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Chairwoman Landrieu, Ranking Member Stevens, and Members of the Ad Hoc Subcommittee on Disaster Recovery: I want to thank you first for the federal aid that has been made available to help the gulf coast region recover from the worst natural disasters in American History. I also want to thank you for the opportunity to appear before you today. It is almost two years since Hurricane Katrina's storm surge and winds brought massive damage to our community. I hope my testimony will be constructive and assist in future recovery efforts.

I realize that I have only a few moments and will get to the heart of the matter in just a minute, but I must very quickly give you the background for the issues I would like to address.

St. Tammany Parish is north and east of both of Orleans and Jefferson Parishes. My parish is about 850 square miles of which 57 miles are coastline. The northern half of the parish is rural; the southern half is a mix of urban and suburban.

The primary agricultural employer is the timber industry. Our primary roadways are state-owned. Our sewer and water systems, except those in the cities, are privately owned. Our primary drainage system is through the natural river, stream and bayou system as it exists in St. Tammany.

The eye of Hurricane Katrina passed over eastern St. Tammany Parish in the Slidell area. The storm surge was over 20 feet high at its peak, extended for over 50 miles, and came inland for over seven miles

After Katrina, we picked up and disposed of approximately 6.8 million cubic yards of debris. Over 90% of the debris was trees, not including the timber destroyed on private or corporate lands. That is just what came down on our roadways and from residents' properties.

Over 48,000 homes were damaged. Over 470 homes have been demolished. Another 500 are no longer safe and have been abandoned by their owners. While most properties below I-12 had storm surge, rain and wind damage, every bit of St. Tammany was damaged by wind and rain. Every roadway was blocked. Our natural drainage system was clogged by downed trees. Our utilities were all destroyed including electric, natural gas, communications, and sewer and water systems. All of the four bridges into St. Tammany from the south shore were incapacitated immediately after the storm. Seven

square miles of marshland was redistributed into the towns and subdivisions south of I-12.

We were dubbed “the black hole” by the media and others because we had no communications out to the larger world including the state Emergency Operations Center. We survived under these conditions for almost three weeks.

It is with this backdrop that we began our relations with FEMA and the PW process.

Our first Project Worksheet was our biggest. This PW was for debris pickup along parish roadways. We pre-bid debris removal at the beginning of each storm season. We had already awarded a debris contract for the 2005 hurricane season through public bid. We have had over 10 storms over the past six years, producing primarily construction and demolition debris. Very few trees were impacted. We picked them up with the other debris. Our scope of work reflected that experience by emphasizing C & D pick up. Katrina was primarily vegetative debris.

A few days after the storm’s landfall, we provided a copy of our pre-position debris removal contract to the FEMA Debris Specialist assigned to our Parish. We discussed that the bid did not cover vegetative debris. We asked the Specialist what to do. He told us to ask our contractor for a proposal to handle the vegetative debris. He said once we negotiated a price we could, under FEMA 325, do a modification to the contract to cover the additional debris types (vegetative debris, mixed debris, hazardous trees and stumps). We did as he instructed and amended our contract.

In mid-October, FEMA questioned the matter while they were writing the PW. They believed that there might be a procurement issue. At this point, we were about six weeks into our contract and obligated for millions of dollars.

Our response was three-fold. First, we had already bid out the debris contract. Second, we compared prices with other areas and determined that the numbers quoted to us were within the range of similar bids in the area, and much lower than the quotes from the Army Corps of Engineers contractor. Finally, we had no communication to the outside world that would enable us to get bids from firms other than those currently in the parish. It made no sense to rebid the contract given the condition of our parish at the time. FEMA officials on the ground agreed.

Six million cubic yards of dried vegetative debris was a terrible safety hazard in St. Tammany. Catastrophic fires were a daily worry. Conflicting rulings from FEMA posed a serious threat to public safety. Local governments need confidence that the permissions given by officials on site are not going to be countermanded down the line.

We solved this issue. We now bid for everything we can think of prior to storm season. This includes everything from debris, to medical services, to portajohns.

We learned a very expensive lesson about what words were, or were not, acceptable in Project Worksheets. The word ‘assessment’ cost us \$320,000. According to FEMA, we cannot employ a contractor for assessment work. We could, however, employ a contractor for ‘administrative support.’

In other words, a contractor could not assist with damage assessment for our water and sewer systems but could provide administrative support to help us determine the extent of our damage and determine the process necessary to get our water and sewer systems back on-line.

Unfortunately, once you use a term, you cannot take it back. Therefore, we were not eligible for the funds we needed to get help for our utilities because we used a bad word – assessment.

Other PW-killing words include dredging, marsh grass, and evaluation.

Good communication is built upon common definitions and trust among parties. All parties must agree that the sky is ‘blue’ and trust that everyone will use the word ‘blue’ in the same way. Unfortunately, the revolving door of FEMA personnel broke down common definitions and trust.

The speed with which FEMA personnel changed created havoc with the PW process. Each new person coming in wanted the wording his or her way or even questioned the need for such a PW.

For example, it was the opinion of a FEMA contractor working at the local level that debris that fell in drainage basins was not really debris. This was critical for St. Tammany Parish because, as we said, our drainage system was the natural drainage basins. The Joint Field Office finally ruled in our favor, but it was a long stressful process.

Our employees did not rotate in and out and their stress levels continued to grow throughout the recovery process. Changing federal personnel made their jobs even harder at a time when they most needed help.

These issues clearly demonstrate the need for consistent training and personnel continuity in emergency and recovery situations. Proper training will save lives, property, and tax payer dollars.

Inconsistent rulings finally forced St. Tammany Parish to sue FEMA in federal court. We did not want to take this step but were forced to do so to protect our citizens.

Similar projects were being ruled on differently by FEMA with contradictory explanations.

Two projects, one on the Pearl River and the second in a subdivision with canals that lead to Lake Pontchartrain, have similar scopes of work. The Pearl River project is in an environmentally protected area. Coin Du Lestin is subdivision with approximately 250 residents living on a network of canals leading into Lake Pontchartrain. Both waterways were blocked and threatened the lives and property of those who lived along them or depended upon them for drainage.

The Pearl River project was approved and work completed within months of the project start date despite the environmental issues attached to it.

The Coin du Lestin project is a different matter. The eye of Katrina stripped dozens of acres of marshland from the lake and deposited the mud and grass into homes, roads and canals in this area. Homeowners cleaned and scrubbed their homes and possessions. The parish contractor hauled away the debris in the roads but to this day, parts of the bayous are so full of debris that you can almost walk across the water.

We could only remove specific debris out of the canals. One was a car. A second was a part of a house. Another was a boat. FEMA officials arbitrarily decided what could and could not get done to clean this area. In no way, were we to dredge. That was a forbidden word. We bid the project three times at FEMA's request without succeeding in cleaning the canals.

Later, we found that FEMA had approved the dredging of Biloxi Bay, not clearing; dredging. You remember, dredging was a word we could not even speak let alone contract for.

For these reasons, we regretfully filed suit against FEMA.

I believe that to improve emergency assistance in our country, we must resolve the conflict within FEMA's mission.

FEMA has roles that are not necessarily compatible. Most days out of the year, the organization operates as a regulatory bureaucracy. During crises, FEMA changes to an action organization. And then within days after a catastrophic event, it reverts back to a regulatory bureaucracy that, by its very nature, cannot manage a chaotic situation. In a crisis, flexibility and the need to think quickly and creatively are essential. These qualities are the antithesis of bureaucracy.

FEMA's staff is quite small for a federal regulatory agency. Therefore, during a crisis and even more so in the recovery phase, the agency must staff up to meet the challenge. It recruits retired FEMA personnel, contractors and people off the streets to meet the need. As a result, there is significant miscommunication among regular FEMA staffers, new personnel, and the local officials with whom FEMA must deal.

We recommend FEMA be defined as either a first responder or a bureaucracy. It is extremely difficult to be both.

If FEMA is to be a first responder, then hire enough people to maintain a force large enough, and trained sufficiently, to work in partnership with local first responders. Let there be a consistency of effort and direction to FEMA's response during these events.

If FEMA is to be a regulatory agency, a position that I support, then FEMA should train personnel for these jobs. Give the responder job to those who can move more quickly, have the logistics to move quickly, and the personnel available to handle significant events. My recommendation is to use the National Guard. While the National Guard is a very large bureaucracy, it is a bureaucracy built for action. FEMA is a bureaucracy built for regulation, not action.

Local government can handle the management of FEMA grants. We handle grants from almost every level of government, and have experienced personnel to maintain the appropriate records supporting these grants.

FEMA's role, I would argue, is to provide regulatory oversight without managing the situation. FEMA does an excellent job of auditing its grantees. Why not ask FEMA to do what it does best: oversight of FEMA-supported programs.

Without a doubt, training is the main issue at all levels of government.

FEMA and local governments need more training than is now given. Almost every conflict that we have had can be traced back to a lack of basic training in the law and its rules and regulations. Rule interpretations vary significantly from one jurisdiction to another.

This is evident in the lawsuit we filed to clean the Coin du Lestin area. St. Tammany Parish cannot even use the word dredge but Biloxi Bay is being dredged. The action of dredging is approved in one area while the word alone is forbidden in another.

This kind of decision-making is arbitrary. These decisions are not necessarily grounded in existing law or regulation.

This is the result of a lack of training. Many good and hard working people have come to St. Tammany Parish as FEMA employees. Sadly, in many cases they were not given the training or tools to do their jobs well.

The same is true for local and state governments. Local government should have access to training courses on the different programs funded by FEMA, as well as those related programs such as National Resource Conservation Service, the Army Corps of Engineers, and the United States Coast Guard. Training should include financial management of these programs for the local level.

FEMA's use of temporary or contract employees has also contributed to the inconsistency of effort and regulation. People roll in and roll out of our facilities with such speed that they never catch up with what our parish is doing. This results in confusion and waste.

FEMA should, like other federal agencies, have well-trained FEMA personnel stationed permanently in those states that are at risk for disasters. This would enable FEMA to be part of any planning prior to a disaster. It would also enable these same personnel to train state and local officials on the programs, policies, procedures and management issues related to disaster response and funding. This will speed up the response time to a disaster and remove many of our issues. Both FEMA and local government would be operating with the same set of operational protocols with the trust built by working together during good times as well as bad.

Decisions must be made faster, including the appeals process. Well trained FEMA personnel on the ground should have more authority to make significant decisions. If that is not possible, those at the regional and national level need to expedite their efforts during and following major disasters.

I want to thank you again for the opportunity to speak with you today and for the help you have given my community. I also want to commend the many men and women who have come to St. Tammany as part of the FEMA bureaucracy and did their best to help us.

I hope that my recommendations will assist you in your efforts to improve emergency response in our nation. On behalf of the people of St. Tammany Parish, Louisiana, I appreciate your time and effort on our behalf.