

COUNCIL ON WATERSHED MANAGEMENT MEETING MINUTES

MEETING NO. 10: WEDNESDAY, SEPT. 25, 2019

Time: 1:30 pm

Location: Louisiana State Capitol, House Committee Room 5

I. Call to Order

Council Chairman – Pat Forbes, OCD

Pat Forbes: I'd like to call this meeting of the watershed council to order. Yes, we are just a few minutes late. Making sure that everybody is aware of what we're here for today. The US Department of Housing and Urban Development in late August published the federal register notice that told us the rules for our mitigation funds that were appropriated in February of 2018. It's important that everybody understand that it is impossible for us, as a state, to turn in an action plan on those funds until that federal register notice is published so that we know the rules to follow. So that was published. In that federal register notice is a requirement that two public hearings be held prior to publication of a draft notice, and then that there be a 45 day public comment period with at least two meetings during that public comment period. This meeting is the second pre-publication, public comment meeting. And so Watershed Initiative staff will go over the action plan, what the draft action plan looks like, we'll take comments, modify if necessary and publish in English tomorrow, hopefully, and be at least in Spanish and English next week which starts the 45 day clock. You all should have package in your seats with comment cards. If you wish to comment, please fill that out and hand it to Mr. Wicker so that we get those comments in. You can also make them orally, if you like. There is an opportunity on our website to make comments. So, thank you all for joining us here and we will get started. Can we have roll call please?

II. Roll Call

Council Secretary – Lori Dupont, OCD

Lori Dupont: Office of Community Development, Patrick Forbes

Pat Forbes: Here

Lori Dupont: Governor's office of Homeland Security and Emergency Preparedness, James Waskom

James Waskom: Here

Lori Dupont: Department of Transportation and Development, Chris Knotts

Chris Knotts: Here

Lori Dupont: Department of Wildlife and Fisheries, Matt Weigel

Matt Weigel: Present

Lori Dupont: Coastal Protection and Restoration Authorities, Sam Martin

Sam Martin: Here

Lori Dupont: We do have a quorum.

III. Pledge of Allegiance

Council Chairman – Pat Forbes, OCD

Pat Forbes: Mr. Weigel has volunteered to lead us in the Pledge of Allegiance.

Matt Weigel: Everyone please rise.

IV. Public Comment

Council Chairman – Pat Forbes, OCD

Pat Forbes: The process will be we are going to go through a review of what we're talking about today. We will take public comment before a council vote, so anybody who wants to make sure that your voice is heard prior to that will have the opportunity to make a public comment.

V. Consent Agenda Items

A. Approval of August 8, 2019 meeting minutes

Council Chairman – Pat Forbes, OCD

Pat Forbes: I would like to get concurrence on the minutes of the August 8th meeting. Has everybody had a chance to read those? Are there any objections or edits. Hearing none, the August 8th meeting minutes are accepted as written.

VI. New Business

Council Chairman – Pat Forbes, OCD

Pat Forbes: I have gone through the purpose of the meeting here. I want to make a couple of things clear that are super important that often get lost and people tend to get blinded when they see \$1.2 billion. And that is understandable, but it's also critical for everybody to understand that this process is not just about spending \$1.2 billion. The action plan we're approving today, that's about spending \$1.2 billion. The watershed initiative is about changing the way the state addresses flood risk for the long term, and that's what we're trying to accomplish through the investment of these funds, the organization around watershed regions, and the provision of tools and data that are going to help everybody make good decisions long into the future so that we can leverage every penny that gets spent on flood risk reduction going into the future. Alex, if you guys will walk us through.

A. Presentation on Action Plan approach

Alexandra Carter (OCD) to present, Pat Landry (DOTD) and Evelyn Campo (OCD) to assist in presenting slides.

Alexandra Carter: More than happy to. So, just to give everyone a little bit of a precursor about what we're gonna be talking about. We'll talk a little bit about the watershed initiative so that everyone in the room who maybe new or listening in on Facebook that haven't been part of the processes to date will get an idea of what the watershed initiative is and how it's informed how the state's plans to spend this \$1.2 billion in CDBG medication funds. We'll then talk about the draft action plan, and then we'll have an opportunity for feedback and input from the room. That's where we'll get comments. And then we'll discuss some next steps and reiterate some of these elements that Pat walked through as it regards next steps in that timeline. Okay, so just a little bit on the Louisiana Watershed Initiative, and I think if I could get the slideshow to show up on the screen. Great, wonderful. This is gonna sound very simple but when taken together I think it has an impact on how we approach changing the way Louisiana addresses

flood risk. Knowing that we're very flat, that we have a lot of water, that we receive a lot of rain, that the sources of our floods are complex, is part of the reason why the coordination work through within the watershed initiative is so important. We have to acknowledge together that our flood risk is changing, that places are flooding now that have never flooded before, and this is something important to say, it's because we're interconnected. Where the rain falls is not necessarily where the flooding will occur. And so this is where we see a very strong level of emphasis about how actions taken in one community impact regional flood risk. And this is, I think where the Louisiana Watershed Initiative really pushes on several key elements to address this challenge. The first is better data and modeling capabilities. These are those tools to make better decisions, watershed based coordination at all levels of government, bringing people together at the regional scale to talk about what it is they're doing and how it could impact their activities, and then using that coordination to isolate those investments that make the best bang for their buck that are evidence based and that are mutually agreed to. And this also includes a conversation about new or modified approaches to development. We can't just build structures, we also have to advance policy so that we're both mitigating flood risk in build form, but then also mitigating flood risk in how we perceive our environments today. We talk a lot about watershed based floodplain management and it's important to pause for a moment and talk about what a watershed is. It's commonly referred to as a drainage basin or catchment. It's an area of land that drains all the streams and rainfall to a common point. So for example, large watersheds, like the Mississippi River basin contain thousands of smaller watersheds. And natural ridges are often the boundaries between watersheds, right? The high points, everything, think of it like the sides of a bathtub. And so this just further emphasizes how managing flood risk based on watersheds helps communities understand and address how decisions may impact upstream and downstream areas. We're basically bringing everybody in the room whose impacts, whose decisions will impact each other. There's a major challenge with this that we all recognize that our watersheds are not defined by our political boundaries. And what the Watershed Initiative is, it is a platform for change, changing the way we approach flood risk. It's harder, it requires more work, it's politically risky, but it's the right thing to do. And we have really strong leadership at the state in order to support this effort. So there's important thing to note in terms of what is already underway. And acknowledge that we do not have the funds today for projects. Despite that, there are a lot of efforts that are preparing for that fund distribution, the first of which is watershed modeling. And so in May, DOTD began working with the Watershed Initiative to put out RFP for computer modeling of water risk throughout the state's 59 watersheds. And Pat Landry, who's just joining us is gonna provide an update on that process.

Pat Landry: Good afternoon, everybody. My name is Pat Landry with DOTD. On behalf of the Watershed Initiative, DOTD was asked by the Watershed Initiative at one of the council meetings in the spring, to put out RFQs for the modeling for 59 hot gate watersheds across the state. The watersheds were divided into seven contract regions, they're slightly different than the maps that you see here, on the left and right side of the screen. I believe Alex and others will talk about these eight regions a little bit later in the program. But we divided the state into seven modelling regions. Advertisements for the modelling regions two, three, five, and seven closed on June the 17th. We're in the process of consultant selection for those regions. We did oral presentations the week before and the week after the Labor Day holiday. The selections

have not been made yet, but they're forthcoming. The RFQs for the modeling regions of one, four, and six remain open. The closing dates for those regions will be posted once the award letters are issued for the first four regions. The data and modeling tag is preparing guidance documents to assist selected consultants in developing the scope of work, consistent with the Watershed Initiative minimum expectations. And that will be provided once all of the seven contracts have been awarded. And for full details and access regarding to the advertisements of the watershed of the seven watersheds, you can visit DOTD's website. We've got information under the consultant contracting services link to our website.

Alexandra Carter: Thank you, Pat. And just to reiterate, the contracting regions are different than the ones that are shown here. And that's primarily because they were organized to expedite the modeling process, to move it quickly. So it's different for specific region about urgency and speed.

Pat Landry: Right, I will tell you that basically regions 1, 4, 5 and 7 line up with us with the modeling regions that we have. Regions 2 and 3 that you see on the screen are adjusted slightly for the modeling regions. And the regions 6 and 8 that you see on the screen or basically combined into one modeling region, so those are the differences. It's not a lot, but tweaks it just a little bit.

Pat Forbes: I'm not a modeler, but as I understand it, that makes no difference. Because your model boundaries also are at watershed boundaries and consequently. And your contractors will be able to manipulate the models so that the water sheds within a different region will have a common model to look at.

Pat Landry: That's correct.

Alexandra Carter: Right.

Pat Forbes: Thank you.

Alexandra Carter: Right, it won't impact the region's ability to use the model that reflects their region on this slide. Okay, so just to provide some context also on what is happening now with local leaders that are coordinating around these regions. I have Evelyn Campo here who's the Program Manager for the Regional Capacity Building Grant Program, who provide a quick update.

Evelyn Campo: Thank you, council members. We have had some success in our early attempts for local leaders to coordinate around these watershed boundaries. We are nearing the deadline for the submittal of a phase one application for the Regional Capacity Building Grant Program, that deadline is October 15th. And we expect to coordinate further with our local stakeholders to enhance their staff and technical capacity within the region, and to enable regional steering committees to form.

Alexandra Carter: And I think it's important to note that at this point, the modelling and the capacity is important to prepare the regions to plan for this funds. How they are going to use and build projects that makes sense for their regions. So, we're trying to stand everything in advance of the 1.2 becoming available, so that everybody is ready to move quickly once it is.

Evelyn Campo: That's exactly right, we've had our webinar, and an in person applicant briefing on this program, both of which were well attended. And I would say that all the reasons are well on their way to taking advantage of this opportunity. And we're looking forward to issuing awards in January 2020, and that's for the Regional Capacity Building Grant Program.

Alexandra Carter: And you may be asking yourself, how does this all work? Because we're talking about a lot of different activities happening simultaneously. And I think it's important just to look at the structure of the Louisiana Watershed Initiative, and that it is sort of governed by this council on watershed management. And that this council is informed by technical advisory groups on the state's end, that has been helping to create all of the programming structure that is helping to spearhead all of the work that we're doing with this 1.2 billion. But would further have a line then across all agencies that are participating in the Watershed Initiative. And that we're trying to do at this point is compliment that state agency participation with a regional input structure, and that's where you have the steering committee stood up. Both of these groups are informing the council's activities and ensuring that we're making the most out of this funding opportunity. But not just this funding opportunity, but all funding opportunities that may be available to our agencies. So, let's talk about the funding opportunity, right? This is a \$1.2 billion opportunity in mitigation funds. When we say the word mitigation, we're referring to reducing future flood risk. It's really important to know that. This is future and current flood risk. This was originally allocated by Congress in 2018, and as Pat mentioned, the guidelines was just recently published, or the rules, on August 30th, 2019. A quick overview of the Federal Register notice, or the rules, is here, but keep in mind, what we are summarizing is 150 plus pages of rules. So this is by no means everything, but if you have questions, please do email watershed@la.gov. So all the funds must be used for mitigation activities, right? So it has to be used to mitigate future flood risk, current or future flood risk. At least 50% of the funds must benefit most-impacted and distressed areas, or what we call MIDs, identified by HUD, or the Housing and Urban Development. So, we're gonna have in the next slide which parishes these are, so if you're wondering, we'll get there. HUD must approve the state's Action Plan before funds are available. That is what we're presenting today. That is what will be posted tomorrow online. The Action Plan will describe the needs and proposed approach for the funds. It's broad, it's not gonna list projects. It's going to list how we plan to spend project funding, how we plan to couch the programs, how we plan to distribute those funds. And there will be four public hearings. I collect comments on the draft plan, right. This is a requirement. This is the second of those four hearings. And the draft plan will be, it must be posted online for 45 days. We're thinking, this is saying September 26, but it's gonna be, that point will start once we post the English and Spanish version. So this is a correction we'll have to make in this deck. So, with regards to HUD's most impacted and distressed areas-

Pat Forbes: Excuse me, Alex. Before you go on, can you go back to the previous slide? Let's go ahead, unless this is in the future slide, and tell everybody what the overall timeline is, and what drives each piece of that timeline, from August 30th, past to when we actually have an agreement and the funds are available.

Alexandra Carter: So, I just skipped ahead because I think this is important. We can do that, I think we should do it now. So what we've done over the last, so just in thinking about the broader action plan, we've done a lot of work between October 2018 and August 2018. And that positioned the state to be able to draft this action plan in less than two weeks, essentially. [LAUGH] The federal rules were posted on August 30th. Keep in mind, the state has a deadline of February 3rd to submit. We are looking to submit much, much sooner than that. We had a public hearing in Lafayette on the 19th, we'll have our second public hearing today in Baton Rouge, our third public hearing will be in Monroe. At this point, the action plan will be posted

online, and the fourth public hearing will be in Mandeville. In the fall, after the 45-day period ends, we'll submit the plan to HUD. The plan will include all of the comments that we've received. So that's why it's important to write down your comments on your card. There's an appendix in the action plan where those comments will be captured, and we'll have to respond. And then HUD has a 60-day review period. We're looking at that as late 2019 to early 2020. They may accept, amend, or ask for amendments to the plan during or nearly after that. And then in the spring, we're expecting, very soon in the spring, I think Pat, you've been saying February, March, that we would be executing-

Pat Forbes: Optimistic.

Alexandra Carter: Very optimistic, but hey, look, let's aim there. We'll be executing a grant agreement, and that's when we will be seeing that line of credit established. That's when we'll have these funds in hand. So, let's be, we can't emphasize this enough.

Pat Forbes: So, there are no, the state does not have any funding available from this \$1.2 billion to us right now?

Alexandra Carter: Well, we are doing everything we can to get it in hand as quickly as possible.

Pat Forbes: Okay.

Alexandra Carter: Okay, so just to review, HUD's most impacted and distressed areas, the ten where we have to spend 50% of the funds. At least 50%. So this is at least \$607 million, must be spent in these areas highlighted. They include East Baton Rouge, Livingston, Ascension, Tangipahoa, Ouachita, Lafayette, Vermilion, Acadia, Washington, and St. Tammany parishes. So this is an important thing to note.

Pat Forbes: Is it in those parishes, or to the benefit of them?

Alexandra Carter: We get this question a lot, it's a very good thing to clarify. It's to the benefit of those areas. So, you may have a project that benefits that area that is constructed outside of it. HUD has allowed us to make the case for those projects, but we do have to do that, we have to explain how it benefits those most impacted and distressed areas, if it is in fact located outside. So those are some of the rules that we're having to work within, and let's talk a little bit about Louisiana's draft action plan. So just to talk about what is an action plan is important, before we talk about what's in it. So it details the state's approach for using the funds. You will notice that we are very broad in describing this approach, that's intentional. It includes draft projects, data collection, and modeling programs, and I can't emphasize this enough, it's program, it's not specific projects. And you'll notice that throughout the action plan, consistent with the mission of the Watershed Initiative, we're not just talking about building projects, but also about incentivizing policy measures to advance community resilience. So that is a consistent theme. And that's also required by HUD in the Federal Register notice. So what is in the draft action plan? And members of the council, if you all at any point have a question or comment, please do raise your hand or interject. It is for \$1.2 billion in CDGBG mitigation funds to reduce statewide flood risk, right. This is a requirement, that we mitigate flood risk. It's an investment in mitigation activities, and an improvement of development standards. This is where that policy element comes in. And it includes more than \$970 million for watershed projects and programs. When we say the word watershed, we're talking about those regions, and we're talking about projects that work within this watershed approach, as well as funding for improved data gathering and modeling. This is an investment in our future in the models.

These are living models that change the way we look at projects, that change the way we approach problems. So a little bit more on this, so you'll see an emphasis in data driven solutions. So we specifically talk about high-quality gauge network, these are river and rain gauges. This is the information we need to know, how our projects will impact our flood risk. We expect that these watershed models, these computer models will empower local decision-making, will get people to agree what is the best solution for their regions, and that is de-politicized by decisions based on science, right? What this results in, are projects that actually reduce flood risk, that doesn't just move it around. HUD does not want us to build a project in one community, and then flood another community, and have FEMA have to come in and mitigate flood risk that wasn't there 10 years ago, right? You can imagine this is a sort of, you know, hot potato issue in a flat state. And so what we're looking at is enhanced natural retention and local drainage functions. We've heard a lot from around the state how you might see a conveyance structure built, or a dam, and that it would have, what has to happen is, we've got to think about what happens downriver. That might be that we need to retain some water, right? If we're pushing water one area, we've got to develop a second project in tandem that mitigates that project's risk. So we're looking at more natural retention for that reason. And also, focusing on helping to move people out of harm's way. This is something in the Federal Register notice, they emphasize properties that have been repetitively flooded. Severely, repetitively flooded. And so this is something that will find its way into the action plan, and it's something the state has experience doing now. We can't emphasize enough that collaboration will be key to the success of this program and to spending these funds over the next ten to 12 years. And that is why we're setting up a process to determine what that looks like. So regional watershed management, we need this to empower stakeholders and decision makers to do what is right for their regions. And to determine what are the answers to building better to mitigate the next disasters impact. We talked through the action plan. Okay, go ahead. Yeah.

Pat Forbes: Can you elaborate a little bit on the state's role in that regional collaboration and decision making, please?

Alexandra Carter: Yes so, when we did over 2018 to 2019, we heard a lot that addressing sort of mounting water risk was just too big of a challenge for cities and parishes to handle on their own. And that they needed the state to come in and provide a framework to provide a starting point. Give me decisions to choose from, provide me with the resources so that when I make those decisions, I can actually implement them. And so with the watershed initiative, that's really what we're doing. We're trying to create the framework, with options that they can sort of walk in to the room and say, okay, this is the right size for me. I'm gonna help you work through it but we're gonna offer a lot of technical assistance. We're gonna provide resources. We're gonna provide capacity. We need to get everyone working together. And so I think the state's role is that facilitator. It is to provide the framework and help them to make these decisions to work together.

Pat Forbes: Exactly, exactly. It's not to make their decisions for them, that's a very important point. That's one of the reasons why we pulled the steering committees together and we're working with this Regional Capacity Building Grant Program is we know we don't have all the right answers. We need their local input, we need them to weigh in and refine this process.

Pat Forbes: Absolutely. Let's see. And so I think that concludes the presentation on the plan. It's important to note that we're aiming to post it online, so this is sort of a preview. And if you have comments today, this is an opportunity. You have cards in your folders, but you can also come up and ask your questions, or make your comments today. First, can I ask if there are any questions or comment from council members? Nothing at this point.

PUBLIC COMMENT PERIOD

Pat Forbes: We would like to receive public input and comments on our approach to this funding opportunity now. If you want to make a comment, please make sure to fill out a comment card with your name, the agency or entity that you represent (can be yourself or you can just fill out 'resident', and your address. Please raise your hand and staff will bring you a microphone. Please note that we have a 3-minute time limit in order to allow everyone to speak, and we ask that you present all of your questions at once so that we can give a concise response. If you wish to submit a comment in writing, please go to the website at watershed.la.gov or send us an email to watershed@la.gov. Please note that a public comment period will be open for 45 days once this document is posted online, so you will have time beyond today to make comments. Many attendees may have questions about the regional steering committees and how those will be set up or operate – you can send those questions to watershed@la.gov or note on your card that is the topic of your question and we can add you to our mailing list and issue more information on that program via the website within the next month.

Dean Wilson
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Dean Wilson: Okay, I'll try to be brief. For those of you who don't know who I am. My name is Dean Wilson, I work for the Atchafalaya Basinkeeper. It's a group that's protecting the Atchafalaya basin, we have around 1,300 members right now. So my comment is to really protect us from flooding this, to be successful, for the Louisiana Watershed Initiative to be successful. There's couple of things that need to be considered. Is the ability of you guys to withstand political pressure by the entities that would benefit the most by doing projects that will affect our ability to protect ourselves from flooding. And the second, including the permits from the court is given and also, the lack of enforcement from the Corps of Engineers. And you have to address that.

Pat Forbes: I'm sorry, say again? The lack of enforcement?

Dean Wilson: The lack of enforcement, yeah. Right now, like for example, Bayou Bridge pipeline has been a pipeline through the Atchafalaya Basin. And the whole corridor is a violation of the permit. They got heels of dirt, they're over ten-foot high. They can use pull backs, they block every single waterway between the Eastern levy on the Atchafalaya river, is the two bayous. Everything else is done. So these need to be addressed. The second is, specially

for areas five, six, and seven. You can really give true full protection to those areas without properly managing the Atchafalaya basin. The Atchafalaya basin, there's two main things with the Atchafalaya basin. When you get 30 inches of rain, on the land side, on us. The levees are on the way. We are on the wrong side of the levee. The water cannot drain into the Atchafalaya basin. So we presented a master plan that includes, we open that levee with gates the way it used to be. So when we have a tropical storm, a hurricane, those gates can be opened and you can drain. That will drain all the way to Lafayette and in any community between the eastern levee and the Mississippi River levee. When we have in 2016, when we have the 30 inches of rain. The Atchafalaya basin was several feet lower than the other side of the levee. And all the drainage from Lafayette goes toward the basin cuz the levee cannot go nowhere. It goes south and southwest, and the southeast. The second part is that the Atchafalaya basin protected from Mississippi River floods. That's the Morganza spillway, it's supposed to divert Mississippi River floods around, away from Baton Rouge. We got trillions of dollars from chemical industry infrastructure that will be damaging the levees without. So the basin right now is filling in with sand, much of it is intentionally filling in with sand. I'd like for you to be addressed because you feel the bathtub as supposed to contain the waters. With sand, the Mississippi River flow will come and the basin won't be able to withstand the floods. We have already in the west side of the basin, they got these two places where the levee have almost a, how do you call that? I don't know the word for it, but he's been damaged by the flood. So, I presented a master plan for the Atchafalaya basin that will include that manages the sediments, to keep the sediments on the main river to where the coast, and keep the flow plane free of sand. And the second plan, part of the plan is reopening every single waterway that the levee cut off. Reopening the way it used to be with gates, they can be opened all year round until the water come up in the spring. And they can be closed.

Pat Forbes: Thank you very much for your comment.

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Benny Johnson: Thank you for the time, committee. Benny Johnson with Ascension Parish Council. Part of our concern, we've talked about our drench boards as well, we're concerned about the committee and how it's setup, and the representation on that. We think it's set up for failure. We would much rather be involved more with an Amy River Basin as opposed to being in the district seven that we are. I think it's district seven. There's a lot of parts of the eastern part. With all due respect those parts, we don't we don't affect those. And so putting us into a group with 1317 representatives, we don't believe is gonna be the ability to get stuff done in our areas. I think most of you realize, we have money that we had been putting up for many years towards flood protection in our parish, and without any assistance from either state or the federal government to do those things, to make sure we try to protect our citizens. We ask that you would take a look at their committee representation, and said how its set up and try to

put a little bit more to where we can affect one another. Working with EBR list and other communities, North of us, that directly impact us, would be more beneficial than trying to lock the same with Tangipahoa, St Tammany, those other parishes that we really don't affect one way or the other. We just want to make sure that we're protecting our citizens and get the best opportunity. To get the money that's there to help us out. So we ask that you respectfully consider how those committees are being set up and work with us, to try to get a little bit better, where we can work better.

Pat Forbes: I will say that the Council approved the boundaries of those regions at our last meeting. But I also wanna reiterate that, what I heard from staff in that meeting, is that these boundaries are not carved in stone for forever. They are a starting point for each region, to think through how do we make this work the best. And I wanna say, I think I can speak for the council, when I say that we are completely open to changes that are going to make us better at doing this. I will be the first to say that, we haven't done this before and we are learning how to do it, and we expect to be partners with every local region as we learn how to do this and get better at it. And that we will learn things from one region that might be helpful to the other regions and how they set up not just about projects and modeling, but about Governance structure. So appreciate your comments and I wanna make sure it's clear that we absolutely, we have to don't just want to, we have to wind up with a structure, ultimately, that satisfies the needs of each of those regions as well as a statewide approach. Any other public comments? I would just note, if you are submitting a comment card, make sure you put your name, the organization you are representing, and if you are representing yourself, that's fine, you can put self or resident, and then your address too.

Melissa Kennedy

HNTB

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Melissa Kennedy: Hi, Melissa Kennedy with HMTB. I had a couple questions. We talked about the projects, and you said that they cannot constitute a negative impact on your neighbor, what is going to constitute a negative impact and who's going to make that decision? That's one question, I had another one too.

Pat Forbes: Yeah. So, at the at the point that we talked about the first round of funds, which is this hundred million that we're looking to program in round one funding. We understand that there are some models, like the Amy river model, that would be available to evaluate project impacts. So, I would say that would be used to evaluate, but elsewhere across the state, there are not sort of watershed models available. To the extent that our project has been modeled, we would want to see that information. But the first round is about low risk, I think there can't be any suspicion that they were gonna be spending money on a project that could potentially be generating damages in another community, that the federal government would then have to come in and mitigate. We've got to make sure to meet HUD's eligibility criteria, that we're not moving the flood risk around. We do not have, at this point, a specific engineering standard, but that would be, I think, determined within the program description and that would be included in the Notice of Funding Availability for that part, once that funding becomes available.

Melissa Kennedy: Okay, and then, my other question. I think you've actually probably answered it. In terms of the regions, it sounds like the state has urged us to facilitate these regions coming up with their projects, not just projects, but also their policies moving forward for overall flood planning management within their region. So, once that's done, I'm assuming then the state is not going to take on any responsibility or enforcement, or anything in terms of the program.

Pat Forbes: I don't know if that would be a fair assumption at this point, that there's always, I mean, we have many members of the legislature in the room right now, the legislature absolutely has the authority to create policies that might impact statewide or smaller entities, or create smaller entities, all those things are certainly a possibility. And, I think it'll come out more. It'll become clearer, once we understand how the regions want to formally organize themselves at the end of next year.

William Daniel
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William Daniel: Thank you, Mr. Chairman and members. I have several concerns about the program, which I've expressed in other venues. So I'll try to confine my question today to, I would like to know exactly how the decision making is going to occur, so we're sitting in Region seven with 13 members, and how is the region? Are we supposed to come up with our own process, for deciding which projects, or how we're going to rank those projects in terms of sending them up? And who are we exactly going to be sending them to? And how are the decisions going to be made statewide, which projects are going to get done, and which projects don't make the cut?

Pat Forbes: Sure, I think that the key with this is, it's gonna be rolled out in the program. So once the action plan is approved, the round one, the hundred million dollar that's gonna fund the projects you're referring to and the lists, we're going to lay out very specifically, how that selection process is going to take place. Your input today and the input we continue to receive is going to inform that process, and I think we're going to have to work with the broader watershed initiative, to determine how quickly we can do it and how coordinated we can do it. So, I would say that has not been set in stone yet, but that your input today is gonna help us determine what's most appropriate.

William Daniel: Okay, well, I'm still unclear. There's two decision making processes. There's the decision making projects within the region. And there's decision making projects, I guess. Higher up. Is the Watershed Commission gonna vote on those projects? Are you all gonna run them through the models and decide which one has the most beneficial impact? Is it gonna be which one has the most political strength behind it? I mean, there's gotta be some and I guess also, what is the measure for impact on another parish? I mean, we've heard different, the FEMA has maybe six inches, is not impact. We've heard credit card thicknesses of water being an impact. So, I think these are all things that we're all trying to understand in terms of designing our projects, and as councilman, and the drainage district member pointed out from ascension parish earlier. We hired engineers, we've modeled. We gave our modeling

information to DOTD to help them. Create the model for the Amite River Basin. We were players in this very early. We have in our parish requirements on how you build, so that you do not flood. And we wanna know if other repairs are gonna be held with those same standards as well. So, I think there is a lot of, there's a lot of questions in the program that haven't been, adequately explained and is hard for us to provide public input, when we still don't know so many things about how the program is gonna ultimately be conducted.

Pat Forbes: I think the first step of getting that clarity is having HUD approved the action plan, so that we can know that we have 100 million for round one. Once we give that approval, and while they're reviewing it, we're gonna be refining these things. So your concerns, we hear you. We understand where you're coming from, and so we're gonna work with the projects tag, look at their eligibility criteria. We're already comparing it to the federal register notice to see what needs to be updated, what doesn't need to be updated? So there is criteria that we've developed that we're updating. And we are looking at the regional capacity building grant program, and trying to make sure we maximize its effectiveness and incentivizing communities to work together. And to the extent that we do that with round one, I think is still something we have to work out with the watershed initiative. And that's gonna be in response to, what is approved within the action plan and distilling this program into its written form and getting it out to the public. So we, I don't want to confuse anyone anymore or.

William Daniel: That would not be possible.

Pat Forbes: Right. Correct me if I'm wrong Alex, just a second Mr. Daniel, I want to finish this answer to the question. That first \$100 million is intended to be spent before the models are out. Amite River Basin is unique, in that yes, we funded at the state level a model of the whole basin, starting in 2016. So that's done. So y'all will have the advantage within the Amite River Basin of comparing project impacts, and establishing precisely according to the model whether there are adverse impacts to upper downstream neighbors. Other regions are not gonna have that advantage with this first \$100 million, and so, correct me if I'm wrong, Alex, but I think that the intent of the first round, and the criteria for project selection in the first round will be project types that are highly, highly unlikely to have those adverse impacts upper downstream.

William Daniel: But I keep hearing how unique the Amite River Basin is yet were grouped in with such a large group that, it really takes the uniqueness and sort of does away with any good that all the modeling has been done, and all the uniqueness of the basin.

Alexandra Carter: But I think you have a tool available that others don't have available to them right now.

William Daniel: But I have 13 members in that commission, of which many of them will not have any thing to do with Amite river model.

Benny Johnson reapproached the witness table.

Benny Johnson: I guess the question there that comes in as well, so we have a model of Amite River Basin. So if we put a project in and there's determined to be some, sort of negative impact somewhere, how minor that maybe, you've got another area to submits a project, where there's no model. They can't be proven that there's a negative impact, so they are gonna be given prior, benefit over us because we show some kind of negative impact. They don't have a model to

prove anything. And that's one of the other questions that, we've got projects lined up that we could potentially submit. But if the model shows a negative impact, then, are we gonna be penalized for that? Whereas if somebody can present one that doesn't have any model at all, whether it's positive or negative.

Pat Forbes: My understanding of the first round funding for those areas that don't have models, is that project type is gonna define that it is almost impossible for it to create upper downstream, negative impacts. With a model, your watershed will have the opportunity to look exactly what the expected results of a certain project are. So y'all, I mean, I'm not certain why, if or why you would wanna put in a project that had negative. And maybe mitigations that you can identify to come up with also mitigate the negative impact.

Benny Johnson: Yeah, sure, or it might help more people than it hurts and that's a trade off. And so those are the sorts of things, for the time being at least, only people in the Amite River Basin are gonna be able to distinguish with any degree of certainty.

Reggie Dupre
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Reggie Dupre: Just wanna make a brief comment on the modeling and the scope of the modeling that's going on. This asking you all for God's sakes, let's not reinvent the wheel. And I'm of course more familiar, I'm the executive director of Tremont Living Conservation District, a former state senator from district 20, and Tremont lavish parishes. But in region six, where I'm most familiar with, we have a more described to you three efforts, a models that have been done on flood risk. Going from west to east you have the lower backwater flooding issue, just east of Morgan City. 21, 22, million dollars of Corps of Engineers federal money spent. Zero construction dollars. And you have more games at to the gulf terrible and in the food parishes \$72 million. A modeling and of studies, zero construction dollars have been appropriated from Congress. And you got Donaldsonville that a gulf, which is the eastern side of region six, going to the history system in St. Charles Parish, \$11 million of studies in modeling. Zero construction dollars have been appropriated from Congress for all three of these. We can flood from three directions. It doesn't take a genius to figure that one out. You either flood from rain falling here in this state, from rain falling upstream, from river or marine flooding, or from the Gulf of Mexico for storm surges. That's the three risks we face, and at the risk of sounding a little bit corny and we'll repeat a Wendellism from Wendell Cure All. We measure rain in inches and storm surge in feet. Thank you.

Pat Forbes: Thank you.

Cynthia Clark
Kingdom Builders Group
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Cynthia Clark: My name is Cynthia Clark and I am representing Kingdom Builders Group. My question is on what do you, or what does HUD define as a project when it comes to construction or new construction?

Pat Forbes: They had, if I recall correctly, some fairly specific language about something they call a covered project, which is at least \$50 million in CEBG funds and \$100 million total project cost. If we get to a project that big, we have to do an action plan amendment that describes that project. Other than that, they're not very specific if I recall.

Alexandra Carter: Right, I think the only benchmark that comes to mind is when you're when working on environmental reviews. If you're turning dirt, you're entering a different level of construction activity that would be, I think, more of a project level activity that would require additional review. Okay, I may have to call you after this. Actually, I can give you my card.

Pat Forbes: And remember, this is just the beginning of what's likely a 50-day comment period. So this is not your last chance but your first to provide comments on the action plan.

Cynthia Clark: Okay, I have another question. And I'm probably going to have to call your office, but the question is will HUD have detailed instructions of what a project consists of?

Pat Forbes: Yeah, I think we're gonna see eligible activities like how we can spend the funds. We have to list that within each program that we described in the action plan and we'll be happy to walk you through what those different projects can look like, what different activities maybe funded. And that will provide more detail as we launch each individual program after the action plan is approved.

Cynthia Clark: Okay, thank you very much.

Pat Forbes: We do not have any more cards at this point. Any discussion among the council?

James Waskom: Just one point, Mr. Chairman, too, cuz I'm getting a lot of questions in my office. There is a chart of this funding that's designed for cost share match for HMGP. Alex, you wanna talk about that a little bit or I can have Jeffrey step to the mic there and talk about it for a bit. I'm getting a lot of letters and questions about HMGP and a cost share match from the 2016 floods, so sorry to put you on the spot, Jeffery, not really.

Jeffery Giering: It's okay, you are the boss. You can do that. Jeffrey Giering with the Governor's Office of Homeland Security and Emergency Preparedness. We've identified \$96.9 million to be matched for disasters 4263 and 4277, which were the March and August floods of 2016. We have started discussions to figure out how do we start capturing that match and moving that forward in time so that we start having match now or as quickly as possible. So projects that are approved under those two disasters can initiate work and start going without seeing any slowdowns or impacts.

James Waskom: And, Mr. Chairman, one of the things I wanna point out, Jeffrey and I, obviously, had the discussion yesterday morning. But the timing doesn't always match up, so that's one of the issues we're gonna have to deal with in this going forward. Because we have a certain time limit almost as mitigation projects. And this funding is going to going to be sometime coming. So I just want to put that point out there to that that's going to be a challenge we're going to have to figure out how to deal with.

Jeffery Giering: And we've had, we've had communications to our Office of Community Development about, let's figure out that plan. What does it look like and how do we find match, years at a time or throughout?

Pat Forbes: Sure, so can you guys make sure we get something next week to talk through that about what kind of communications we might need out to your HMGP grantees, and kind of thing?

Jeffery Giering: Yes, sir.

Justin Kozak:
CPEX
630-805-1575

Justin Kozak: This is supposed to be a science based approach to watershed management. The Goal is hazard mitigation. The governor has asked to create a process that is science based and not driven by politics. The draft watershed boundaries can be scientifically defended based on hydrology except for region 7. There are several HUC 8 watershed in region 7 that drain to the Maurepas-Ponchartrain system. They are hydrologically distinct! I cant think of a better way to introduce politics into this process than by looping the Amite, Tangipahoa, Tickfaw, and Pearl River basins into one group, The decisions made in each of these watersheds are independent of each other. You don't want to create a system in which certain projects are being voted on by people who are not going to be affected by a project. It's not too late to break region 7 into separate Huc 8's and avoid all of the political challenges the current alignment of region 7 is putting the LWI on a cash course for.

Pat Forbes: Okay, thank you all for your comments and input. And I will reiterate this process is, this is not the end of the comment process but the beginning. As Miss Carter said, there will be a response to every single comment included in what we submit to hood. That response might be that we've changed something in the plan that we couldn't change it and for what reason, but there will be a response to each comment. You can comment through the website. All oral comments are being recorded and will be included. Any written comments and you could write it on an envelope and hand it to us and it would be included. I want to go back to that timeline and reiterate one last time that this process is moving faster than anywhere else in the country, right here in the state of Louisiana. We have had the advantage of having started on this work last year so that we are, in fact, ahead of folks around the country. And Mrs. Carter mentioned February 8th, I think deadline for submit of the plan. We expect to be submitting in sometime mid-October. What we also think that we understand is that all the other grantees are asking for more time beyond the February 8th deadline. So please know that the staff, and I want to commend them all from all the five agencies, as well as federal agencies who have been working with us. Have been working overtime to make sure that this is moved as quickly as possible from the parts that we control at the state level. There are federal timelines that we have no control over, but for those pieces, we'll continue working to make sure we're ready for the next step once we get there. So thank you to all the staff and all of your agencies who have been putting in all the work to make this happen.

Alexandra Carter: And I would just emphasize just one more time the watershed@la.gov is accepting comments through email as well. So if you think of something you can always email us at watershed@la.gov or visit the Louisiana Watershed Initiatives website which is watershed.la.gov. Thank you all so much.

Patrick Forbes: Do I have a motion to submit?

Chris Knotts: Motion.

James Waskom: Seconded.

Pat Forbes: Any objections – I’m sorry, yes, ma’am?

Alexandra Carter: We do also need a vote to publish the action plan online.

Pat Forbes: That is what we are doing now.

Alexandra Carter: Oh, I’m sorry.

Pat Forbes: So, are there any objections to submitting the action plan for public comment tomorrow in English and then as soon as practical thereafter in translated form to start the 45 days? Okay, hearing no objections, the motion passes.

VII. Next Steps

Pat Forbes: Any public comment before we move on to closing remarks? Is there a desire for additional discussion amongst the Council? Hearing none, moving to closing remarks.

VIII. Closing remarks

Pat Forbes: Any closing remarks? Hearing none, moving to adjournment.

IX. Adjournment

Pat Forbes: Do I have a motion to adjourn?

James Waskom: Motion.

Matt Weigel: Seconded.

Pat Forbes: Any objections? Hearing none, we are adjourned at 2:36 PM.