



REGIONAL CAPACITY BUILDING GRANT PROGRAM

POLICIES AND PROCEDURES DOCUMENT

**Louisiana Office of Community Development
Disaster Recovery Unit**



**Version 1.1
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TABLE OF CONTENT

1.	VERSION HISTORY.....	3
2.	DEFINITIONS	4
3.	PROGRAM OVERVIEW	6
4.	SOLICITATION	8
5.	NATIONAL OBJECTIVE.....	10
6.	METHOD OF DISTRIBUTION AND ADMINISTRATION	10
7.	REGIONAL STEERING COMMITTEE REQUIREMENTS	14
8.	REGIONAL CAPACITY BUILDING GRANT PROGRAM DELIVERABLES AND METRICS	15
9.	CDBG-DR AND FEDERAL CROSS-CUTTING REQUIREMENTS	17
10.	PROGRAM MANAGEMENT, REPORTING AND MONITORING	19
	APPENDIX A: PROGRAM METRICS AND KEY TASKS.....	21
	APPENDIX B: STEERING COMMITTEE GUIDANCE	23
	APPENDIX C: STEERING COMMITTEE GUIDANCE WORKSHEETS.....	26
	APPENDIX D: REGIONAL STEERING COMMITTEE CONFLICT OF INTEREST IDENTIFICATION, REPORTING AND AVOIDANCE PROCESS.....	35



1. VERSION HISTORY

Version 1.1	Clarification and amendments regarding program timelines and milestones.



2. DEFINITIONS

Action Plan or AP: After HUD publishes the Federal Register Notice (FRN) for a congressional appropriation, the grantee (eligible government) must develop and submit an Action Plan describing the needs, strategies and projected uses of the CDBG-MIT funds. HUD must approve the Action Plan before funds are available.

CDBG-DR: Community Development Block Grant-Disaster Recovery funds. Assistance from the U.S. Department of Housing and Urban Development (HUD) to help the state recover from presidentially declared disasters, especially in low-income areas, subject to availability of supplemental appropriations.

CDBG-MIT: Community Development Block Grant-Mitigation assistance allocated by HUD to eligible disaster recovery entities via congressional appropriations. HUD provided CDBG-MIT funds to grantees impacted by qualifying disasters in 2015, 2016, 2017. Grantees are empowered to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses, while at the same time transform state and local planning¹.

Cross-Cutting Regulations: Regulations outside of CDBG-DR regulations that apply to CDBG-DR programs. These include regulations pertaining to financial management, procurement, environmental, labor, acquisition, relocation, fair housing and non-discrimination.

Duplication of Benefits (DOB): A duplication of benefit is the receipt of funding from multiple sources for the same purpose. The Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act) prohibits any person, business concern or other entity from receiving financial assistance from CDBG-DR funding with respect to any part of the loss resulting from a major disaster as to which he/she has already received financial assistance under any other program or from insurance or any other sources. It is an amount determined by the program that may result in the reduction of an award value.

Environmental Review Record (ERR): The document resulting from required environmental review, which includes a description of activities, evaluation of environmental impact, documentation of compliance with applicable environmental regulations and an environmental determination.

Federal Register or FR: The Federal Register is the official journal of the federal government of the United States that contains government agency rules, proposed rules and public notices. It is published daily, except on federal holidays. The final rules published in the Federal Register are ultimately reorganized by topic or subject matter and codified in the Code of Federal Regulations, which is updated annually.

Federal Register Notice or FRN: For each congressional appropriation, HUD publishes a Federal Register Notice that outlines the rules and regulations for the CDBG disaster and mitigation funding. Any use of FRN in this document will refer specifically to FR-5989-N-01, unless otherwise noted.

Federal Emergency Management Agency or FEMA: The Federal Emergency Management Agency's mission is to support the citizens and first responders to build, sustain, and improve capability to prepare for, protect against, respond to, recover from, and mitigate all hazards. FEMA is under the U.S. Department of Homeland Security.

Louisiana Watershed Initiative or LWI: Gov. John Bel Edwards established the Council on Watershed Management, which serves as the coordinated, interagency structure at the state level for watershed-based flood risk reduction. In August 2018, the Council launched the LWI to serve as the programmatic arm under which all related efforts operate.

¹ FR-6109-N-02. Page 3



Major Disaster Declaration: The President can declare a Major Disaster Declaration for any event that the President believes has caused damage of such severity that it is beyond the combined capabilities of state and local governments to respond. Louisiana’s major disaster declarations for the March and August flooding events include:

- Severe Flooding (Disaster 4277) declared on August 14, 2016
- Severe Flooding (Disaster 4263) declared on March 13, 2016

Mitigation Activities: Those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

Notice of Funding Availability or NOFA: A notice published describing the type of funding available and provides a contact where an application may be submitted, typically defining a number of days from the date of NOFA publication. Selection will then be made based upon specific factors and criteria identified within the NOFA.

Provisional Watershed Regions: The Initiative has established provisional watershed regions throughout the state (see *Figure 1*). These regions aggregate HUC 8 watersheds into eight Louisiana Watershed Regions for Initiative management purposes.

Regional Capacity Building Program or RCBG Program or Program: The Regional Capacity Building Grant Program is a three-year grant award program, for awards up to \$400,000 per Provisional Watershed Region, to support and cultivate staff capacity building with regard to regional floodplain management activities and to enable a stable, long-term entity (“watershed coalition”) that is capable of performing regional watershed management activities aligned with the mission of the LWI.

Section 3: A provision of the Housing and Urban Development (HUD) Act of 1968 that requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment and contracting opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods.

Section 504: A provision of the Rehabilitation Act of 1973, which provides that no qualified individual with a disability should, only by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

U.S. Department of Housing and Urban Development or HUD: HUD is the agency that administers the Community Development Block Grant-Disaster Recovery and Mitigation funds made available to Louisiana from congressional appropriations.

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

Watershed Coalition: A watershed coalition is a formalized entity based on regional watershed boundaries. Coalitions could be composed of representatives from existing political subdivisions and other stakeholder organizations such as PDDs, MPOs, and/or non-governmental organizations (NGOs), among others. As part of this Program and the LWI design process, coalitions will assume different governance structures for developing watershed management plans; aiding in the implementation of projects, programs and policies emanating from those plans; and improving the lives of residents and the success of businesses affected by those plans. Watershed coalitions are an expected outcome of the Initiative. These entities do not currently exist in the state of Louisiana.



3. PROGRAM OVERVIEW

The **Louisiana Watershed Initiative** or **LWI** is a statewide approach to watershed-based floodplain management which aims to reduce flood risk vulnerabilities through pre-disaster mapping, modeling and watershed management planning – backed by large-scale investments in projects and programs that directly mitigate risks. Governor John Bel Edwards issued Executive Order JBE18-16 in 2018 creating the Council on Watershed Management (Council) composed of five state agencies: Office of Community Development (OCD), Coastal Protection and Restoration Authority (CPRA), Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP), Department of Transportation and Development (DOTD), and the Department of Wildlife and Fisheries (DWF). The Council established the Louisiana Watershed Initiative (LWI) to initiate a framework to conduct watershed-based floodplain management.

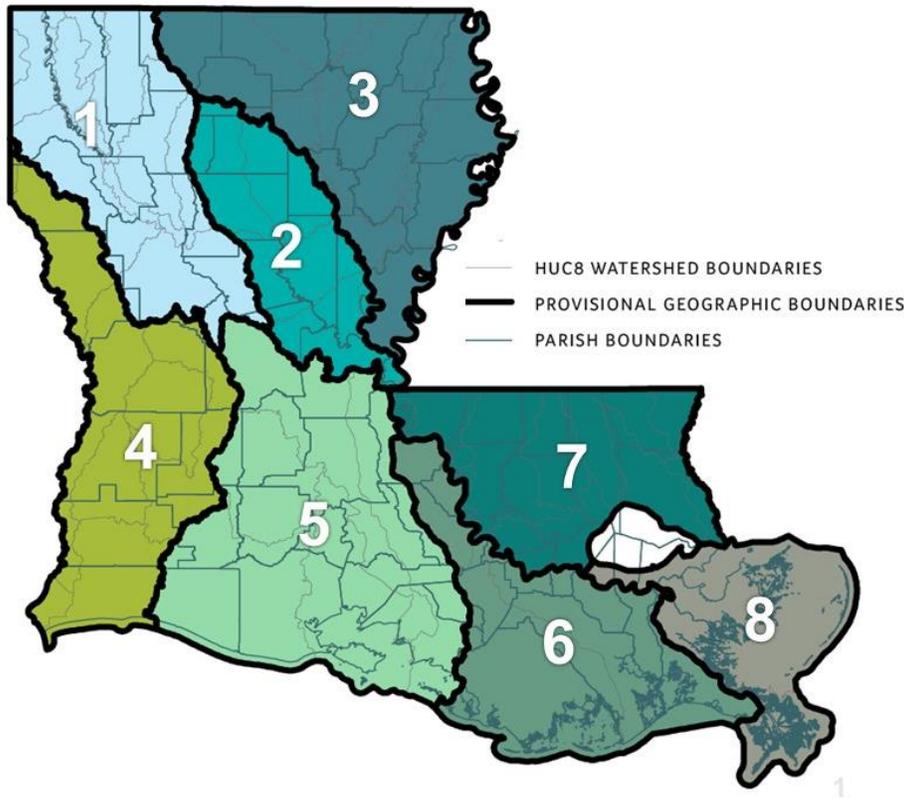
The LWI’s mission is to “reduce flood risk and improve floodplain management across the state, including through maximizing the natural and beneficial functions of the floodplain.” The state agencies composing the LWI are actively implementing this mission through a holistic approach that includes:

- Improving the way residents and governments understand, address and respond to flood risk.
- Organizing a structure for making decisions and improvements on a regional scale.
- Developing the modeling, planning and data tools to inform and support most effective watershed decisions and projects.

The Louisiana Watershed Council has set eight provisional watershed regions (referred to herein individually as Region or collectively as Regions and detailed in *Figure 1*), each of which contains numerous parishes and municipalities.



Figure 1. Louisiana's Provisional Watershed Regions



The **Regional Capacity Building Grant Program or RCBG Program** is a three-year grant program, awarded on a non-competitive basis, for awards up to \$400,000 per Region.

- The **primary goal** of this Program is to enable a stable, long-term entity (“watershed coalition”) that is capable of performing regional watershed management activities aligned with the mission of the Initiative.
- The **secondary goal** of this Program is to support and cultivate staff capacity building within watershed regions to amplify the outcomes of existing outreach and floodplain management activities.

Over the term of the grant period, the grantee’s duties will include facilitation of the following:

1. Formation and execution of a one-year regional steering committee work plan. Regional steering committees will provide input into the development and ultimate implementation of longer-term, formalized coalitions with the ability to adopt different levels of a governance structure for project coordination and prioritization. Committees will dissolve after one year upon determination of an appropriate watershed coalition framework.
2. Adoption and implementation of a watershed management board or coalition within each region. Watershed coalitions will coordinate the development of watershed management plans for each region and will aid in administering the implementation of projects, programs and policies emanating from those planning efforts.
3. The use of H&H modeling for project planning and development decisions.
4. The adoption of higher development standards on a regional basis, both during and upon conclusion of this program, as appropriate.



5. Development, maintenance and use of a project list for each watershed region.
6. Establishment of long-term capacity and funding to continue watershed coordination activities beyond the term of this grant program.

CDBG-MIT FUNDING

Following the Great Floods of 2016, Congress allocated approximately \$1.2 billion to Louisiana for the purpose of mitigating current and future flood risk. This funding will support LWI activities, including flood control projects and flood risk reduction programs. The RCBG Program is not funded through this allocation, but aims to support the LWI by enabling the establishment of regional watershed coalitions in order to make the most effective use of CDBG-MIT funding.

In order to be eligible for future rounds of LWI funding, existing entities engaged in watershed management must organize and be prepared to work across jurisdictional lines as part of this program. The formation of regional steering committees is a mandatory aspect of this program that must coalesce within year one. These regional steering committees will precede the formation of regional watershed coalitions. The state may reduce or cancel funding if significant progress is not made toward the program metrics (see Appendix A).

4. SOLICITATION

4.1 Eligible Applicants

All applicants for the RCBG Program must be a public entity located within the watershed region in which it will be conducting program activities. Eligible applicants must have the capability to provide – or be in a position to coordinate – technical services, including capital improvement planning, project planning, public outreach, floodplain management duties, development and adoption of watershed-based plans and implementation of such plans.

Applicants must coordinate with all parishes within the watershed region. For the purposes of this application and administration of this program, agreements to cooperate among parishes and municipalities in each watershed region should be documented. Program applications should include agreements among the applicant and a minimum of 51 percent of the parishes in the watershed region. However, the applicant will be allowed until **March 31, 2020** to compile agreements with all the parishes in its watershed region. Private entities are ineligible. OCD will evaluate the capacity of public entity applicants to serve as a subrecipient for CDBG-DR funds, and to ensure procedures to detect and prevent fraud, waste and abuse in accordance with FR-5989-N-01.

4.2 Geographic Eligibility

Applicants must align within one of the watershed regions as presented in *Figure 1*.

4.3 Eligible Activities

The RCBG Program is a Planning Activity authorized by FR-5989-N-01.

In order to achieve program goals, metrics and key tasks, the program includes eligible expenses such as the hiring of staff and other support services. Grant funds must be used to support watershed coordination activities including the establishment of a regional steering committee. Grant funds may be



used in support of additional program areas including outreach, public engagement and regional floodplain management.

Grant fund may be used for paying staff or contractors conducting the following eligible activities:

1. Logistical and technical support for steering committee and coalition meetings, such as scheduling, securing venues and taking minutes.
2. Coalition-building activities.
3. Developing and implementing watershed management policies.
4. Staff training, including professional certifications and memberships, and continuing education and travel. Travel expenses are limited to reimbursement for 99 miles traveled and subject to the Louisiana Division of Administration Travel Guide, PPM 49, with more information available [here](#).
5. Program development.
6. Floodplain management technical support, including land use review or drainage review duties, or administering participation in the community rating system program if grant funds do not supplant existing efforts.
7. Developing project grant applications and preparing for long-term funding mechanisms.
8. Watershed planning and plan alignment.
9. Community outreach and education.

Ineligible uses of funds include:

1. Construction or construction-related activities, including capital improvements to existing facilities.
2. Immovable equipment purchases, leases or maintenance.
3. Land and building purchases.
4. Political or religious activities.
5. Entertainment, including amusement, diversion and social activities, food and beverages associated with training and other work activities.
6. Costs associated with preparing this grant application.
7. Donations and contributions, including cash, services or property.
8. Fundraising activities.
9. Investing in instruments or investments for the sole purpose of generating a return on investment.
10. Expenses for which private philanthropy, the National Flood Insurance Program, private flood insurance, other insurance, or state or federal benefits have been or will be paid, or financial assistance that has been approved or provided by federal, state or other sources considered to be duplicative of CDBG-DR funds.
11. Any activities not compliant with Louisiana Code of Ethics.

Grants will be limited to the following expense categories:

1. Salaries and approved benefits. Expenditures toward executive level salaries/staff time shall be limited to five (5%) percent of the total staff time allocated to the program.
2. Third-party contractors to support program activities; such activities must be procured in accordance with 2 CFR 200.318 General Procurement Requirements and any additional applicable federal, state or local requirements.
3. Purchasing or leasing movable equipment.



4. Costs associated with training staff. Eligible training costs are limited to salaries and benefits, workshop, seminar and other types of conference fees, professional certification and membership fees, compliantly procured third-party contractors, materials and supplies, and travel, subject to PPM49.
6. Operational costs Payment of eligible costs is governed by an agreement executed by OCD and the grantee. Support documentation will be required for all eligible expenses incurred, according to federal, state and program requirements.

4.4 Coordination with Other Funding Sources and Programs

This program bears similarities to other programs guided by federal and/or non-federal regulations to address regional and local resilience and planning staff capacity. Leveraging of multiple funding sources and resources is encouraged within this program (when applicable and allowable as per the regulations guiding such funding). The state will coordinate with grantees to ensure that no duplication of efforts or supplantation of local efforts takes place.

5. NATIONAL OBJECTIVE

The RCBG program is a Planning Activity and, as such, is not correlated with a national objective, but is an eligible activity under HCDA 105 (a)(12).

6. METHOD OF DISTRIBUTION AND ADMINISTRATION

6.1 Program Timeline

The program starts in early 2020 and ends in 2023. Grantees must meet the following critical milestones to adequately administer this funding:

- March 20, 2020: Deadline to hold the first meeting of the regional steering committee.
- July 31, 2020: Deadline to produce a regional watershed project list.
- August 31, 2022: Deadline to hold the first watershed coalition meeting.
- April 30, 2023: Deadline to expend all funds provided by this program.

6.2 Amended Program Timeline due to COVID-19

Due to Gov. John Bel Edwards' declaration of a public health emergency in response to the threat of COVID-19 and the Governor's issuance of Proclamation Number JBE 2020-27 on March 13, 2020 which restricted public gatherings and allowed the extension of non-essential deadlines in order to protect the health and safety of citizens of the state, OCD has amended the RCBG Program timeline and extended deadlines for major milestones as follows:

- May 29, 2020: Deadline to hold the first meeting of the regional steering committee.
- October 31, 2020: Deadline to produce a regional watershed project list.
- August 31, 2022: Deadline to hold the first watershed coalition meeting.
- April 30, 2023: Deadline to expend all funds provided by this program.



6.3 Solicitation and Application Phases

OCD solicited applications from eligible entities through the issuance of a Notice of Funding Availability or NOFA issued on August 15, 2019 which entailed a three-phase application and award process enabling OCD to receive information regarding applicants’ current operations, existing capacity, proposed methodology and expansion efforts needed to implement the goals of the LWI in each region. OCD has worked with each participating grantee to incorporate components of its application into an agreement, but reserves the right to require the submission of modifications, or additions to applications, before any such agreement is finalized. Only one application has been accepted, and only one grant award has been issued per watershed region. Each accepted application represents the majority of political jurisdictions within the respective provisional watershed region.

The three-phase application and award process for this program is detailed in Sections 6.4, 6.5, and 6.6 and included: a Phase I Letter of Interest identifying a single fiscal agent and program applicant for each region. Subsequent the receipt of a Phase I Letter of Interest from each region, OCD contacted applicants to advise applicants to proceed with a Phase II application which included a detailed description of activities and associated documentation. Once Phase II applications were approved, OCD required applicants to submit a list of proposed steering committee members as part of Phase III that are representative of the region, including a description of how membership conforms to guidance provided in Appendix B.

The following includes a list of key dates for the application and administration of the RCBG Program.

Event	Date
Solicitation advertised	8/15/19
Webinar and Q&A session	8/22/19
Applicant briefing	9/16/19
Deadline for written inquiries	9/20/19
Response to written inquiries	9/27/19
Phase I Letter of Interest due	10/1/19
Webinar and Q&A session	10/30/19
Phase II Application deadline	12/13/19
Award announcement	1/10/20

6.4 Phase I – Letter of Interest

Submittal

Letters of interest for this program are due on October 1, 2019 at 3 p.m. Submittals will only be accepted by email to watershed@la.gov and must include the information as specified in the program solicitation. OCD reserves the right to reject late or incomplete submittals.



Technical Assistance during Phase I

In the period between the advertisement of the solicitation for this program (August 15, 2019) and the submittal deadline for letters of interest (October 1, 2019), OCD may contact Parishes, Municipalities, and Planning and Development Districts to verify that such entities are coordinating within their respective watershed region to submit a letter of interest. Technical assistance from OCD-DRU during this period may include training sessions (via webinar or in-person), question and answer submittals, conference calls, and/or letter/e-mail communication with Parishes, Municipalities, and Planning and Development Districts in the region. Participation in technical assistance activities is not mandatory for this program.

Inter-Jurisdiction Coordination Required for Phase I Submittal

The letter of interest will enable OCD to identify the applicants for Phase II of the process. If multiple entities submit letters of interest that originate from the same watershed region, OCD will require that such entities convene prior to the Phase II application deadline and execute an agreement clarifying the roles that each entity will play in subsequent application phases and grant administration. The agreement among such parties must specify one entity to act as fiscal agent and applicant for this program. If said entities cannot come to an agreement, the region shall not be eligible for funding under the program, and the application(s) will not proceed to Phase II of the application process. The Phase I Letter of Interest is mandatory in order to remain eligible for a grant award through this program. In order to submit a letter of interest, potential applicants must fill out the form available at watershed.la.gov, and submit via email to watershed@la.gov by Oct. 1, 2019. In order to submit a Phase I Letter of Interest, an applicant shall make significant efforts to contact all the executive leaders of Parishes in the watershed region and secure verbal or written (e-mail is acceptable) confirmation from such leaders that the applicant may coordinate their participation for the purposes of this program. In the absence of unanimous confirmation of this arrangement, an applicant must receive verbal or written confirmation of this approach from the majority of Parishes in the region. Binding or formal agreements among Parishes and the applicant are not required for submittal of the Phase I Letter of Interest.

6.5 Phase II - Application

Submittal

Upon receiving notice from OCD to proceed with the Phase II application, the applicant identified in Phase I will be required to submit a detailed description of activities and associated documentation. To apply for Phase II, applicants must electronically submit (via watershed.la.gov) all of the following application components:

1. Cover page with the program title.
2. Table of contents.
3. General description of the applicant with contact information, including a division of duties if multiple agencies will administer the grant.
4. Description of need.
5. Description of proposed activities.
6. Proposed implementation approach that includes a description of how the grantee will accomplish the duties associated with watershed coordination and meet all applicable metrics and key tasks of the program (see Attachment A for further detail). While the program is flexible and allows for a tailored approach to best meet the needs of each region, a responsible method



must be outlined and compliant with the applicable CDBG-DR and state of Louisiana requirements. For more information, please see Attachment B.

7. Program timeline.
8. Cost estimate for each element of the scope and documentation of cost-reasonableness for each element.
9. Approved resolutions or agreements from all parties included in the application, which must represent all political jurisdictions within the watershed region. If agreements cannot be provided by all parishes within the watershed region by the grant application deadline, the applicant must submit agreements from a minimum of 51 percent of the parishes in the region by the Phase II application deadline and with the understanding that any additional agreements must be provided by March 31, 2020.
10. Applicant disclosure report, providing details on other government assistance provided relative to the activities described in the proposal.
11. A copy of the applicant's proposed program budget, organized by quarter, which includes all sources and uses of funding, including in-kind resources and the CDBG-DR funding being requested. It must include planning for revenue and expenditures at the project and program levels over the grant period. Grantees' requests for payment will not be processed unless two conditions are met: First, there must be budget authority for the intended expense type. Second, there must be sufficient funds remaining in the line item budget to cover all current and projected expenditures and encumbrances. Budget amendments may be facilitated in coordination with OCD upon a determination that financial flows have been effectively managed by the grantee to-date.

Technical Assistance during Phase II

In the period between the submittal deadline for letters of interest (October 1, 2019) and the execution of a grant agreement between the state and each fiscal agent, OCD may contact Parishes, Municipalities, and Planning and Development Districts to verify that such entities are coordinating within their respective watershed region to complete a Phase II application for the RCBG Program. Technical assistance from OCD during this period may include training sessions (via webinar or in-person), question and answer submittals, meeting facilitation, conference calls, and/or letter/e-mail communication with Parishes, Municipalities, and Planning and Development Districts in the region. Participation in technical assistance activities is not mandatory for this program.

6.6 Phase III – Application Evaluation, Approval and Agreement Process

Phase III awards will allow for steering committee “stand up” activities to occur concurrently. OCD will determine the completeness of Phase II applications and issue subsequent awards for Phase III upon reviewing the required documentation and upon consideration of the following criteria:

- A clear and achievable strategy for collaboration across different entities and steering committee members is present.
- Applicants have addressed additional activities and outcomes relevant to the region that help achieve program goals, metrics and key tasks.
- Cost justification to execute proposed scope is reasonable and appropriate.
- Conformance of the application with the program purpose and requirements.



- Applicants have achieved the terms and conditions of this solicitation.

Award Announcement

OCD reserves the right to require amendments or adjustments to all applications, policies and procedures, administrative operations, budgets and regional steering committee membership.

OCD will announce RCBG Program awards following the application period. Awards will be non-competitive. Upon receiving a grant award notice, the grant recipient will be required to enter into an agreement with OCD, which will provide the grantee's obligations relative to the receipt of the award. If a full application is not submitted for a region or is found to be insufficient by OCD, OCD may determine not to issue an award for said region.

Regional Steering Committee Membership Selection

Once Phase II applications are approved, OCD will require applicants to submit a list of proposed steering committee members that are representative of the region, including a description of how membership conforms to guidance provided in Appendix B.

Participation in Program

Unanimous participation (among all parishes in a watershed region) is not a requirement for this program. Any parish unwilling to participate in this program, as evidenced by refusal to enter into an agreement with the fiscal agent for the subject region, shall be required to submit a letter to OCD acknowledging their decision to forego any future funding predicated on participation in the RCBG Program.

Participation in the RCBG Program does not guarantee funding to be dedicated to any particular parish or jurisdiction.

7. REGIONAL STEERING COMMITTEE REQUIREMENTS

7.1 Regional Steering Committee Formation

Regional steering committee (RSC) formation is a mandatory milestone of the program, which will provide a meaningful and influential role for local and regional stakeholders to guide how the LWI's watershed approach is applied within their region. The RSCs must provide input in the development and implementation of longer-term, formalized coalitions within each of the eight provisional watershed regions. The target date for these recommendations is the end of June 2021, however this timeline is approximate in order to accommodate community input on the RSC's provisional recommendation and amendment thereafter. Committees will dissolve upon determination of an appropriate watershed coalition framework.

OCD will consider RSCs formed once the grantee for each region facilitates the following:

1. **Membership:** RSC membership shall be finalized as indicated by a completed Steering Committee Guidance Worksheet provided in Appendix C. This worksheet and any supplemental documentation must have been reviewed by OCD for conformance with the state's membership guidance, re: verification of steering committee commitment and minimum requirements; and
2. **Meeting:** At least one meeting of RSC with a quorum of members present must be held prior to May 29, 2020; and



3. **Meeting Procedures:** The RSC must adopt meeting and voting procedures. All meetings of the RSC must be advertised and open to the public, consistent with Louisiana Open Meetings laws. A quorum (51% or more) of RSC members or their designees must be present in order to convene a meeting of the RSC. RSC members are permitted to send a representative if they are unable to physically attend a meeting; however, utilizing representatives is strongly discouraged.

OCD may elect to withhold future funding if steps 1-3 listed above are not completed in a timely manner within the term of the RCBG program.

7.2 Regional Steering Committee Deliverables

The Regional Steering Committee, facilitated by the Grantee, must adopt the following deliverables within year one of the RCBG Program:

1. A year one work plan outlining key RSC milestones along with tasks and activities that will facilitate the completion of key milestones.
2. A regional watershed project inventory.
3. A recommendation for a Regional Watershed Coalition, including definitions, purpose, boundary, structure, authorities and composition. A provisional recommendation for the structure and authorities of the Regional Watershed Coalition should be submitted to the Watershed Council by February 19, 2021 and this recommendation may be revisited or amended by the Regional Steering Committee after the provisional recommendation is made.

Conflict of Interest Policy for Regional Steering Committee Members

Members of a Regional Steering Committee are subject to the Louisiana Code of Governmental Ethics and shall comply with HUD conflict of interest rules pursuant to 24 CFR 570.611. More information regarding these policies as well as a procedure for identifying, reporting, and avoiding conflicts of interest are provided in Appendix D: *Conflict of Interest Identification, Reporting and Avoidance Process*.

8. REGIONAL CAPACITY BUILDING GRANT PROGRAM DELIVERABLES AND METRICS

8.1 Grantee Deliverables

Staff responsible for watershed coordination, a required duty of this program, shall be required to complete the following:

1. Assist in the development of the RSC Work Plan and oversee its implementation.
2. Maintain a decision tracking document for the RSC.
3. Facilitate the creation of a regional watershed project inventory. The inventory shall capture a comprehensive list of potential watershed-related capital improvements or plans/studies in the region.
4. Ensure that any long-term resiliency plan for the region is consistent with the watershed plan for the region; note, the regional project list can be a sub-part of this plan.
5. Facilitate the execution of any needed enabling agreements, resolutions and/or legislation for



coalition formation.

6. Draft and implement the coalition work plan.
7. Maintain a decision tracking document for watershed coalition.
8. Prepare a long-term funding plan for continuation of the watershed coordinator position and regional revenue needs.
9. Generate the region's projected budget for FY20-FY23.

8.2 Performance Metrics

Over the term of the grant period, the Grantee will be required to monitor key performance indicators, or metrics, and shall provide regular reports to OCD tracking metric results.

Watershed Coordination Metrics

Grantees will be expected to maximize steering committee and coalition meeting attendance, measured by the following metrics:

1. Attendance per meeting.
2. Diversity of disciplines / interests represented.

Public Outreach Metrics

Grantees who have identified public outreach on their application as a focus area of their capacity-building activities will also be required to monitor and track the following metrics:

1. Total number of citizen interactions
2. Number of continuing education hours or certifications awarded to parish, municipal or regional staff.
3. Number of continuing education hours or certifications awarded to local professionals.
4. Number of attendees at events.
5. Number of community-oriented events.

Floodplain Management Metrics

Grantees who have identified floodplain management on their application as a focus area of their capacity-building activities will also be required to monitor and track the following metrics:

1. CRS score and/or the number of participating communities.
2. Number of permits or developments reviewed using available watershed-based models.
3. Total number of NFIP policies in the region.
4. Developed and adopted ordinances that reduce flood risk.



9. CDBG-DR AND FEDERAL CROSS-CUTTING REQUIREMENTS

The following is a summary of key cross-cutting requirements and their application to the RCBG Program. For a comprehensive understanding of the CDBG-DR and federal cross-cutting requirements, please refer to the Disaster Recovery CDBG Grantee Administrative Manual: <http://www.doa.la.gov/Pages/ocd-dru/DRAdminManual.aspx>.

While an applicant/project may be subject to all compliance areas, the compliance areas that have presented the most challenges to program recipients in the past and require additional attention to detail include the following:

- Procurement Methods
- Environmental Review

OCD will provide technical assistance to inform and assist with compliance. Failure to comply fully with the CDBG-DR and federal cross-cutting requirements may result in the project being ineligible and/or a recapture of funds

9.1 Labor Standards

Davis-Bacon and Related Acts (DBRA) is not applicable to this program. For further guidance, please see Section 7: Labor Regulations of the Disaster Recovery CDBG Grantee Administrative Manual, available at: <https://www.doa.la.gov/Pages/ocd-dru/DRAdminManual.aspx>.

9.2 Uniform Relocation and Real Property Acquisition Act (URA)

Uniform Relocation and Real Property Acquisition Act (URA) regulations are not applicable to this program. For further guidance, please see Section 10 Acquisition and Relocation of the Disaster Recovery CDBG Grantee Administrative Manual:

<https://www.doa.la.gov/Pages/ocd-dru/DRAdminManual.aspx>.

9.3 Section 3 Compliance in the Provision of Training, Employment and Business Opportunities

Section 3 regulations are not applicable to this program. For further guidance, please see Section 8 Civil Rights of the Disaster Recovery CDBG Grantee Administrative Manual, available at: <https://www.doa.la.gov/Pages/ocd-dru/DRAdminManual.aspx>.

9.4 Elevation Standards

Elevation requirements are not applicable to this program.

9.5 Procurement

Applicants must follow federal procurement rules (or State when more stringent) when purchasing services, supplies, materials or equipment. The federal procurement rules establish standards and guidelines for the procurement of supplies, equipment, construction, engineering, architectural, consulting, and other professional services for CDBG-DR programs. These standards are furnished to ensure that such materials and services are obtained efficiently and economically and in compliance with the provisions of applicable Federal and State laws and executive orders.

Applicants can refer to 2 CFR Part 200 for full details of requirements. Grantees are required to adopt



written procurement procedures as required in 2 CFR 200.318-326. All procurement transactions funded in whole or in part with CDBG-MIT funds, regardless of dollar amount, must be conducted to provide “maximum open and free competition”. 2 CFR 200.318(i) requires that applicants maintain records sufficient to detail the significant history of a procurement. These records must include, but are not limited to, the following:

1. Rationale for the method of procurement;
2. Selection of contract type;
3. Contractor selection or rejection; and,

The basis for the contract price. Two critical areas of compliance under 2 CFR Part 200 to which grantees should adhere:

1. Per 2 CFR Part 200.323, the Grantee must make independent estimates before receiving bids or proposals.
2. The contract provisions for non-federal entity contracts listed in Appendix II to 2 CFR Part 200 must be incorporated into all CDBG-DR funded contracts. These provisions are included in the Grantee Administrative Manual as Exhibit 6-2 and Exhibit 6-16.

Applicants shall maintain a contract administration system to monitor contractor’s performance against the terms, conditions, and specifications of their contracts or purchase orders.

9.6 Environmental Review

All activities funded by CDBG-DR are subject to the provisions of the [National Environmental Policy Act of 1969 \(NEPA\)](#), as well as to the HUD environmental review regulations at [24 CFR Part 58](#). The HUD environmental review process must be completed before any funds are committed through a grant agreement and disbursed for Program-eligible activities. No work may start on a proposed project before the environmental review process is completed, even if that work is being done using non-HUD funds. In other words, environmental review must be concluded for each project prior to the firm commitment of federal or non-federal funds to any expenses or contracts related to a project. A violation of this requirement may jeopardize federal funding to this project and disallow all costs that were incurred before the completion of the Environmental Review.

The primary objectives of the HUD environmental review are to identify specific environmental factors that may be encountered at potential project sites and to develop procedures to ensure compliance with regulations pertaining to these factors. All CDBG-DR funded projects and activities must have documentation that they follow NEPA and all other environmental requirements.

Laws and regulations which contain environmental provisions that must be complied with include:

- Noise
- Historic Properties
- Coastal Zones
- Environmental Justice
- Floodplains
- Wetlands



- Manmade Hazards
- Water Quality
- Air Quality
- Endangered Species
- Farmland Protection

The timeline for an Environmental Assessment (“EA”) level (i.e., requiring a Phase I Report for new construction or reconstruction) environmental process is 90-120 days from the receipt of a comprehensive environmental review record (“ERR”). However, the amount of information collected and required in the environmental review process are also impacted by the type of work being completed. For example, a project that only consists of rehabilitation of an existing home may only require a site-specific checklist and could be completed much quicker than a project that includes new construction and/or reconstruction. The stated condition of the property and recognized environmental conditions (“REC”) in vicinity of the project also dictate follow-up necessities (i.e., 404 wetlands permits or Phase 2 reports) which further prolong the review process. The range of time required to completely review an ERR for a given property varies and is largely dependent upon how well the ERR submission is compiled. There is no official HUD timeline for all of the steps of the environmental review process.

After the environmental review process is completed, there are some additional associated time constraints with the FONSI/NOI public notice period prior to submitting the RROF (15-18 days) and the HUD review/comment period prior to the authorization to use grant funds (“AUGF”) which (15-18 days but more often than not) gets extended. Those two steps can take anywhere from 30-40 days if not longer.

10. PROGRAM MANAGEMENT, REPORTING AND MONITORING

1. The grant recipient will be responsible for compliance with all laws, regulations, and requirements applicable to CDBG-DR funds, as well as the DOA Grant Administration Grantee Administrative Manual (located at <https://www.doa.la.gov/Pages/oed-dru/DRAdminManual.aspx>), and the state’s action plan and Program policies and procedures under which the grant is awarded.
2. Grant recipients will be required to submit a monthly or quarterly report (OCD to determine recurring basis based on each regions’ scope of activities and invoicing needs) to OCD-DRU in electronic format. OCD-DRU will establish the report format, schedule and submittal process.
3. OCD-DRU will monitor grant recipients for compliance with all applicable federal and state regulations. In addition to reviewing data reported, OCD-DRU will conduct monitoring visits to ensure compliance and quality of the Program.
4. Grant recipients will maintain accurate records concerning the Program, including – without limitation – the following:
 - Financial records (e.g. budget, general ledger, bank statements, cancelled checks, supporting invoices, financial statements and procurement activity).
 - Uses of funds documentation.
 - Any other documents that grant recipients consider material to a potential audit.
5. Grant recipients will be required to maintain all books and records for five years following the final close-out of the grant from HUD to OCD-DRU. However, if any litigation, claim, negotiation audit or other action involving the records has been started before the expiration of the five-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five-year period, whichever is later.



6. Grant recipients shall provide access to all books, accounts, records, reports, files and other papers pertaining to the administration, receipt and use of federal funds and necessary to facilitate such reviews and audits.

If the applicant's partner or contractor provides services through the Program, it is the applicants' responsibility to ensure that all partners or contractors are in full compliance with the agreement and Program rules, including the submission of any and all requirements listed above, required reports and OCD-DRU established Program policies, procedures and timeframes. Grant recipients will ensure any partner or contractor is compliant with the Louisiana Code of Ethics.

The agreement will contain further information on Program reporting and monitoring.



APPENDIX A: PROGRAM METRICS AND KEY TASKS

KEY DUTIES AND METRICS

These should be considered in program design and will be applicable after completion of Phase III.

REQUIRED PROGRAM AREA: WATERSHED COORDINATION

Program Metrics

Maximize steering committee and coalition meetings attendance, measured by the following:

1. Attendance per meeting.
2. Diversity of disciplines/interests represented.

Key Duties

1. Manage notice procedures for all public meetings.
2. Administer the approved steering committee work plan.
3. Manage the timeline for steering committee formation, meetings and coalition formation.
4. Provide preparatory materials, research and training for meetings.
5. Facilitate creation of a watershed project list and regional risk-reduction strategies.
6. Identify and seek a long-term funding source for the continuation of watershed coordination duties beyond the term of the grant program.
7. Guide long-term resiliency planning efforts in coordination with the Louisiana Long-Term Recovery Subcommittee, where applicable.

Deliverables

1. Review and implementation of steering committee work plan.
2. Decision tracking document for the regional steering committee.
3. Watershed project list.
4. Long-term resiliency plan consistent with or as a sub-part of the watershed plan for the region; note, the regional project list can be a sub-part of this plan.
5. Enabling agreements, resolutions and/or legislation for coalition formation.
6. Coalition work plan.
7. Decision tracking document for watershed coalition.
8. Long-term funding plan documents for watershed coordinator position and regional revenue needs.
9. The region's projected budget for FY20-FY23. This budget should include anticipated funding and revenue streams from all member jurisdictions to be pooled and used for watershed management purposes. It must include planning for both revenue and expenditures at the project and program levels over the grant period.



OPTIONAL PROGRAM AREA: PUBLIC OUTREACH

Program Metric

Maximize public and professional engagement, either directly or indirectly, as measured by the following:

1. Total number of citizen interactions.
2. Number of continuing education hours or certifications awarded to parish, municipal or regional staff.
3. Number of continuing education hours or certifications awarded to local professionals.
4. Number of attendees at events.
5. Number of community-oriented events.

Key Duties

Operate the public information office for watershed region management activities and for LWI activities within the region.

OPTIONAL PROGRAM AREA: FLOODPLAIN MANAGEMENT

Program Metric

Maximize CRS and NFIP participation and enable watershed-based development review as measured by:

1. CRS score and/or the number of participating communities.
2. Number of permits or developments reviewed using available watershed-based models.
3. Total number of NFIP policies in the region.
4. Developed and adopted ordinances that reduce flood risk.



APPENDIX B: STEERING COMMITTEE GUIDANCE

INTENDED USERS: PROGRAM APPLICANTS

PURPOSE

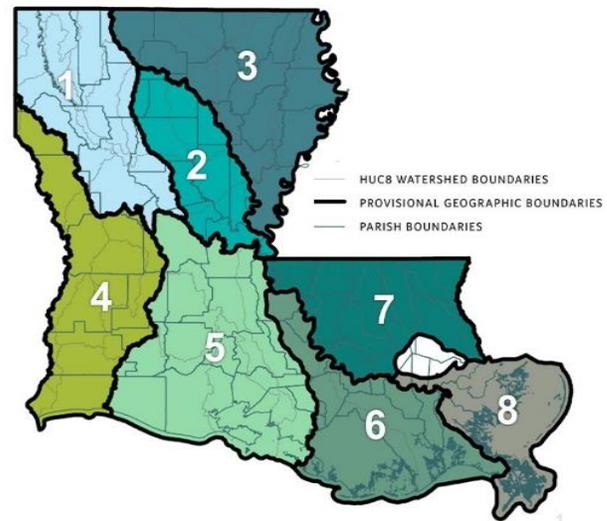
In the interest of establishing a long-term, enhanced statewide floodplain management program aligned with watershed regions, the LWI will form temporary regional steering committees, or RSCs. During committee members' one-year term, they will provide input and recommendations on establishing fixed, watershed region boundaries and organizational structures near the end of 2020.

CONTEXT

On Aug. 8, 2019, the Council on Watershed Management recognized the provisional delineation of watershed region boundaries, illustrated in the accompanying map, as a point of beginning for addressing the geographic scale and boundaries for watershed-based planning, modeling and floodplain management in Louisiana.

Next steps include the formation of RSCs organized around these boundaries tasked with the following:

1. Reviewing existing research and providing input on the provisional geographic scale and boundaries.
2. Reaching consensus on the authority, membership and purpose of long-term watershed organizations and structures.
3. Compiling watershed region project lists in support of LWI fund distribution, planning and evaluation processes.



KEY CONSIDERATIONS

RSCs are designed to represent the interests of the people throughout each watershed region. Factors considered include the number of parishes in the watershed region, the size of the watershed region's population, and the demographic profile of the watershed region. Occupational diversity of each watershed region was also considered in order to enhance the cooperative, cross-training and creative problem-solving process. Multiple studies show a correlation between inclusiveness, innovation and performance and the ability to make better decisions. Considering the long-term effects of each RSC's decisions, the LWI recommends that



these groups be both diverse and representative – to the maximum practical extent – of each watershed region recognized on Aug. 8, 2019. Finally, the LWI will require that each RSC have an odd number of members.

PARISH REPRESENTATION

When scaling future floodplain management efforts to the watershed region level, it is essential to acknowledge existing political boundaries in the decision-making process. For this reason, the LWI is requiring at least one representative from each parish within the watershed region. Where a parish is included in multiple watershed regions, the parish must have a representative on each RSC.

POPULATION

When determining the appropriate number of members for each RSC, the LWI also considered the combined population² represented by each RSC. Consider, for example, Region A includes 15 parishes and has a combined population of approximately 700,000, while Region B includes five parishes and has a combined population of approximately 1,100,000. In order to ensure RSC representation reflects total population, the LWI allocated one RSC position per 100,000 residents in each region. When comparing number of parishes to total population, the LWI uses the greater of the two to calculate the number of members for each RSC. In this instance, Region A's RSC would be represented by 15 members, based on the number of parishes in the region, while Region B would be represented by 11 members, based on total population of the region.

DIVERSITY

Demographic Diversity: Race, Gender, Age

Diversity among stakeholders must be considered when determining RSC membership. This is critical for adopting and implementing RSC recommendations that reflect the level of racial, gender and age diversity within each region.³ The LWI has provided demographic information for each watershed region.

Occupational Diversity

From April to July 2019, the LWI hosted 34 meetings with representatives from all 64 parishes. More than 350 parish presidents, mayors, police jurors, council members and administrative staff took part, gaining timely updates and discussing next steps toward watershed region management. Additionally, more than 120 participants responded to a comprehensive exit survey that sought, among other things, their recommendations on the composition of their regional steering committees, including their rankings for types of individuals who should serve.

² Population data obtained from the U.S. Census American Community Survey 2013-2017 American Community Survey 5-Year Estimates were used to determine population totals for each watershed region.

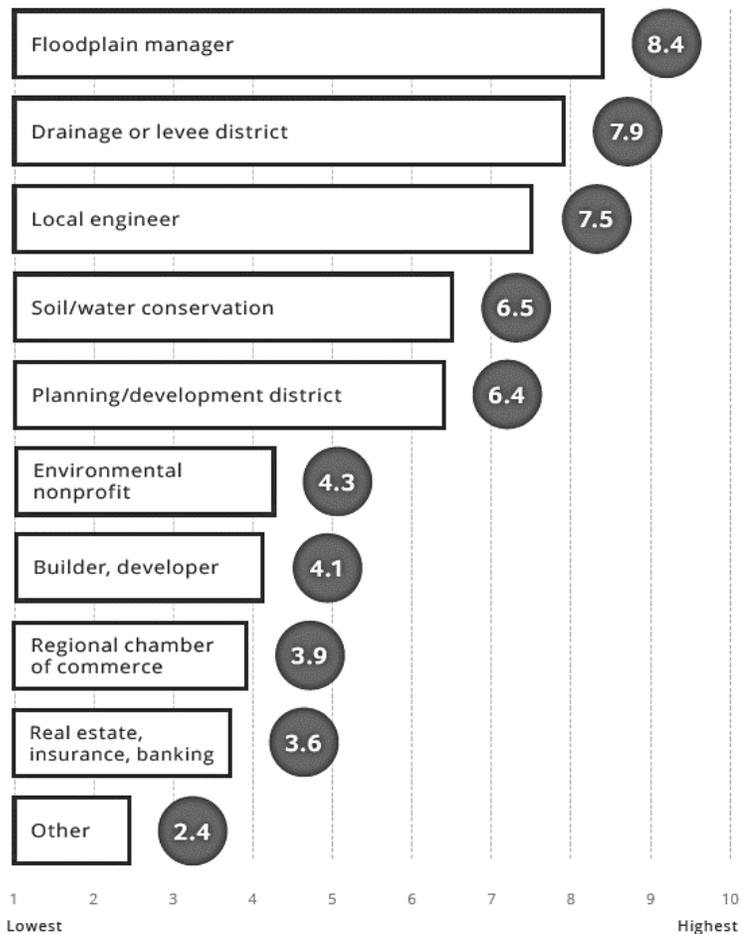
³ Brody, S. D. (2003). Measuring the Effects of Stakeholder Participation on the Quality of Local Plans Based on the Principles of Collaborative Ecosystem Management. *Journal of Planning Education and Research*, 22(4), 407–419.

<https://doi.org/10.1177/0739456X03022004007>; and

Wilson, Barbara Brown. (2018). *Resilience for All: Striving for Equity through Community-Driven Design*. Washington, DC: Island Press.



This chart, right, shows parish representatives prioritized the inclusion of floodplain managers, representatives from local drainage or levee districts, local engineers, and soil/water conservation representatives. As a result of this survey and further input by the LWI Planning Technical Advisory Group and Working Group, a floodplain manager, drainage or levee district representative, local engineer and natural resources professional are **required** to be included for each RSC. Respondents also prioritized expertise from academics in the field(s) of ecosystem function, landscape conservation, and ecology, as well as planning and development district professionals, representatives of environmental nonprofits, builders and developers and representatives from the business community. As such, additional technical representatives are **highly encouraged** for inclusion on the RSC.



On May 24, the LWI hosted an International Best Practices Summit with Henk Ovink, the Netherlands’ special envoy for international water affairs, to discuss Louisiana’s next steps and gather valuable feedback on the state’s short- and long-term challenges. He specifically encouraged professional diversity among the RSCs, noting that there is substantial value in including individuals with nontraditional water management experience or community-oriented experience. The inclusion of teachers, social workers, faith-based leaders or artists, for example, could create a more holistic, creative and inclusive framework that may produce more forward-thinking solutions for the state and its partners.⁴ The LWI shares this vision for the RSC structure, with each RSC receiving a 20 percent increase in its base number of positions to ensure such representation is present. This 20 percent increase equals two to three additional community representatives for each RSC.

⁴ Eisenman, D. P., Cordasco, K. M., Asch, S., Golden, J. F., & Glik, D. (2007). Disaster planning and risk communication with vulnerable communities: lessons from Hurricane Katrina. *American Journal of Public Health*, 97 Suppl 1(Suppl 1), S109–S115. doi:10.2105/AJPH.2005.084335



GUIDANCE WORKSHEETS

Guidance worksheets are included in *Attachment F* to assist with coordinating representative memberships for each RSC. The information contained within these worksheets includes the following:

- The number of representatives allocated to each RSC based on total parishes in the region or population for the region divided by 100,000, whichever is greater.
- The total number of additional positions, equating to 20 percent of the base total.
- For those regions where the total number of RSC members is an even number, using the above formula, an additional member is added to the total to ensure that each RSC has an odd number of members.
- Demographic data for the region to assist with achieving diversity goals.
- Delineation of required and suggested expertise for each RSC.

SUMMARY

At a minimum, each RSC must include the following:

- One member for each parish.
- One floodplain manager.
- One representative of a levee or drainage district.
- One local engineer.
- One natural resources professional.
- Two or three community representatives selected from any parishes of a watershed region (details located in the attached worksheet).

The remaining members should represent other technical representatives or community representatives and, to the maximum practical extent, each watershed region's demographic profile. The RSC's total membership should not include more members than what is allocated based on the criteria outlined in this guidance. Under limited circumstances OCD may consider requests for variances to this process provided the request supports the long-term mission of the LWI.



APPENDIX C: STEERING COMMITTEE GUIDANCE WORKSHEETS

REGION 1 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET														
 LOUISIANA WATERSHED INITIATIVE		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	2	9							15
PARISH														
Bienville	1													
Bossier	1													
Caddo	1													
Claiborne	1													
De Soto	1													
Grant	1													
Natchitoches	1													
Rapides	1													
Red River	1													
Sabine	1													
Webster	1													
Winn	1													
Total Parishes	12													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS*											
Region 1	Race/Ethnicity		Gender		Age				Home Location		
	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language
# of RSC Members	9	6	7	8	4	3	4	4	9	6	0
Percent	57.0%	43.0%	49.0%	51.0%	26.6%	20.6%	24.6%	28.2%	63.0%	37.0%	1.5%

Required
Considerations

*Sources: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.
 **The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"

 LOUISIANA WATERSHED INITIATIVE	REGION 2 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET													
		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	2	7							13
PARISH														
Avoyelles	1													
Bienville	1													
Caldwell	1													
Catahoula	1													
Grant	1													
Jackson	1													
LaSalle	1													
Lincoln	1													
Rapides	1													
Winn	1													
Total Parishes	10													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS**											
	Race/Ethnicity		Gender		Age				Home Location		
Region 2	White Alone (Not Hispanic) Percent	Hispanic or Not White*	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	***English as a Second Language
# of RSC Members	8	5	7	6	3	3	3	4	6	7	0
Percent	63.6%	36.4%	50.0%	50.0%	26.2%	21.7%	24.4%	27.7%	44.3%	55.7%	1.9%

Required
Considerations

**Sources: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.

***The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"

REGION 3 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET														
 LOUISIANA WATERSHED INITIATIVE		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	3	10						17	
PARISH														
Caldwell	1													
Catahoula	1													
Claiborne	1													
Concordia	1													
East Carroll	1													
Franklin	1													
Lincoln	1													
Madison	1													
Morehouse	1													
Ouachita	1													
Richland	1													
Tensas	1													
Union	1													
West Carroll	1													
Total Parishes	14													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS*												
Region 3	Race/Ethnicity		Gender		Age				Home Location			
	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language	
# of RSC Members	10	7	8	9	4	4	4	5	9	8	0	
Percent	57.4%	42.6%	49.4%	50.6%	26.8%	22.0%	23.7%	27.6%	53.1%	46.9%	0.8%	

Required
Considerations

*Sources: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.
 **The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"

REGION 4 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET														
 LOUISIANA WATERSHED INITIATIVE		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	2	5					11		
PARISH														
Allen	1													
Beauregard	1													
Calcasieu	1													
Cameron	1													
De Soto	1													
Jefferson Davis	1													
Rapides	1													
Sabine	1													
Vernon	1													
Total Parishes	9													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS**											
	Race/Ethnicity		Gender		Age				Home Location		
Region 4	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language
# of RSC Members	7	4	5	6	3	2	3	3	6	5	0
Percent	68.0%	32.0%	49.7%	50.3%	27.3%	21.0%	24.7%	27.0%	57.5%	42.5%	2.0%

Required
Considerations

*Sources: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.

**The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"

REGION 5 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET														
		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	3								12

PARISH														
Acadia	1													
Allen	1													
Avoyelles	1													
Calcasieu	1													
Cameron	1													
Evangeline	1													
Iberia	1													
Iberville	1													
Jefferson Davis	1													
Lafayette	1													
Pointe Coupee	1													
Rapides	1													
St. Landry	1													
St. Martin	1													
St. Mary	1													
Vermilion	1													
Total Parishes	16													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS*												
Region 5	Race/Ethnicity		Gender		Age				Home Location			
	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language	
# of RSC Members	12	7	9	10	5	4	5	5	14	5	1	
Percent	65.3%	34.7%	49.1%	50.9%	27.1%	21.2%	24.8%	26.2%	73.2%	26.8%	2.8%	

Required
Considerations

*Source: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.
 **The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"

REGION 6 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET														
 LOUISIANA WATERSHED INITIATIVE		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	3					12			19
PARISH														
Ascension	1													
Assumption	1													
Iberia	1													
Iberville	1													
Jefferson	1													
Plaquemines	1													
Lafourche	1													
Pointe Coupee	1													
St. Charles	1													
St. James	1													
St. John the Baptist	1													
St. Martin	1													
St. Mary	1													
Terrebonne	1													
West Baton Rouge	1													
Total Parishes	15													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS*											
Region 6	Race/Ethnicity		Gender		Age				Home Location		
	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language
# of RSC Members	11	8	9	10	5	4	5	5	16	3	1
Percent	59.4%	40.6%	49.0%	51.0%	26.1%	20.4%	26.1%	27.2%	83.7%	16.3%	4.9%

Required
Considerations

**Sources: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.
 ***The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"

REGION 7 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET														
 LOUISIANA WATERSHED INITIATIVE		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	3	10						17	
PARISH														
Ascension	1													
East Baton Rouge	1													
East Feliciana	1													
Iberville	1													
Livingston	1													
St. Helena	1													
St. James	1													
St. John the Baptist	1													
St. Tammany	1													
Tangipahoa	1													
Washington	1													
West Feliciana	1													
Total Parishes	12													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS*											
Region 7	Race/Ethnicity		Gender		Age				Home Location		
	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language
# of RSC Members	10	7	8	9	5	4	4	4	13	4	0
Percent	61.0%	39.0%	49.0%	51.0%	27.0%	21.7%	25.4%	26.0%	75.0%	25.0%	2.4%

Required
Considerations

*Sources: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.
 **The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"

REGION 8 - REGIONAL STEERING COMMITTEE COMPOSITION WORKSHEET

 <p>LOUISIANA WATERSHED INITIATIVE</p>		Floodplain Manager	Local Drainage or Levee District	Local Engineer	Natural Resources Professional	Community Representative (e.g., teacher, faith-based leader, social worker, other)	Academic in a Related Field (e.g., ecosystem function, landscape conservation, ecology, other)	Soil/Water Conservation or Agricultural Community	Regional Planning & Development District or MPO	Builder, Developer or Local HBA	Environmental Nonprofit	Chamber of Commerce	Real Estate, Insurance or Banking Industry	Maximum Total
	# of RSC Members	1	1	1	1	1				6				11
PARISH														
Jefferson	1													
Orleans	1													
Plaquemines	1													
St. Bernard	1													
St. Charles	1													
Total Parishes	5													

FOR YOUR REFERENCE: WATERSHED DEMOGRAPHICS**

	Race/Ethnicity		Gender		Age				Home Location		
Region 8	White Alone (Not Hispanic) Percent	Hispanic or Not White	Percent Male	Percent Female	Persons Age 19 and Under (Percent)	Persons Age 20-34 (Percent)	Persons Age 35-54 (Percent)	Persons Age 55 and Over (Percent)	Urban	Rural	**English as a Second Language
# RSC Members	5	6	5	6	3	2	3	3	11	0	1
Percent	45.5%	54.5%	48.3%	51.7%	24.0%	22.9%	25.8%	27.3%	97.9%	2.1%	5.8%

Required
Considerations

**Sources: U.S. Census Bureau, American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, DP 02, DP03 and DP05 and U.S. Census Bureau, 2010 Decennial Census, P2.*

***The U.S. Census dataset defines this category as, "Percent Who Speak English Less Than Very Well"*



APPENDIX D: REGIONAL STEERING COMMITTEE CONFLICT OF INTEREST IDENTIFICATION, REPORTING AND AVOIDANCE PROCESS

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATION
OFFICE OF COMMUNITY DEVELOPMENT (OCD)**

LOUISIANA WATERSHED INITIATIVE

**REGIONAL STEERING COMMITTEE
CONFLICT OF INTEREST IDENTIFICATION,
REPORTING AND AVOIDANCE PROCESS**

This document provides the procedures relative to the programs of the Louisiana Watershed Initiative (LWI), by which regional steering committees (RSC) in the LWI should identify, disclose and manage all potential and actual conflicts of interest through elimination, mitigation or waivers if allowed.

This procedure is intended to assist the RSC and its members in understanding, anticipating and addressing any potential or actual conflict issues that may arise as a result of the member's role on the RSC.

1. Conflicts of Interest Provisions Addressed in this Process

The Louisiana Code of Governmental Ethics, La. R.S. 42:1102 *et seq* ("Ethics Code") applies to the RSC members and contractors assisting the RSC that are "engaged in a governmental function." Therefore, the RSC members may be considered "public employees" and the provisions of the Ethics Code are applicable to them.

"Public employee" is anyone, whether compensated or not, who is engaged in the performance of a governmental function or is under the supervision or authority of an employee of a government entity. Public employees are not limited to payroll employees of government entities. As components of the LWI, the RSCs serve a role in governmental function.

The HUD conflict of interest rules at 24 CFR 570.611 generally apply to persons, including the RSC members and contractors assisting RSCs who assist an LWI partner agency, who exercise or have



exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

This document does not address specialized conflict of interest provisions that may apply to particular trades, relationship, or professions (i.e. Louisiana Rules of Professional Conduct.)

2. General Prohibitions

In general, conflicts of interest occur when one's private interest and public duties overlap, resulting in a real or perceived lack of impartiality or the public perception that the RSC member is either not acting in the best interest of the State or inappropriately using the relationship for undue enrichment or influence.

In avoiding these conflicts, the RSC member and contractor must be familiar with the following general prohibitions:

A. Participation:

The RSC member and contractor shall not participate in any transaction involving the RSC in which the RSC member or contractor has an economic interest.

The RSC member and contractor shall not participate in any transaction involving the RSC in which, to its actual knowledge or through reasonable due diligence could ascertain that any of the following persons have a financial interest:

- Any legal entity in which the RSC member or contractor owns any ownership interest;
- Any legal entity in which an officer, director, partner or trustee of the RSC contractor owns an ownership interest in excess of 25%;
- Any member of the immediate family of a person who is an officer, director, partner, trustee or employee of the RSC contractor;
- Any legal entity owned by a member of the immediate family of a person who is an officer, director, partner trustee or employee of the RSC contractor;
- Any legal entity with which the RSC member has an existing contract and who by reason thereof is in a position to affect directly the economic interests of the RSC member.



“Participate” is to take part in or to have or share responsibility for action of a governmental entity or a proceeding personally, as a public servant of the governmental entity, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or the failure to act or perform a duty.

“Immediate Family Member” is the public employee’s children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse and the parents of his spouse.

B. Prohibited Transactions

A The RSC member and contractor are prohibited from entering into any contract, subcontract, or other transaction that is under the “supervision and jurisdiction” of the RSC member’s “agency.” This restriction also applies to the immediate family members of the RSC member and to legal entities in which the RSC member’s family members own an interest in excess of 25%.

“Transaction” is any proceeding, application, submission, and/or request for a ruling or other determination, contract, claim, case or other such particular matter. ***For the purposes of the LWI, Transaction also includes any program or project that is funded in whole or in part by the LWI within the region of the particular RSC.***

“Supervision and jurisdiction” is those things over which the RSC has the power to exercise authority.”

C. Gifts:

Generally, the RSC member is prohibited from soliciting or accepting a gift from persons who have an economic interest in the RSC member or contractor’s role in the RSC.

In particular, the RSC member is prohibited from receiving any thing of economic value from any person whose economic interests will be affected by the performance or non-performance of the RSC member’s responsibilities.

Generally, the gift prohibition of the Louisiana Government Code of Ethics does not prohibit food or drink consumed as the personal guest of the person providing the food or drink. The person providing the food and drink may not provide the RSC member with more than \$64 of food and drink.

However, ***as a matter of policy*** no RSC member should accept a gift, including of food or drink, from any person or entity that is seeking financial assistance of CDBG-MIT funds for a project within the geographic boundaries of the RSC.



3. Disclosure of Conflicts

EXISTING ACTUAL OR POTENTIAL CONFLICTS: As soon as the RSC member becomes aware of the existence of an actual or potential conflict, it shall disclose all known or potential conflicts of interest to OCD by promptly informing OCD of the circumstances giving rise to the potential or actual conflict.

The RSC member in coordination with OCD and any other affected agencies will develop and implement a Disqualification Plan. The Disqualification Plan will be a written document that identifies the alternative measures available to OCD and the RSC member to prevent participation in prohibited transactions.

FUTURE CONFLICTS: *The RSC member shall refrain from entering any new relationship or undertaking any new or additional services that present an actual or potential conflict of interest.*

The RSC member shall report to OCD **any circumstance** under which it can anticipate that potential receipt of monies or other assets, as compensation for services or otherwise, which in whole or in part are funded directly or indirectly by CDBG-MIT funds administered by the OCD. This disclosure requirement is not limited to whether a task order has been issued or is anticipated to be issued involving those circumstances.

ALL DISCLOSURES REQUIRED UNDER THIS PROCESS SHALL BE DIRECTED IN WRITING TO OCD as follows:

Via email to adminmanualquestions@la.gov

The subject line of the e-mail shall include “**LWI COI POLICY DISCLOSURE**” in addition to any further description of the subject.

Caution must be exercised at all levels of governmental contracting to identify, avoid and manage any perceived or apparent conflict of interest. The identification of any conflict of interest warrants immediate attention by all parties.