

## Federation Response to the May 2021 EBR Flooding Event

The Federation respectfully offers the following thoughts, suggestions and recommendations to the City Parish Administration, Metro Council and Planning Commission in response to the May 2021 flooding event.

### Executive Summary

We urge the City-Parish to aggressively start addressing actions and policies that can be implemented immediately (within the next 2 months). It is imperative that the City-Parish share its short and long term workplans, including specific deliverables, milestones, metrics, actual progress and report out to the Parish on a monthly basis. Our homeowners are seeking bold leadership to stop the recurring nightmare many residents of our Parish have experienced since the 2016 event. In addition to bringing closure to the study phase, there is a need for additional transparency of the current and proposed projects, a description of how we intend to fully fund both these projects and the ongoing maintenance of these facilities. And, this information must be readily available and simple to locate. This proposal discusses:

- Message from the Federation
- Recommendations
  - Changing the Rules
  - Increase the Floodplain Capacity
- Paying for the Stormwater System Maintenance and Improvements
- Working with Neighboring Parishes
- Closing comments

### Message from the Federation of GBR Civic Associations

The flooding and drainage problems of East Baton Rouge Parish are a half-century in the making, technically and socially complex, regional in creation and have shown limited signs of actual improvement. Solutions and recommendations from the past have mostly been ignored. The citizens of this Parish are demanding that their government be responsive and accountable for implementing solutions now that protect their greatest investments - their homes and businesses.

Addressing this issue must be the number **ONE** shared priority for EBRP. We may not all be equally impacted across the Parish, but we all contribute to the problem.

Specifically, we would like to see 1) an end to the studies; 2) boots on the ground doing actual work; 3) sustainable and responsible development policies and codes; and 4) a reliable and sustainable funding mechanism. There are many reasons and plenty of blame to go around for 35+ years of inaction, including policies and politics. That's the past. We need our total focus on the solutions. If this requires bold leadership from the Metro Council to support some form of moratorium to show solidarity with our neighbors, so be it. A number of the recommendations we propose are probably already being considered, adopted, or in the pipeline with the Stormwater Master Plan – great! That must mean we have the right answer. As with any proposal, the experts, policy makers and even the public may not agree with some of these recommendations, but lets use this as a starting point for meaningful and constructive dialogue.

## RECOMMENDATIONS

### **1. First: Change the Rules!**

If you don't like the results your current system is delivering, change the rules. To facilitate this, we support a **parishwide moratorium focused on developments in the identified AE flood hazard zone** (not selective subdivisions). The duration of such a moratorium should not be contingent upon meeting an arbitrary timeframe, but on a number of deliverables. Specifically:

- **Maintenance** of the 5 major Parish tributaries (plus add Bayou Manchac) as identified in the 1996 US Army Corp of Engineers report.
- **FutureBR** land use document should either be implemented or revised with respect to land which must remain “off limits” for development and preserved for floodplain capacitance until such time that the FEMA FIRM Base Flood Elevation levels have been lowered due to floodplain improvements. Natural floodplains must be protected.
- **Revisions to Chapter 15**
  - Cases before the Planning Commission and Metro Council Zoning Committee which are located (totally or partially) within the **AE flood hazard area** would require a focused discussion, initiated by the Planning Commission and Metro Council on the impacts, mitigations and

alternate engineering solutions. These cases should not be included in the consent agendas.

- Revisit our **engineering standards** with respect to rainfall intensity and tropical storm surge projections and upgrade them to make sure they reflect the most current design standards and consensus thinking.
- Suggest the installation of addition **stream gauges** at strategic locations on the main tributaries to more effectively analyze system performance. Currently, the limited number of USGS stream gauges are insufficient.
- Develop more stringent drainage requirements for **high density developments, including iSPUDS**. These developments can create substantially more volume of total rain water on a per acre basis for single-family residential developments.

## 2. Second: Increase the Floodplain Capacity.

We believe the key handles to reduce the amount of total water in our watershed are developing more green / open space, the expanded use of retention and detention basins to capture the instantaneous rainwater and delaying it from entering the main tributaries during the event and lastly, removing rainwater runoff from the lower Amite River basin all together.

- Fast-track the implementation of the **Comite River Diversion Canal**. Address any emerging obstacles to prevent any further slippage of projected completion date of late 2022.
- **EVERYONE MUST CONTRIBUTE**: Every single property in EBRP (and the region) contributes to the total accumulated rainfall runoff into the Amite watershed, not just the newer developments. Revisit each established subdivision and business space in BR to determine if onsite or plat projects can be implemented to detain additional runoff. These are very large contributors to the total rainwater runoff in the Parish. Consider the new Amazon center design as an example of responsible rainwater management compared to the previous Cortana Mall footprint.
- **Buyout properties** throughout the Parish that substantially flooded during the 2016 event and convert to undevelopable “off limits” floodplain.
- Prevent the use of any **offsite fill dirt** on property in the floodplain.
- Expedite the purchase of land at strategic locations across the Parish to locate **watershed mega dry detention ponds** with pumping stations.
- Consider **widening** (greater than design) the width of channel cross sections (where right-of-ways allow) on selective stream segments in the Parish while

performing maintenance dredging. This can provide additional volume to the floodplain.

- Confirm **Inspections and maintenance** of subdivision/business detention or retention ponds are current and functioning according to designs.

### **Paying for the Stormwater System Maintenance and Improvements**

The biggest frustration of homeowners – hearing that we don’t have the money or resources, so the work is deferred - indefinitely. EBRP has been operating on the model that we can only do something if we can obtain monies from the state or federal agencies. That model is not sustainable nor reliable. We need some form of ongoing revenue stream dedicated totally to maintenance of all existing infrastructure and small project additions to our stormwater system. We recommend:

- **Step 1.** If we want the flooding to go away, we have to take a hard look at our current **budget priorities**, have those difficult conversations, reallocate funds and place some discretionary initiatives, projects and non-essential activities that can be delayed on pause. All spending in the parish should be scrutinized. This is not going to be popular or without pain, but it must be done.
- **Step 2.** Inact a **fee structure for developments** that more equitably reflects the impacts to all forms of Parish infrastructure and services. The City-Parish should define what it costs per lot or unit or resident to add a development. After developing many neighborhoods, we eventually have to add schools, Fire/EMS stations, utilities upgrade, law enforcement, street upgrades and other Parish services. As it stands now, the taxpayers in the Parish eventually pay for the cost of many of those additional services, not the developer.
- **Step 3.** A long-term, affordable and equitably administered **stormwater fee** based on the percentage impervious surface of every tract/lot of land in the Parish. This should address the ongoing maintenance of stormwater infrastructure. With this approach, everyone in the Parish who contributes to runoff should pay. Indirectly, taxpayers already subsidize FEMA to pay for the aftermath of these flooding events.

### **Working with Neighboring Parishes**

Any solution which addresses EBRP problems may negatively impact our adjoining Parishes. History indicates we collectively created this mess, therefore we must collectively solve this problem. Consider including members from Livingston, Ascension and Iberville Parishes on the EBPR Stormwater Master Plan leadership

teams. All parties may learn something instead of independently reinventing the wheel. A fragmented approach is guaranteed to fail. Continue working in concert with the Amite River Basin Commission, Louisiana Watershed Initiative or other regional and federal organizations to implement interparish solutions and frequently share updates on initiative progress. The Federation also supports the goals and objectives of the LA Stormwater Coalition.

### **In Closing**

**The time for all of us to act is now!** The Federation views this document as a starting point and welcomes a continuing and proactive dialogue with the various City-Parish organizations that affords us the opportunity to promote additional suggestions. Collaboratively, we will share these dialogues and solicit feedback from our 94 member organizations that represent over 60,000 homeowners. It goes without saying, that these issues are on the hearts and minds of the citizens of this Parish who are more engaged and demanding a greater level of accountability from City-Parish leaders. The August 12<sup>th</sup> Federation member meeting is traditionally our annual forum on drainage and flooding. At this Drainage Forum, the fifth anniversary of the 2016 event, we look forward to the City's response to the Federation's proposal, as well as the next steps to deliver meaningful progress.

On behalf of the Federation Board of Directors and Drainage Committee

Respectfully,

Ed Lagucki  
President