

St. Bernard Parish Government
Statement to the
Subcommittee on Disaster Recovery
U.S. Senator Mary Landrieu, Chair

July 10, 2007

This statement outlines some of the difficulties that St. Bernard Parish has experienced in dealing with the federal disaster response to Hurricane Katrina.

- Lack of Experienced Personnel – Many of FEMA’s representatives were not experienced with FEMA’s Public Assistance Program and therefore were not certain on how different projects should be addressed by the Public Assistance Program.
- Incorrect Information - There were cases where FEMA’s representatives provided the Parish incorrect information regarding the Public Assistance Program. Incorrect information led the Parish to spend valuable time working in one direction, only to learn that the direction we were going in was incorrect. An example of poor guidance is the situation with our sewer collection and treatment system. Prior to Katrina, we had developed plans to consolidate our sewer system into one wastewater plant to improve the efficiency of our operations. When Katrina hit, our entire sewer system was flooded, and all equipment was destroyed. We demonstrated that the cost to consolidate the sewer system, mitigating future damages, cost less than repairing or replacing the damage facilities in kind and mitigating future damage of the replace facilities. FEMA provided a Public Assistance specialist, who led us to believe that the consolidation project could be done as a “relocation” project. We worked for 12 months pursuing this approach to the consolidation project, only to learn that this approach would not be approved. We were then advised to pursue the project as an “improved” project. We have continued with this approach since but are in a constant struggle to agree on the amount of money it would take to repair the existing facilities therefore the amount that would be available for the improved project. We have now learned that this also may be the wrong approach and that the project may be able to be funded as a “least cost alternative” but no-one inside FEMA can agree whether this is possible. Meanwhile, we are no closer to a functional sewerage system than we were over a year ago.
- Project Worksheet Development – FEMA has taken as many as 14 months to develop project worksheets. In many cases, contractors have worked for as much as 12 months without a project worksheet being developed. While under normal circumstances, an applicant can afford to make contractor payments with in-house reserve funds and wait for reimbursement, unfortunately our entire Parish was flooded and virtually all of our facilities were destroyed and our entire tax base was either shut down for months or moved away. Twenty-two months after the storm, we still are missing 55% of our population. The Parish spent its reserve funds literally weeks after the storm, and since then has been dependant on reimbursements to pay its contractors. Many contractors are

then forced to wait 6 to 12 months for payment. Since our payments to contractors are late, contractors are telling us that they are increasing their bids to allow for the carrying cost of the projects. Other contractors are not bidding on our work in fear of slow payments, thereby reducing competition. In some cases, we received only one bid on a project causing more uncertainty of reasonableness of cost, thereby risking eligibility of the costs for the project.

Further problems with the development of the project worksheets come when the construction contract does not match project worksheet exactly. The project worksheets are written with such detail that the State does not make payments unless the project worksheet, contract, and invoices match perfectly. Unfortunately for our Parish, we need the project worksheets to be written before we procure so we have a means to pay our contractors. Nevertheless, project worksheets that do not match our contracts and invoices must be corrected by a “version” to the project worksheet, many of which have taken FEMA as much as 8 months to develop and obligate.

- Project worksheet Cost Estimates – Many FEMA representatives would write project worksheets with inaccurate, undocumented cost estimates, despite the Parish’s personnel, experienced in the subject field, offering documented costs estimates. In many cases, the Parish’s estimates or contract costs were arbitrarily reduced.
- Hazard Mitigation Delays – FEMA’s representatives instructed our staff that improvements to our facilities could not be made until mitigation of future damage was considered. Unfortunately, FEMA’s representatives could not provide Parish personnel with assistance to determine reasonable mitigation procedures. In some cases, FEMA representatives suggested that Parish staff consider unreasonable mitigation procedures in formulating projects and their costs in order for a project worksheet to be written. Many months later, the project worksheet would be written as a repair only with no mitigation. For some project worksheets, this process was repeated several times. An example is the Government Complex Building which was inundated with approximately 12 feet of floodwater. First we were encouraged to consider a raised addition to the building to house the offices that were located on the first floor of the existing building. When FEMA decided that this was not cost effective we were encouraged to consider a third floor on top of the existing two story structure. This was also determined not feasible. Next we were led to believe that a three foot flood wall around the building was the answer. Then we were informed that since this building is a “critical facility”, the flood wall would need to be thirteen feet high. Once again this proved not cost effective. Adding all of these false paths together has resulted in delaying the repair of this building for more than a year.
- Federal Agency Coordination – The major issue we saw immediately after the disaster is that FEMA and the Corps of Engineers (COE) indicated to our Parish, and others, that if the Parish requested COE to perform work during a 100% eligible period, the entire project would be 100% eligible no matter how long the project took. Certainly a Parish in our shape could not afford to pass on such an offer, if it were real. After months of

meetings and correspondence with the State and FEMA and the COE we learned that the idea was incorrect. Again, countless hours wasted on misinformation.

Another example of lack of coordination between federal agencies is in regards to water resources facilities repairs between FEMA and the National Resource Conservation Service (NRCS). Since the storm we've been trying to coordinate the cleaning of our canals between the NRCS and FEMA. To date, the NRCS has not cleaned a canal, and FEMA has not written a project worksheet to provide funds to the Parish to clean its own canals.

- Bureaucracy, and the Costs Thereof – St. Bernard Parish received about \$_____ million in public assistance funds to date. These funds were much needed, and are much appreciated. With the exception of the military assistance provided in the weeks following the hurricane, very little “brick and mortar” assistance was provided by the State and Federal Government. Again, the federal Government provided much needed and appreciated money. But, I wonder how much money was spent by the federal government on getting the much needed and much appreciated money to our Parish.

Additional Information

1. Thus far we have not received any complaints about the “Park” Model Trailer. We feel this is the best option for temporary housing.
2. We feel that FEMA should arrange to have their personnel remain on station for a longer period. As soon as we start fruitful discussion with FEMA on site representation, their tour is either complete or they are transferred to another area.
3. The military has been a source of complete cooperation and assistance. We have been assisted by personnel from the US Coast Guard and US Navy and their assistance has been superior.

Included in this position statement is a recent recovery white paper on suggested modifications to the Stafford Act.

Thank you for this opportunity.

Henry J. Rodriguez
President, St. Bernard Parish