



LOUISIANA
WATERSHED
INITIATIVE

WATERSHED PROJECTS GRANT PROGRAM: LOCAL AND REGIONAL - ROUND 2 NOTICE OF FUNDING AVAILABILITY

State of Louisiana U.S. Department of Housing and Urban Development's Community
Development Block Grant—Mitigation Program

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

**PRE-APPLICATIONS DUE BY
3 p.m. CST May 1, 2023**

(Must be submitted online at watershed.la.gov/round-2)

For further information, contact

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No Choice-Limiting Action Until Environmental Review

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

Violation of this provision may result in the denial of any Local and Regional – Round 2 funds. Entering a contract obligating the applicant to any of the above constitutes a choice-limiting action.

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



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I. PROGRAM CONTEXT & PURPOSE

The state’s Community Development Block Grant Mitigation (CDBG-MIT) Action Plan (AP) includes funding for three “rounds” of **The Local and Regional Projects and Programs Grant**. Round 2 of this program makes available **\$100 million** for eligible projects specifically targeted to provide benefits to Low to Moderate Income (LMI) areas.

Projects for eligible mitigation activities must specifically demonstrate how the expenditure of CDBG-MIT funds in their area will measurably benefit/mitigate risks to LMI areas. (e.g., upstream water retention/detention or diversion projects to reduce downstream flooding.

II. PROGRAM TIMELINE

The Louisiana Office of Community Development (OCD) will evaluate pre-applications to determine threshold eligibility. The RSCs will select a set number of projects for recommendation to complete the phase 1 feasibility study. The phase 1 feasibility study and full application will be competitively scored in coordination with LWI participating state agencies and based on LWI and CDBG-MIT criteria.

Table 1. Important Dates

Event	Date
NOFA issued	3/6/23
Pre-application briefing	3/7/23
Deadline for receipt of pre-application	5/6/23
List of Regional Projects recommended and prioritized due to State	8/1/23
Council of Watershed Management meeting to review recommended projects from Regions & Announce those moving forward to feasibility study for full application	8/15/23

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

III. AVAILABILITY OF FUNDS

Anticipated program funding is made available through the U.S. Department of Housing and Urban Development’s Community Development Block Grant-Mitigation (CDBG-MIT) Program.

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



IV. MINIMUM AND MAXIMUM AWARD

The minimum grant award amount is **\$500,000**. The maximum grant award amount is **\$15,000,000**. Disbursements for eligible expenses incurred must comply with CDBG-DR requirements and be in accordance with 2 CFR 200, as well as the Division of Administration (DOA) Grant Administration Grantee Administrative Manual, located [here](#), and requirements outlined within HUD's FRN Docket No. [FR-6109-N-02](#).

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

V. ELIGIBLE ACTIVITIES/USE OF FUNDS

Proposed projects or activities:

- Must be for mitigation activities – defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering or hardship by lessening the impact of future disasters²
- Must not have potential adverse impacts in the watershed or surrounding areas
- Must have demonstrable and quantifiable mitigation outcomes
- Must not be currently underway and will be subject to HUD environmental review
- Must benefit at least one HUD or LA most impacted and distressed (MID) area
- Must provide benefits to low-and moderate-income persons where at least 51% of benefit must accrue to LMI households.
- Must be located in or provide benefit to a Disadvantaged Community

Potential project activities may include but are not limited to the following:

- **Floodplain Restoration and Preservation:** Enhancement of critical areas and ecological restoration activities to promote flood resilience that would enhance the storage capacity and other ecosystem services of existing floodplains, floodways and waterways (e.g., floodplain reforestation, floodplain expansion/benching, stream restoration, wetlands restoration/creation, conservation easements/ land acquisitions, and riparian buffer establishments).
- **Flood Storage:** Activities that improve resilience to flooding, provide significant stormwater storage, or are flood protection in nature (e.g., regional detention /retention basins, including bundled smaller upstream projects).
- **Critical Facilities and Infrastructure Flood Mitigation:** Flood mitigation measures for critical and essential facilities or infrastructure. For example, activities may include water and sanitary sewer protective measures, other public utility protective measures including roads and bridges, and key infrastructure (e.g., ASCE 7 and 24 risk category III or IV facilities, evacuation routes) protective measures

² Page 10 of Federal Register Notice: FR-6109-N-02



- **Physical non-structural mitigation (Commercial/Agricultural/ Industrial):** Elevations that meet CDBG-MIT requirements, voluntary acquisition, reconstruction, relocation, and wet or dry-floodproofing and/or elevation of flood-prone non-residential structures (excluding activities primarily utilizing fill). Proposals for non-structural protection must be for community or neighborhood scale activities (i.e., not only for single structures).
- **Stormwater Management - Gray Infrastructure:** Necessary gray stormwater infrastructure measures including storm drain and culvert improvements and/or redesign, channel improvements and floodgates/flap gates. Increasing the flow of waterways with upgrades or modification to river crossings, roadways and removal of other impediments/ constrictions such as spoil-banks, old railroad spurs, old bridge pilings, weirs. These activities must demonstrate they will not increase flooding downstream (through analysis of drainage impacts on a HUC-12, 10 or 8 level watershed impact analysis) and are ideally paired with green stormwater infrastructure measures.
- **Stormwater Management- Green Infrastructure (GI):** Green infrastructure activities, systems and practices that protect, restore or mimic natural processes in order to protect communities from flooding, protect water quality and associated aquatic habitat, and provide other benefits. (e.g., wetland, floodplain and riparian area restoration and conservation, stream daylighting and restoration, permeable pavement, green roofs, bioswales/stormwater parks, green streets/urban tree canopy, rain gardens/bioretenion, cisterns and rainfall harvesting devices, subsurface infiltration, etc.). Proposals for green infrastructure protection should be incorporated into community, neighborhood, or landscape scale projects.
- **Other innovative and/or replicable flood control activities:** For example, groundwater storage, to improve/restore floodplain capacity and storage, and recovery or community transformation activities that integrate flood risk mitigation with economic, social, and recreational benefits not otherwise captured in the activity list above.

Ineligible Activities:

- In accordance with the FRN, CDBG-MIT funds to assist flood control structures (i.e., dams and levees) are prohibited from being used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. Dams and Levee structures are not eligible projects within this Round 2 funding opportunity.
- CDBG-MIT funds made available in this program cannot be used to assist privately-owned utilities.
- CDBG-MIT funds cannot be used for ongoing maintenance or deferred maintenance projects.
- CDBG-MIT funds cannot be used for programs and projects to provide emergency response services³. However, CDBG-MIT funds may be used for mitigation activities to enhance the resilience of facilities used to provide emergency response services, provided that such assistance is not used for buildings for the general conduct of government as defined at 24 CFR 570.3.
- CDBG-MIT funds cannot be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use⁴.
- CDBG-MIT funds cannot be used for reimbursement for mitigation activities undertaken before approval of a grant agreement between HUD and the State of Louisiana.

³ Emergency Response Services are defined in Section V.C.5, page 115 of FR-6109-N-02

⁴ Must be in accordance with the public use definition in Section V.D.7, page 117 of FR-6109-N-02.



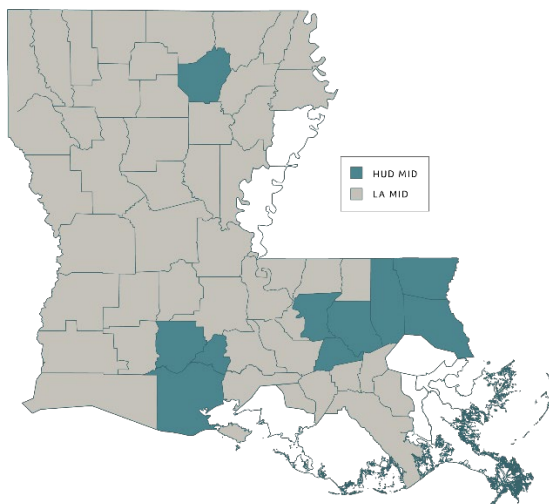
VI. ELIGIBILITY

Under the guidelines of FRN,⁵ the state must spend money to benefit areas determined to be Most Impacted and Distressed (MID) as a result of the major disaster identified in the allocation – 2016 floods: DR-4263 and DR-4277 for mitigation activities that address identified risks within those areas. HUD requires that at least 50 percent of all CDBG-MIT funds be used for mitigation activities that benefit the HUD-identified MID (HUD MID) areas. HUD identified 10 parishes as MIDs (See **Figure 1**).

HUD allows the state to use quantifiable and verifiable data to designate additional MID areas where it can use the remaining 50 percent of the CDBG-MIT funds for mitigation activities that address identified risks resulting from the identified major disasters. The state has identified an additional 46 parishes as LA-identified MIDs (LA-MID). All 46 parishes received federal disaster declarations (Individual Assistance or Public Assistance) as a result of either the March or August 2016 floods (See **Figure 1**).

Any projects for eligible mitigation activities outside of the HUD or LA-identified MID areas are eligible to be submitted, but they must specifically demonstrate how the expenditure of CDBG-MIT funds in their area will measurably benefit/mitigate risks within the HUD or LA-identified MID area (e.g., upstream water retention projects to reduce downstream flooding in the MID areas).

Figure 1. MID Parishes Impacted by 2016 Floods



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

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

⁵ FR-6109-N-02, Section IIC; Pages 14-15



Eligibility to submit applications for Round 2 is open to any public entity. Eligible applicants must also have the authority and jurisdiction to implement, operate and maintain the project. Private entities are ineligible. Per the guidelines in FRN, OCD will evaluate the capacity of public entity applicants to serve as a subrecipient for CDBG-MIT funds, and to ensure procedures to detect and prevent fraud, waste and abuse. Please note the definition of a public entity in the definitions section of this document. Per FR-6109-N-02, OCD will evaluate the capacity of applicants to (1) serve as a subrecipient for CDBG-MIT funds and (2) ensure procedures are employed to detect and prevent fraud, waste and abuse.⁶

For Round 2 funding eligibility, a project must provide benefits to low-and moderate-income persons where at least 51% of benefit must accrue to LMI households. In order to qualify as addressing the national objective of benefit to LMI persons, an activity must benefit LMI persons directly or indirectly based on an area (LMI area benefit). To qualify as an LMI area benefit an activity must provide a benefit that is considered available to all residents in a particular area, where at least 51% of residents are LMI persons. HUD has provided a mapping tool to assist parish/municipalities in identifying the national objective. Once the Service Area has been defined, go to HUD's American Community Survey (ACS) Low- and Moderate-Income Summary Data page and select the *Map Application* from Data Sets: hudexchange.info/manage-a-program/acs-low-mod-summary-data/.

For Round 2 funding eligibility, a project must also benefit a USDOT disadvantaged community. Consistent with OMB's Interim Guidance for the Justice40 Initiative, USDOT's interim definition of a Disadvantaged Community includes (a) certain qualifying census tracts, (b) any tribal land or (c) any territory or possession of the United States. USDOT has provided a mapping tool to assist parishes/municipalities in identifying whether a project is located in a Disadvantaged Community, available at [Transportation Disadvantaged Census Tracts \(arcgis.com\)](https://www.arcgis.com).

A shapefile of the geospatial data is available at [Transportation Disadvantaged Census Tracts shapefile \(version 2 .0, posted 5/10/22\)](#).

VII. PRE-APPLICATION REQUIREMENTS

To apply for Round 2 funding, applicants must electronically submit a complete pre-application, available at watershed.la.gov/round-2.

VIII. PRE-APPLICATION SUBMITTAL

Round 2 pre-applications must be submitted online via watershed.la.gov/round-2 by **3 p.m. (CST) Monday, May 1, 2023** by an individual authorized to submit the pre-application, as per the instructions. All application materials, including this NOFA, are available on the LWI's website at watershed.la.gov.

⁶ FR-6109-N-02, Section (6); Page 26.



Late pre-applications will not be accepted.

XI. PRE-APPLICATION EVALUATION PROCESS

OCD, in coordination with state agency staff representing the LWI Council agencies, will evaluate pre-applications for CDBG-MIT basic threshold eligibility, ensuring no disqualifying factors for the proposed project.

Eligible pre-applications will be reviewed by the Region Steering Committees (RSC) from each region.

Supported by the state agency project technical advisory group (TAG), the RSCs will select a set number of projects to submit full project applications on behalf of their region for this funding opportunity.

Disqualifying factors include, but are not limited to:

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

Eligible project applicants will receive notification from their corresponding RSC and recommendations will be made to Council of Watershed Management. The Council of Watershed Management will review and announce projects moving forward for the phase 1 feasibility study.

X. FULL APPLICATION EVALUATION PROCESS

The State will provide engineering services (H&H, etc.) for eligible pre-applications recommended by the RSCs and additional technical assistance to the regions and local entities for development of full applications. Full applications will be evaluated and scored in a process based upon the outcomes of the engineering studies performed by LWI engineers. Projects submitted for Round 2 funding can earn up to 100 points. Each project is anticipated to be scored and ranked according to the criteria detailed in Appendix A.



XI. PROGRAM MANAGEMENT, REPORTING AND MONITORING

1. Grant recipients will be required to submit a report on a quarterly basis to OCD in electronic format. OCD will establish the report format and submittal process.
2. OCD will monitor grant recipients to ensure they comply with all applicable federal and state regulations. In addition to reviewing data reported, OCD will conduct monitoring visits to ensure compliance and quality of the program.
3. OCD will ensure that grant recipients comply with all federal regulations, including, but not limited to, 24 CFR 570.482 and 2 CFR Part 200. OCD program managers, or their designees, will make scheduled and random visits to grant recipients to ensure program success and accuracy of information sent to OCD. Grant recipients will be required to comply with information requests.
4. Grant recipients will maintain accurate books and records concerning the program, including, without limitation, the following:
 - a. Financial records (e.g. budget, general ledger, bank statements, cancelled checks, supporting invoices, financial statements, procurement activity, etc.);
 - b. Uses of funds documentation; and
 - c. Any other documents that grant recipients consider material to a potential audit.
5. Grant recipients agree to maintain all books and records for five years following the final close-out of the grant from HUD to OCD; provided, however, that if any litigation, claim, negotiation audit or other action involving the records has been started before the expiration of the five year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five year period, whichever is later.
6. In addition, grant recipients shall provide access to all books, accounts, records, reports, files, and other papers pertaining to the administration, receipt and use of federal funds and necessary to facilitate such reviews and audits.
7. If the applicant's partner or contractor provides services through the program, it is the applicant's responsibility to ensure that all partners or contractors are in full compliance with the agreement and program rules, including the submission of any and all requirements listed above, required reports and OCD established program policies, procedures and timeframes. Grant recipients will ensure any partner or contractor is compliant with the Louisiana Code of Ethics. The Cooperative Endeavor Agreement will contain further information on program requirements, reporting and monitoring.

XII. ADDITIONAL CONSIDERATIONS

1. By submitting a pre-application or full application, each applicant authorizes OCD to contact



any and all other persons identified in its application or in any inquiry conducted by or on behalf of OCD or the state, and to obtain the release of pertinent financial and other information, as well as to obtain verification of the information provided by each applicant.

2. The program funds and any remuneration for eligible costs will be funded in whole by federal funds made available through HUD CDBG-MIT. Cooperative Endeavor Agreements will, therefore, be subject to all applicable provisions required by HUD CDBG-MIT and OCD.
3. OCD will not be held liable for any costs incurred by any applicant for work performed in the preparation and production of an application, including any requests for additional information, interviews or negotiations, or for any work performed prior to written authorization from OCD to proceed. All applications, including pre-applications, submitted will become the property of OCD and may be subject to disclosure under the Louisiana Public Records Law.
4. OCD reserves the right to:
 - a. Reject all ineligible applications received;
 - b. Allocate and or reallocate funds in any amount, depending upon the number and quality of applications received;
 - c. Negotiate any element of an application and require the submission of modifications or additions to applications as a condition of further participation in the selection process;
 - d. Amend this Notice of Funding Availability; and
 - e. Amend the program policies and procedures, as necessary, during the application and award process and through life of the program.
5. To be eligible to receive program funds, an applicant must:
 - a. Be legally able to receive and use the proceeds as herein stated;
 - b. Meet any other requirements herein stated for the specific purpose of the program;
 - c. Meet HUD CDBG-MIT requirements, including the gathering and reporting to OCD of all required information, and the maintenance of all records pertaining to the making of eligible grants;
 - d. Not be debarred, suspended or excluded from or ineligible for participation in federal assistance programs; and
 - e. Not have any open findings or audits associated with the use of HUD funds provided directly or indirectly through OCD or be a defendant in proceedings brought by the U.S. Department of Justice relating to the use of HUD funds or obligations associated with the receipt and use of HUD funds, including the Fair Housing Act or civil rights. OCD may waive this requirement if, in OCD's sole determination, the applicant is compliant with a plan of action agreed to by OCD and the applicant relative to any such findings, audits, or judicial proceedings.



XIII. DEFINITIONS

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

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

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

Full Application: Form required to apply for funding in Round 2. Applicants may be requested to submit a full application upon successful pre-application completion. Full applications must include a full project description, expected impacts, budget, timeline, etc. and supporting documentation.

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

HUD Most Impacted and Distressed (MID): area associated with the Great Floods of 2016 detailed in the state's CDBG-MIT AP. HUD MIDs are East Baton Rouge, Livingston, Ascension, Tangipahoa, Ouachita, Lafayette, Vermilion, Acadia, Washington, and St. Tammany parishes.

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

Low- to Moderate-Income (LMI): Those having incomes lower than 80% of the area median Income, set by the federal government. The LMI standard is confirmed or changed by HUD annually and varies by household size, county and the metropolitan statistical area.

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 (NOFA): A NOFA is published to describe and advertise a



competitive funding opportunity, including information required to submit a pre-application/full application, required submittal dates, etc. Project selection is based upon specific factors and criteria identified in a NOFA.

Pre-Application for Round 2: Online form required to apply for Round 2 and used to determine if a proposed project meets basic threshold eligibility requirements. Applicants that are recommended by the RSC and approved by the Council of Watershed Management may receive funding for a feasibility study and potential consideration of a full application for Round 2 funding. The pre-application form is available online at www.watershed.la.gov.

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

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

Round 2: The second of three anticipated funding rounds as part of the Watershed Projects Grant Program: Local and Regional.

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

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