, or about 1% of available funding. Whereas, Region 9 has already received \$198 million and this amendment proposes to allocate \$100 million more, which would be 25% of funding allocated to the state. This is not an equitable distribution of funding and it does not appear to align with HUD funding objectives. If \$100 million is going to be redistributed from Local and Regional Projects and Programs to Region 9 alone, the large project for which these funds are being allocated should at least be named and a benefit-cost ratio should be provided, along with all of the other requirements as listed in the HUD Mitigation*

Notice and the Action Plan. Region 5 is a region with many large project needs. It has been waiting for modeling for the large project submittals as directed. Current Round 1 and Round 2 guidance allows for projects of \$500,000 to \$10 million and \$15 million, respectively. By eliminating Round 3 just after the call for Round 2 projects has closed, OCD will be preventing parishes from submitting large projects that would be allowed under the new Round 2 funding levels. Therefore, I am not in support of the current proposed amendment. I believe that the public comment period should be extended as well as a public hearing conducted before any amendment to our current plan are approved

RESPONSE: Thank you for your comment. The state appreciates your engagement and understands your concerns. The models are indeed a critical component of the Louisiana Watershed Initiative’s mitigation planning and will provide invaluable guidance to the state and the regions in all future flood risk reduction and floodplain management decision-making. Overarching requirements for the CDBG-MIT funds are as follows:

1) The Period of Performance establishes a deadline for complete expenditure of the funds by 2032, and water sector projects funded with CDBG grants can take quite a long time to implement.

2) This grant requires that at least 50% of funds be spent on projects that benefit the Most Impacted and Distressed parishes. There are 10 MIDs for this grant, and the current allocation of funds is in line with this requirement, providing at least 58% to benefit MIDs. Not every MID was impacted equally. Geographic distribution of the funds is intended to meet three objectives: Meet the HUD requirement for benefits to MIDs, create incentives for Regional cooperation within watersheds and fairly distribute the funds based on damages. The three MIDs in Region 9 sustained substantially more damage, based on FEMA data, than did the remaining MIDs in Regions 3, 5, or 7.

3) At least 50% of all funds must be spent to benefit Low-To-Moderate Income (LMI) households. For projects that benefit a larger area, the aggregate population of the benefit area must be LMI to meet the requirement.

In addition to this opportunity for written comment, a public hearing was held on July 25 in House Committee Room 1 at the Louisiana State Capitol, 900 N. Third St., Baton Rouge, at which time the Council on Watershed Management approved MIT APA 3 for public comment.

Note: The following comment generally addresses administrative responsibilities and spending.

- 1. PUBLIC COMMENT:** *I agree that amendment 3 is wrong by adding more bureaucracy and therefore more wasteful spending when so much important work has already been done.*

RESPONSE: Thank you for your comment. The state appreciates your engagement and understands your concerns. LWI APA 3 does not create any additional administrative responsibilities or spending.

Note: The following comment generally addresses the Louisiana Watershed Initiative.

- 1. PUBLIC COMMENT:** *Dredge! We currently have a home on the river that sustained flood damage from 2016 prior to our ownership. We purchased our property in 2018 and in 2021, our master bedroom which is on the river side of the property flooded! The river came up and into our home during a heavy rain! We have witnessed this on many occasions as heavy rains fall, the river rises and begins to flow*

retrograde. When this occurs, it also spreads out and comes up into our property and the amount of trash that is seen because of this is tremendous. We made a claim with our flood insurance, and was given a small amount of money to patch the problem! (pull out the floors and sheet rock and replace) This portion of the house was lower than the rest of the property which did not flood in 2021, we opted at our own expense (and very large expense at that) to tear down the portion that flooded in 2021 and raise it to the level of the rest of the property to prevent future flooding of this space. As property owners, we believe this was the responsible thing to do as a flood insurance claim had already been made twice on this property. The space was also non-usable, and was either going to have to be repaired, replaced, or completely torn down and not replaced due to its vulnerability. We used the exact same footprint. We tore down the damaged structure and raised it 3 feet and rebuild the space to make ourselves whole, and did not add any square however, because we pulled a permit, it triggered the city to come and do a reassessment! This in turn has caused them to re-value the home and increase our property taxes (a lot), adding insult to injury! We attempted to go to the assessors office and argue the situation, and was basically laughed out of the office, stating "well, it is an improvement"! Disgusting, and all due to the initial insult, flooding from the river! We have seen it come close to flooding us again since then. Our fence also has taken on so much silt from flooding that it is buried about 4-8 inches below the land line. Our dock has been destroyed from being continually underwater for long periods of time and will be another expense to repair. Our neighbor who has lived next-door, nearly her entire life and is in her 60s, said that she has never seen anything like what has been happening the last seven or eight years! It is also completely unfair for the homeowners to have to bear the brunt of the lack of action that has been taken to prevent some thing like this from continuing to happen. Something has changed over the years, with the diversion or drainage of the river, and these are old established homes that have been here for a long time! The onus is on the city to address this issue and it would also be great if the property owners would not be punished or penalized for something we do not have any control over!

RESPONSE: Thank you for your comment. The state appreciates your engagement and understands your concerns. The purpose of the Watershed Initiative is to facilitate flood risk reduction decision-making at the watershed level. Determinations of what measures and projects are most beneficial to the watershed should be made within the watershed.

Note: The following comment generally addresses watershed.

- 1. PUBLIC COMMENT:** *Hi awesome humans who are working hard to avert natural flooding hazards that have been amplified by our sincere need to continue human civilization through the use of energy. We get it from many sources in this modern age, however we must still rely heavily on fossil fuels as we march forward into the 3rd Millenium. I want to be clear about my position on hydrocarbon energy. Let's call it by its true name. I stand firm that we will not be able to reduce our use of hydrocarbons any time soon. That is because we will need them for the transition to alternative energy sources that work in HARMONY with hydrocarbons as we engage the United States in massive engineering projects that will become extremely necessary to cool our planet's atmosphere that has become very energetic. It we approach it with the right attitude the next 10 years will be FUN for engineers, project managers, and citizens who wish to participate in the human labor effort. We will get to extract that energy back out of the atmosphere, and we will NEED hydrocarbons to do it. A LOT. But it is okay because we CAN COOL this planet down through massive engineering projects. And when we do the carbon will come out of the atmosphere. I promise you it will. That being said, I would like to share a project that I have been contemplating and modeling by myself in the time I have spent since my ex-wife and an unethical psychologist kicked me out of California. My experience as an engineer began when I was a child. My father knew "this one you need to watch; he is too damn smart to take your eyes off him". At least*

that is what he told my uncle when we would show up at his house. I entered the United States Navy after I lost my job at Capitol Mfg. in Crowley Louisiana. They kicked my butt worse than my father kicked my butt for good reason. They didn't want me to die on the battlefield, so I am very thankful to the military for teaching me to stay alive. After serving in Desert Storm and doing some other cool stuff, I left the Navy to attend Embry Riddle Aeronautical University where I obtained one of the finest educations that perseverance could provide. I entered the job market with a degree in Aerospace Engineering and was trained with experience by one of the finest Aircraft Companies on the face of the planet. I don't know what they are calling themselves these days, but they will always be the Cessna Aircraft Company to me. I cut my teeth as a stress engineer on the Latitude Project and then left Wichita Kansas for the state of California. I worked for the Spaceship Company, The Giant Magellan Telescope and Carnegie Observatories prior to leaving California and that is all I wish to say about this unethical state. I came back to Louisiana in January of 2022 after a horrific divorce, and I have been trying to keep my engineering skills sharp. One of the projects I have been developing may address some flood control issues that align with your projects. Please understand that this project I am developing is in a highly conceptual stage and progress has been hampered by what I perceive to be harassment from California. Probably because I was a gun owner who was forced to surrender his weapons through the unethical use of RED FLAG laws. That is another story. I named the project LaFloCoNe (y'all know how to say if you say it like a Cajun), which stands for Louisiana Flood Control Network. I will try to summarize the project in this paragraph. Please see the attached photo. I used the Vermillion river that runs in my front yard as the pilot project for conceptual modeling. I used Solidworks to model the high level conceptual components and then 3D printed the Basin Structure at a fractional scale. The basic concept is to dredge the river to a depth of 100' and then lay down concrete basins (the blue model) that are connected by steel structures that have the same cross section as the basin but house pipe couplings and other attach features that connect integrated pipes at the bottom of the basin. There are 7 pipes in the upper section of the basin foundation that are intended to be used to filter water that would flow downstream. Each metal connecting section would house carbon filters that would be serviceable through the basin connecting sections. I am still working through this design. Each basin section would be between 50 and 100 feet long and 70 feet wide. The width is preliminary as it needs to be no wider than the average width of the river less room for bridge columns and river width. The basin would be completely submerged so that the outer edges would sit flush with the natural river bed. The intention here is not to disturb the natural beauty of the river and to allow private citizens to enjoy the entire width of the river while boating. Not shown in the model are flood walls that would also be submerged equipped with a ballast system that is flooded during normal weather conditions but could be evacuated so that the flood walls would rise above the flood waters providing a man made flood wall. The current design uses flood walls that can rise to 20' and consideration must again be given to bridge heights. If you notice in the model, the sides of the basin have channels in them. I have done some preliminary calculations to determine the volume of water that can be redirected in the event of rapid flooding to accommodate the increased influx of water during such an event. The bypass system does require the installation of reservoirs at strategically located areas along the river. Again I have done some preliminary calculations to determine the volumes necessary to accommodate such flooding. From an engineering standpoint I feel like such a project is feasible and because it can produce fresh drinkable water in the filter pipes there is a possibility of revenue for our state. I do not wish to make money off of this project. If such a project were initiated and the realization of profit is accurate I would wish that it go back to our state. I do not wish to share actual engineering or numbers at this time but if my calculations are in the ballpark the project would pay for itself after the first two years of completion. That is a conservative timeframe in my opinion. If y'all are interested I would be more than happy to sit down with some engineers, state leaders and project managers to further discuss the project I am working on. Thank you for trying to work with nature in your efforts to preserve this beautiful state we live in. PS. the 4 tiny pipes are for

the oil and gas industry if they see they can use it for distribution of energy. The funny looking pipes are for desalination of salt water. That's a difficult one to explain with words but trust me you will get some cool stuff out of that one. One last note.... I have also started designing flood gages that can be installed before and after bridges that would allow the water level to drop (remember the bypass channels) so you would not have to raise and lower the bridges for barges in heavy traffic areas. That one is for Lafayette. Oh, sorry there is another feature I should mention. Silt will build up at the bottom so I am also designing sinkable barges that would collect the silt then you can blow ballast to get them to rise and then just float them out and you could sell the topsoil. That's for another massive engineering project I am working on as well. I hope y'all can see the financial benefits that such a project would bring to our state if we do it right and share. it cannot be owned by anyone. It has to be owned by the people of this great state. Then everyone living in Louisiana will benefit from our awesome natural resources.

RESPONSE: Thank you for your comment.