

Analysis of Proposed Single City-Wide and Neighborhood-Level Recovery Planning Process for the City of New Orleans

Factual Background, Legal Basis & Policy Recommendations

June 23, 2006

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Executive Summary¹

Since mid-March, representatives on behalf of the Nagin Administration, City Council, City Planning Commission (CPC), Louisiana Recovery Authority (LRA), Greater New Orleans Foundation (GNOF), the Rockefeller Foundation (collectively referred to as “the Foundations”), and other parties have been developing a framework for conducting a single city-wide and neighborhood-level planning process to facilitate long-term disaster recovery in the City of New Orleans.

This Planning Process is being developed as a collaborative venture through which the Mayor, City Council, and CPC will work together, in partnership with FEMA, LRA, and the Foundations, to conduct city-wide infrastructure and neighborhood-scale recovery plans; identify and solicit federal, state, and non-governmental resources to fund proposed recovery projects; and create the legal framework in order to implement them.

The Planning Process is expected to be overseen by a public-private entity referred to as the “Community Support Organization” (CSO). The CSO will consist of a set number of appointees on behalf of the Mayor, City Council, CPC, city-wide non-governmental organizations, and New Orleans neighborhoods. The CSO will work directly with federal, state, and local officials, while overseeing the planning work to be done by two separate planning teams: 1) a city-wide planning team, charged with developing infrastructure and hazard mitigation projects; and 2) a neighborhood-planning team, charged with developing recovery and rebuilding projects in collaboration with neighborhoods, which are to be organized into 13 planning districts, and 73 discrete neighborhood subgroups.

Several issues must be finalized: 1) the legal structure and accountability of the CSO; 2) planning formats tailored to federal spending criteria, while applicable in generating a master city plan and related ordinances; 3) the type and quantity of information to be gathered from neighborhoods; 4) incorporation of ongoing neighborhood redevelopment plans being constructed under City Council’s “Lambert Advisory” planning process; 5) coordination of the planning process with related state and city programs and policy aims; 6) final rules for public participation, open meetings, and formal decision making; and 7) development of a budget, communications strategy, and timeline.

To effectively address these issues and expeditiously develop a city-wide process that facilitates recovery funding and land use policy implementation, it is essential that a single planning process be conducted with *direct* leadership from the Mayor, City Council, and CPC. Moreover, the process must be transparent, uniformly applied, and accountable, subject to policy mandates, timelines, and public scrutiny. Continued delay in developing a joint process will diminish our opportunity for coherent and comprehensive planning, therein resulting in incomplete and inequitable neighborhood redevelopment.

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Factual Background of Planning Process Development

In January, the “Bring New Orleans Back” Commission (BNOB) proposed a city-wide planning process to be funded directly by FEMA that would identify recovery projects for funding and implementation at the neighborhood level. Ray Manning and Reed Kroloff were selected to oversee that process, which would encompass all city neighborhoods through use of 13 planning districts. For each district, a team of planners and other specialists were to be assigned to work with residents to develop recovery plans that addressed core issues including housing, public property, environmental remediation, hazard mitigation, financing, and economic development.

Neighborhood presentations throughout the City began, with lead planners outlining the information that neighborhood groups should gather in commencing the formal process. Despite this, the process never formally began. Among other factors, FEMA could not directly fund an Orleans-specific planning process. Further, a critical lack of political consensus between the Mayor and City Council as to BNOB and the recommended planning process hindered its development as proposed by BNOB.

In mid-March, the City Council secured \$3.6 million from the City to conduct its own planning process utilizing the Florida-based planning group, Lambert Advisory, LLC. Council unilaterally assigned to Lambert, responsibility for developing recovery plans for 49 neighborhoods that flooded to a depth of two feet or more. To date, planning firms working under the Lambert contract have conducted meetings in several neighborhoods, and, in limited cases, such as in Lakeview, have nearly finalized citizen-generated rebuilding proposals.

At the neighborhood level, based on the initial format for neighborhood planning set out by BNOB, and coupled with public concern that neighborhoods would be redeveloped beyond their control, several neighborhood associations organized planning processes, in many cases, utilizing subcommittees, weekly meetings, and partnerships with professional planners, universities, and nongovernmental organizations (NGOs). Among the most organized efforts are: Broadmoor, Central City, Gentilly, Holy Cross, Lakeview, New Orleans East, and Versailles. While these neighborhoods, to date, present the most comprehensive plans; nearly all neighborhoods have organized to some degree, including displaced citizens in regional cities, including Houston, Baton Rouge, and Atlanta.

Concurrent with these neighborhood efforts, public pressure for a formal process increased. Grassroots efforts such as the “Neighborhood Planning Network,” Common Ground’s neighborhood reclamation projects, and numerous other efforts allowed neighborhoods to organize politically, while exchanging ideas for neighborhood planning. Incident to this, several civic leaders and organizations, including LRA, GNOF, the Rockefeller Foundation, former BNOB members, Ray Manning, Donna Fraiche, and others were instrumental in initiating a renewed effort to conduct a single formal process.

By late March, the Rockefeller Foundation, in partnership with GNOF, agreed to fund a unified process for New Orleans. As proposed, the process would include three main categories: 1) urban planning; 2) neighborhood outreach; and 3) public relations and communications. The development of the Plan was being overseen a steering group comprised of David Voelker, representing LRA, Ben Johnson, representing GNOF and Rockefeller Foundation, Cynthia Hedge Morrell, representing City Council, Joe Canizaro, representing the Nagin Administration through BNOB, and the City Planning Commission (CPC) through its Director, Yolanda Rodriguez. Other entities advising the process were NONDC; the Neighborhood Planning Network; CBNO-MAC; Wallace, Roberts & Todd, who served as BNOB’s urban planning advisors; and representatives from the Urban Land Institute.

Steven Bingler, Founder of Concordia Architecture & Planning, and LRA's Orleans Parish Planning Coordinator, was charged with developing the framework for accomplishing the three main objectives of the Plan. This was to be done in collaboration with Ray Manning and Paul Lambert, who in turn were to serve as the co-lead planners. Responsibility for planning activities within the planning districts and city-wide infrastructure were to be divided among them, and a possible third planning team. Additional planners, engineers, and other specialists, including FEMA's Orleans Parish Long-term Recovery Team, were to assist in develop recovery plans and related projects.

By mid-April, a tentative organizational chart and framework had been developed. However, the issue of how best to incorporate neighborhood planning being conducted through the separate Lambert planning process was not yet resolved.

Through May, given the pending elections, formal development of a single planning process was slowed. Meanwhile, FEMA downsized the size and scope of its Orleans Parish Long-Term Recovery Operations. In addition, Lambert Advisory and the other firms operating under the City Council contract continued to conduct meetings with neighborhood groups in those neighborhoods for which it was assigned planning responsibility under the Contract.

In early June a revised format for conducting the Planning Process was set out. In lieu of the pre-selected co-lead planner format, it was decided that all planning teams would be hired through an application process utilizing a nationwide issued Request for Qualifications (RFQ). As such, RFQs for city-wide and neighborhood-level planning teams have been issued, with a deadline for submitting applications, set for June 26, 2006.

The proposed framework for the formal planning process is as follows. GNOF and the Rockefeller Foundation are the primary funders. In this, the Foundations have established the "New Orleans Support Foundation," a six person board that decides the make-up and membership of the lead planning entity, the Community Support Organization (CSO), and serves as a fiduciary to the CSO.

Formal planning operations will be directly overseen by the CSO, which will be comprised of one appointee each from the Mayor, City Council, CPC, and GNOF; and a set number of appointees representing city-wide NGO's; and neighborhoods. Hired planners will work directly under mandates established by the CSO and will consist of a "city-wide planning team," focused on infrastructure and city-scale recovery projects, and a "neighborhood planning team," which will conduct planning in collaboration with neighborhoods within the 13 previously established planning districts.

The CSO is not intended to serve as the governing entity that oversees Orleans Parish's compliance with and administering of federal and state recovery programs. Rather, it is being established to finalize planning recommendations and advise the Mayor, City Council, and CPC, which together must oversee the administration of recovery programs for the City of New Orleans. The means by which these elements of City Government will work together to conduct long-term recovery administration and interact with CSO and federal governmental entities has not yet been established.

Legal Basis for a Single City-Wide and Neighborhood Planning Process

A single, city-wide and neighborhood-level planning process is the most efficient and effective means of administering the federal long-term community-level recovery and mitigation programs that are implemented in post-disaster areas pursuant to federal law. Done correctly, this formal planning process enables Orleans Parish to comply with the numerous federal mandates that govern disaster recovery, while positioning the Parish to more fully capitalize on available federal, state, and private recovery-assistance funds.

In addition, a single planning process allows state and city officials to better coordinate overall recovery management. First, the Planning Process enables officials to integrate infrastructure and neighborhood-scale restoration with separate, but related, recovery efforts focused on levee and canal enhancement and individual homeowner recovery. Second, the Planning Process positions city officials and citizens to expedite enactment of a master city plan and land use ordinances that are necessary in order to implement funded recovery projects. Finally, the Planning Process creates a city-wide framework that identifies the need and opportunity for private investment to supplement governmental recovery funding.

To accomplish this, the Planning Process requires the direct participation and interaction of the Mayor, City Council, and the City Planning Commission (CPC). In addition, FEMA's Long-Term Recovery Branch, state and regional planning agencies, and qualified non-governmental organizations with relevant expertise must serve direct advisory roles. Finally, city-wide and neighborhood planning must be based on a robust citizen participatory process, with ongoing neighborhood redevelopment plans serving as the foundation for recovery projects.

Assuming the above components, the Planning Process must be structured as a quasi-public entity, subject to rules for conducting public meetings, disseminating information, enabling public participation, and formal decision making. Within this framework the following policy mandates must be ensured: 1) compliance with applicable State and Federal recovery regulations and funding guidelines; 2) proper coordination with relevant Federal and State recovery programs and agencies; 3) coordination of mobilized resources; 4) streamlined recovery assistance; and 5) development of recommendations for supportive policies and programs within State and City Government.

As a private-public partnership charged with supporting State and City recovery management for Orleans Parish, the following federal and state rules, guidelines, and opportunities must inform the development and carrying-out of the Planning Process. First, with respect to federal recovery rules and guidelines, the Planning Process must be a primary vehicle for implementing FEMA's "Long-Term Community Recovery and Mitigation Program" (LTCR). Pursuant to the National Response Plan, and the Stafford Act (42 U.S.C. 5165), the LTCR, is the overarching regulatory framework through which technical and financial assistance flows into to New Orleans and enables its long-term community recovery goals.

According to FEMA regulations, LTCR recovery assistance is driven by state and local priorities, with funding priority given to projects focused on permanent restoration of infrastructure, housing, and the local economy. As such, Orleans Parish, working in partnership with FEMA planners and specialists, must submit to appropriate federal agencies an "application" detailing city-wide land use proposals and include therein, specific projects related to infrastructure, hazard mitigation, housing, and economic

development that are to utilize federal resources.² *Such planning and funding requests are separate, but related, to the funding processes for individual homeowner rehabilitation (i.e., “The Road Home Program”) and levee repair and enhancement.*

In supporting local implementation of LTCR aims, three sources of federal recovery rules and funding guidelines are most relevant: 1) FEMA’s Public Assistance (PA) Program; 2) the Federal Stafford Act’s hazard mitigation programs under sections 404 and 406; 3) U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program; and 4) the various other regulations and guidelines related to environmental remediation, affordable housing, infrastructure, and land use issued by federal agencies under the National Response Plan.

The PA Program provides federal funds towards repairing public property, including schools, roads, pipes, sewers, and public space such as parks and open spaces. While the City has already requested PA funds for numerous projects, the Planning Process will enable city officials to add additional recovery projects to the grant package it must submit, particularly neighborhood-specific public features that can be rehabilitated in whole or part with PA funds. Moreover, a comprehensive Planning Process will better identify those public features that must be improved or required alternatives, in lieu of restoration to pre-Katrina condition. In such instances, a smaller percentage of PA funds can be utilized, and the Planning Process will position city officials to better identify sources of non-PA funds and prioritize their use.

With regards to hazard mitigation planning and funding, the Planning Process will streamline the City’s application process for funding of projects necessary to implement the Orleans Parish “All Hazards Mitigation Plan.” This Plan was submitted by the City to the State pursuant to Section 404 of the Stafford Act and ostensibly details the City’s procedures and priorities for mitigating the risk of damage stemming from city-wide disasters such as hurricanes. The Planning Process will ensure that the projects that are submitted for funding are not only consistent with this Plan but are consistent with the neighborhood redevelopment plans generated in partnership with citizen planning. *Without this coordination, neighborhood-developed plans will be of little use and have marginal applicability.*

The Planning Process will also help New Orleans compete for and efficiently direct CDBG funds that are earmarked for recovery projects beyond individual homeowner recovery. In particular, a comprehensive planning process will enable the City to better identify projects that can be submitted for funding through the LRA and the Office of Community Development’s state-wide ‘Amendment 2’ plan to dedicate \$670.5 million to community-scale economic development, infrastructure, and small business projects. Also, the restoration of abandoned or adjudicated property as well properties acquired through the Road Home “buy-out” option will utilize CDBG funds in whole or part. Lastly, the Planning Process will better facilitate coordination of the above projects with other major HUD-driven recovery projects, including redevelopment of public housing and individual homeowner and renter-occupied housing.

In developing proposed recovery projects for federal funding, regardless of its source, the Planning Process must incorporate all relevant recovery tools and technical guides that are made available by FEMA as part of the LTCR Program. One significant example is FEMA’s “Long-Term Community

² More information about the regulatory requirements of ESF #14 is available at: <http://www.fema.gov/rebuild/ltrc/index> and www.fema.gov/hazard/hurricane/2005katrina/index.

Recovery Value Tool” (RVT). The RVT presents standardized methodologies and subjective criteria for determining recovery values for reconstruction projects. In this, RVT prioritizes projects based on need and federal funding policies. For example, high-priority recovery projects are those directly related to damaged property, infrastructure, or economic loss, while having broad community support, community-wide benefits, community capacity, and quality of life values.

Finally, a single, comprehensive Planning Process serves as a compliance guide by establishing a clear framework for identifying and complying with the variety of regulations that apply to recovery activities and funding pursuant to the National Response Plan and other applicable laws. These include rules of applying for funds (i.e., 44 CFR, Part 206); grant administration (i.e., 44 CFR, Part 13); hazard mitigation (i.e., sections 404 and 406 of the Stafford Act; 44 CFR §§206.201(f), 206.226(c); flood plain management and wetland protection (i.e., 44 CFR, Part 9); HUD standards for livability and residential health (i.e., 24 CFR, Part 51; 24 CFR Pt. 58); approval of environmental quality of soil and structure at locations to utilize HUD housing funds (i.e., 24 CFR, Part 50); overall environmental review and remediation (i.e., 44 CFR, Part 10; 40 CFR Parts 1500-1508); historic preservation (i.e., 36 CFR, Part 800; section 106 of the National Historic Preservation Act).

Relative to state-administered recovery programs, a single, city-wide process ensures direct collaboration with state officials, notably LRA and the Governor, which is a prerequisite for funding through relevant federal recovery programs. Moreover, the Planning Process is the best means for the City to generate proposals that can be funded and implemented through federal GO Zone legislation, municipal or state “land banks,” and other governmental, public-private, or private ventures.

At the local level, a unified Planning Process will assist the Mayor, City Council, CPC, and the citizens of New Orleans to expeditiously develop and enact a revised city-wide Master City Plan and related land use ordinances, zoning, and policies. These local-governmental actions are essential to implementing recovery projects and stimulating rehabilitation and development of private property in a coherent, uniform, and timely manner. First, the ability to demonstrate that proposed projects can be legally implemented is a leading factor in funding decisions. Second, it streamlines recovery, eliminating delays caused by second-generation planning that could add additional years if done as a separate process.

Recommended Framework and Policies for Orleans Parish Planning Process

Based on the legal framework governing the funding of long-term recovery, the following elements are recommended for the planning process for Orleans Parish, along with specific policy proposals to be achieved within the first thirty days of office:

- 1) Planning and related decisions should be done through a quasi-public entity that is established through a formal, transparent process and subject to legal rules for public meetings, public participation, and formal decision making.***

The Orleans Parish Planning Process has been addled by a lack of transparent, high-level leadership guiding its development. In moving forward, the Greater New Orleans Foundation (GNOF) and the Rockefeller Foundation provide welcome expertise, funding, and objectivity in moving the Planning Process forward. However, this private component of the Planning Process must service a public entity and process that is legally and politically accountable.

Direct leadership, participation, and interaction among the Mayor, City Council, and CPC are essential for the Planning Process to serve as a vehicle for complying with federal recovery regulations, securing assistance funds, and supporting related policy-making. Specifically, a community development or recovery-styled corporation, structured as a quasi-public entity, must be established through which the Mayor, City Council, and CPC, exercise their respective roles in administering long-term recovery planning and administration. The Nagin Administration develops mandates for neighborhood planning and supportive policies to be conducted by city departments. The City Council approves the structure of the development corporation and develops a process by which CSO-developed plans service creation of a master city plan and related ordinances. Finally, the City Planning Commission is conferred authority to approve projects to be submitted for federal and other funding and establish recommendations for implementing funded projects through the master city plan and ordinances.

Relative to the above-proposed public entity, the CSO must operate within a shorter time frame. It is in effect, the catalyst for all other long-term recovery goals. The CSO will develop final plans for city-wide and neighborhood-specific redevelopment. These plans should be based on neighborhood-driven proposals being developed through the “Lambert Advisory” Planning Process. The CSO, in partnership with federal state, and, city officials, would modify these proposals as necessary in order for them to comport with federal and state recovery rules and funding priorities. Concurrent with finalizing these plans, the public entity would be formed, enabling city officials to begin the process of “plugging in” the CSO plans into formal recovery proposals and programs.

Recommended Policy Actions:

- a) The Mayor and City Council must immediately and formally agree to participate in a unified process, issuing the necessary resolutions and executive orders to establish this agreement. In so doing, the Mayor and City Council must collaborate with LRA, CPC, the GNOF-led private entities in order to create a public recovery entity and outline how it is to interact with the CSO, FEMA’s long-term recovery teams, and other federal, state, and city and state recovery-related entities.
- b) Both the CSO, completing the city-wide and neighborhood plans, and the Development/Recovery Corporation should be structured as a private-public corporation, subject to rules for conducting public meetings, disseminating information, delivering timely outcomes,

accommodating official review of proposals, and enabling public participation in planning meetings and formal decision making. In both, the public must have has a central role in reviewing recovery proposals and final outcomes to be submitted for funding or implemented as local land use changes. Moreover, it is essential that both entities routinely conduct public hearings, engage displaced citizens, participate in community and neighborhood association meetings, and collaborate and meet regularly with community groups, civic organizations and public officials.

c) The Development/ Recovery Corporation should be structured as either a joint State-City or wholly city-driven public entity, governed by a Board of Directors, which is comprised of appointees selected, depending on the structure chosen, by the Governor, Mayor, and City Council. Styled in a similar manner to LRA, this entity would establish short- and long-term mandates and objectives guiding recovery efforts for New Orleans, including the incorporation of CSO-constructed city-wide and neighborhood plans into formal city applications for recovery assistance.

d) The CSO must be created in a transparent, comprehensive manner that ensures that appointees have relevant qualifications. In particular, the NGO and “neighborhood” appointees should be selected through a transparent and publicly-disseminated application process, in order to ensure the appointees are qualified and representative of their respective stakeholder status. It is recommended that a formal RFQ be issued city-wide, using a format similar to that used for the RFQs issued nationwide for “city-wide” and neighborhood-planning” design team. This will not only better identify qualified appointees for the CSO, but also highlight organizations that should function in a direct advisory capacity with the CSO and Development/Recovery Corporation, by virtue of their issue area expertise.

e) The Planning Process must include procedures for facilitating direct communication, means of input, and timely review of proposed plans and projects by relevant governmental entities. To accomplish this, a system for regular updates, public hearings, inter-office meetings, and planning benchmarks should be negotiated with FEMA, the Governor, the Mayor, and City Council. In addition, a comprehensive intranet service should be established whereby proposals and related regulatory and funding-priority information can be disseminated among relevant parties. Relevant federal and state entities that must engage in regular communications and information exchange, include FEMA’s Recovery Branch, the Governor’s Office, LRA Task Forces, the State Office of Community Development, Regional Planning Commissions, and State and City Offices for Emergency Preparedness, Housing, Economic Development, and Environmental Quality.

f) The Planning Process must harness the expertise and resources of state and city-wide NGO groups with expertise in issues directly impacting on recovery planning, including finance, housing, environmental health, historic preservation. Similar to LRA, the CSO and Development/ Recovery Corporation should utilize task forces for each of the major policy issue areas impacting on recovery. It is recommended that these task forces provide the following assistance:

- i) Compliance guidance pertaining to relevant state and federal regulations;
- ii) Identification of federal, state, and private grants that match proposed recovery projects;
- iii) Identification of organizations, companies, and individuals that can support or create recovery initiatives;
- iv) Development of state and city-level policy recommendations that would enable or support implementation of recovery projects.

g) The CSO and/or the Development/ Recovery Corporation should directly oversee the review of projects to be submitted for funding in partnership with city governmental partners. In addition these entities must outline a process for identifying available funds for proposed recovery initiatives. For example, CSO should develop a public notice and comment process by which final recovery initiatives that will require federal funding are examined by the public prior to submission. To accomplish this, CSO would prepare a Partial Action Plan outlining final proposed expenditures. The Partial Action Plan is then publicly released for two weeks of comment. Public comments are compiled, considered and documented in the plan submitted to the respective federal agency.³

g) As part of its city-wide and neighborhood-level planning, the CSO should facilitate planning studies that reflect regional projects and land use concepts as well as large scale economic development projects, including wholly private ventures. The following planning studies are recommended:

- i) regional and city-level urban design and traffic study;
- ii) retail and small business study;
- iii) arts, culture, and entertainment study;
- iv) examination of design strategies for neighborhoods adjacent to levees and canals;
- v) public space enhancement opportunities, including linking existing spaces, city-wide;
- vi) transportation and traffic improvements, city-wide and regionally, addressing rail, automobile, street car, bus, bike and pedestrian transit conditions.

h) The CSO and the Development/ Recovery Corporation should be supplemented with full time staff that oversees the critical government relations, regulatory compliance, and public communications aspects of the planning process. In this, sufficient funds and authority should be conferred to the CSO and these administrative items so as to ensure the most competent individuals possible will be utilized. To the extent these administrative tasks are conducted through contracts with existing firms, the contractor selection process should be competitive, transparent, and timely.

i) To further support the Planning Process it is highly recommended that the Mayor, City Council, and CPC dedicate staff to the Planning Process beyond those appointed to the CSO and the Development/ Recovery Corporation. The Nagin Administration should hire a Recovery Management Coordinator that facilitates all interactions between the Administration and all ongoing recovery programs at the federal, state, and local levels, including the Planning Process. In addition, a staff of grant writers should support the Planning Process by developing grant applications for federal, state, and private funds, based on identified funding needs for proposed recovery projects.

³ A similar process is conducted by the Lower Manhattan Development Corporation (LMDC), a joint State-City entity, created to redevelop Lower Manhattan in the aftermath of September 11, 2001 – and a model for the creation of LRA and suggested model for the creation of the CSO and overall planning process. For more information about the structure, mission, and activities of LMDC, please visit: <http://www.renewnyc.com>. LMDC is a subsidiary of the Empire Development Corporation, and administers millions of dollars in federal funds dedicated to the restoration of lower Manhattan in the aftermath of September 11, 2001. To accomplish this, LMDC coordinates long-term planning for the World Trade Center site and surrounding communities, through collaborations with public and private partners, and recovery programs tailored to individual resident and business recovery.

2) *Land use plans and proposed projects must be formatted in a manner that is consistent with federal long-term recovery planning guidelines and priorities.*

In developing proposed recovery projects for federal funding, the Planning Process must incorporate all relevant federal recovery tools, including assigned specialists, funding guidelines, and technical guides that are made available through the LTCR Program. These guides are essential to identifying whether and to what extent federal funds can be used to finance recovery projects. Moreover, such assistance will enable the Planning Process to develop recovery plans and projects that are compliant with the various funding audit, housing, land use, infrastructure, and environmental regulations governing recovery.

One such example of federally prescribed guidelines to be considered in conducting the Planning Process is FEMA's "Recovery Value Tool," which scores projects based on their overall value to the recovery of an area as defined by federal policy aims. The RVT assigns the highest recovery value to projects with multiple benefits, including the following components:

- Are directly related to damages
- Have community support and create economic and community-wide benefits
- Are achievable (within a 3-5 year recovery timeline) and sustainable
- Leverage and create linkages to other projects and resources
- Incorporate identified best practices for reducing loss in the future
- Have a high visibility and build community capacity
- Enhance quality of life for the community

As with applicable federal regulations, a planning process that does not reflect funding priorities such as the RVT will have diminished effectiveness, undercutting the pool of otherwise available federal funds for recovery projects, city-wide and at the neighborhood level.

Recommended Policy Actions:

- a) The Mayor should request from Donald Powell a memorandum of understanding detailing spending guidelines from all applicable federal agencies. This information should then be disseminated to all relevant City entities and other parties formally involved in the Planning Process.
- b) The CSO should employ a compliance officer, who works directly with FEMA's Recovery Branch and other federal and state government entities in order to identify all applicable regulations and outline procedures for compliance. This position should be complimented by directives that the City Attorney's Office also assist with compliance efforts.
- c) FEMA's long-term recovery teams for Orleans Parish must be granted high-level advisory status, including regular meetings and briefings with the CSO, Administration officials, City Council, and CPC. These teams are trained to develop the templates through which federal agencies review funding proposals. Moreover, utilizing this federal team is politically favorable as means of demonstrating respect for and compliance with federal aspects of disaster recovery funding.

3) ***Planning Process must expedite the City's application for funding of neighborhood-recovery projects through FEMA's Public Assistance and Hazard Mitigation Grant Programs.***

Pursuant to the Stafford Act, in order to receive federal funding for restoration or replacement of damaged public property, Orleans Parish must submit proposed projects through the development of a project worksheet that is then assessed by FEMA and other appropriate federal agencies. Similarly, in order to receive federal funds reducing the risk to property and residents from natural disasters, the Stafford Act requires that Orleans Parish first develop an "All Hazards Mitigation Plan" for certification by FEMA, then upon approval, submit specific projects to be considered for funding as means of implementing that Plan. See, Sections 300, 404, 406, Stafford Act; Code of Federal Regulations, 44 Part 206, Subpart N.

Properly structured, a single Planning Process streamlines the City's application process for both funding programs by providing comprehensive data that can be used to prioritize proposed projects, classify damaged properties as repair, replacement, or improvement-type recovery projects, and identify available funds, respectively, for each project. Moreover, the Planning Process ensures that submitted projects are more consistent with neighborhood-driven recovery plans.

For example, with regards to the PA Program, while city officials have submitted funding requests for many city-wide infrastructure items, the total grant package for New Orleans remains incomplete, as evidenced by plans compiled to date by LRA (see www.louisianaspeaks.org). In particular, the City has not fully accounted for possible PA-eligible projects generated from neighborhood redevelopment plans, including smaller public spaces and buildings, and roads. Furthermore, given that the PA Program only provides 90% of costs for pre-storm restoration projects; and 75% of 90% (about 65% total) for alteration and improvement-type recovery projects, the City must utilize a process for classifying projects accordingly, and identifying non-PA funds that can cover the difference.

With regards to hazard mitigation funding, while the City's mitigation plan has been certified, the City must still apply for hazard mitigation monies for specific projects. In this, as with PA projects, the City has not fully accounted for neighborhood-scale projects. A comprehensive planning process would assist the City in better identifying properties in individual neighborhoods that should be designated as components of mitigation projects, including public spaces that can be utilized as part of storm water protection systems and businesses and public structures that require additional storm and flood proofing measures. In addition, submitted projects from each Parish are competitively pooled and ranked based on cost/benefit of the project (40%); project completeness (30%); and estimated time frame for completion (30%), thus requiring a planning process that would provide the City with sufficient data to develop comprehensive project proposals. Moreover, given that federal funding covers only up to 75% of the eligible mitigation measure, a comprehensive planning process would, again, better identify those projects that require additional funds.

Recommended Policy Actions:

- a) The Administration should issue a policy report, setting out priorities, eligibility criteria, and action items for selecting projects to be included in the City's PA-project funding applications.
- b) The Administration should furnish the CSO, the Development/Recovery Corporation, neighborhood groups, and planning teams with projects listed to date for inclusion in the City's PA Project Worksheet.

- c) The Administration should develop procedures through which it can be determined if recovery projects generated through the city-wide and neighborhood-specific planning processes are PA-eligible, and if so, are evaluated for inclusion in the City's Project Worksheet.
- d) The Administration should dedicate staff to administer the above review process; classify projects as being pre-storm restoration, alternative, or improvement; and expedite completion of a higher volume of PA write-ups.
- e) The Administration should publicly release the City's certified "All Hazards Mitigation Plan." This plan is critical to ensuring that city-wide and neighborhood-level planning teams develop plans of maximum recovery value, including projects consistent with State and Parish priorities.
- f) In developing hazard mitigation projects, planning teams should institute procedures for evaluating proposed projects based on Federal and State funding criteria, as well as technical feasibility, cost effectiveness, and environmental compliance, including therein, impacts to historic structures and neighborhoods, wetlands, and flood plain safety.
- g) The CSO and the Development/Recovery Corporation, in partnership with city officials, should develop a public review process of final proposed recovery projects before they are submitted as part of the City's grant applications. This should be done through proposed "Action Plans," detailing for each proposed project, the following:
 - i) the project's status as a PA, hazard mitigation, or CDBG-fundable project;
 - ii) if PA-eligible, the project's classification as a pre-storm restoration, alteration, or improvement item;
 - iii) estimated recovery value of the project based on applicable funding guidelines;
 - iv) the location of the proposed project;
 - v) the estimated cost of the project and identified alternative and supplemental funding sources in addition to federal recovery monies.

The Action Plan is then publicly released for two weeks of public comment. Public comments are then compiled, reviewed, and documented in the plan along with any noted alterations to the Action Plan based on public comment.

- h) City officials must advocate for a joint review process by which FEMA and State officials jointly review final proposed projects submitted on behalf of Orleans Parish. Rather, than conducting state review of projects, followed by a federal review; a concurrent review process will ensure that mitigation funds are allocated to Orleans Parish faster.

4) *Planner Selection and Planning must be driven by neighborhood information and priorities.*

The Planning Process must accommodate a two-way exchange of ideas, data, and information. This goal must influence every aspect of carrying out the process, including selection of CSO appointees and planning teams; development of meeting formats and planning templates; and the dissemination of information and resources among residents, planners, technical experts and partnering NGOs.

Recommended Policy Actions:

- a) Selection criteria for CSO appointees, planners and NGO advisors should include experience, as appropriate, with neighborhood planning, policy-making or issue advocacy, communications, or community organizing involving racially and economically diverse communities.
- b) Planning should enable the participation of all 73 neighborhoods as well as displaced citizens. To ensure orderly and timely planning, in-city planning should utilize the currently-proposed 13 planning districts. A special planning district should facilitate planning with displaced residents through meetings in cities with large concentrations of displaced residents and dissemination of opportunities for public comments through government agencies and NGO's nationwide.
- c) Final neighborhood profiles and recovery plans should be based on the information and projects set forth in ongoing neighborhood planning efforts, including those facilitated through the Lambert Planning Process. The CSO Planning Process would revise these plans as necessary based on federal guidelines and state and city policy mandates.
- d) For each neighborhood, the following profile should be achieved through the planning process:
 - i) Current zoning and land use restrictions;
 - ii) Existing proposals or recommendations generated in partnership with NGO's;
 - iii) Number, location and physical condition of schools and businesses;
 - iv) Number, location and physical condition of parks and other public green space;
 - v) Number, location and condition of pre-Katrina vacant housing and "brownfields;"
 - vi) Location and proximity to levees, canals and other storm retention systems;
 - vii) Total Pre-Katrina Population; estimate of current population.
- e) Utilizing this information, residents should develop prioritized goals in the following areas:
 - i) residential housing layout and composition;
 - ii) commercial development centers, including location and composition;
 - iii) public centers, including schools, parks, pedestrian and bike pathways, etc.;
 - iv) transportation systems;
 - v) economic development opportunities through existing or proposed land use.
- f) A comprehensive communications strategy should be developed setting out means for widely disseminating meeting information, contact information, opportunities for public notice and comment, and other related resources, through mediums including a dedicated web site, a regularly newspaper column, community centers and a city-wide call-in line.

5) ***Neighborhood planning must stimulate fast-track redevelopment and homeownership of pre-Katrina abandoned properties as well as properties acquired by the State or City through the “buy-out” option available under the State’s “Road Home” program.***

Neighborhood planning must address rehabilitation and, in some cases, conversion or demolition of the estimated 29,000 abandoned or adjudicated properties prior to Hurricane Katrina as well as the potential thousands of additional properties that the State or City will acquire through “buy-out” options under LRA’s “Road Home” Program. For properties to be redeveloped and sold, the City must develop means to expedite their return to commerce in a manner that best utilizes limited CDBG funds.

Recommended Policy Actions:

- a) The Administration must ensure that the Planning Process utilizes current data regarding abandoned and adjudicated housing in the City. Further, as homes are acquired by the State or City through the “Road Home” buy-out option, data should be compiled and entered into a database, reflecting the property’s location; size and design; historic significance; overall condition; and proximity to hazards, open space, other acquired or abandoned properties and levees or canals.
- b) City-wide and Neighborhood-level planners should utilize this data to develop plans with various development options involving these properties, including development of mixed-income, mixed-use neighborhood centers with sufficient housing, retail, commercial, and public amenities to service a critical mass of businesses, residents, and workers in any given neighborhood.
- c) For properties to be restored and returned to commerce, the Administration should develop a redevelopment-financing program that leverages CDBG, while utilizing private investment and a mortgage line of credit from lending companies. This type of financing stretches limited federal dollars, enabling large numbers of acquired or abandoned homes to be rehabilitated. Moreover, structured as a “lease to own” program with incentives that stimulate fast-track homeownership, the program would be ideal for targeted groups, including low and moderate income households; state and city employees; public safety, healthcare and educational employees; and special needs citizens.

Leveraging can produce four times or more the number of housing units that would ordinarily be created through direct spending of CDBG and other disaster recovery funds. In this, the leveraging ratio is determined by the cost base value of the home, the underlying credit rating of city, a GSE credit enhancement and CDBG used as collateral. The leveraged CDBG are combined with a revolving line of mortgage credit with 36 month amortization of capitalized funds.

This program provides a revolving mortgage line for properties, first administered by the city, then made available to individuals through leasing and sales. Placement of eligible homeowners is done in partnership with NGO’s. Leases can be assumed into mortgages within 36 months through pre-packed fixed term mortgages. In addition, homes can be purchased without the lease/purchase option. Finally, the project should be structured to expedite home ownership, while making units affordable to the intended target groups. For example, the project could include lower cash requirements for down payments and closings; reduced income requirements to qualify; and a higher debt allowance and loan-to-value ratio than otherwise required for traditional conventional mortgages.

6) ***City programs and policies should be structured to facilitate neighborhood planning and implement recovery priorities.***

In order for the Planning Process to ensure long-term equitable and sustainable redevelopment, the process must be fully integrated with the programmatic missions of city agencies and departments. While the CSO is charged with finalizing city-wide and neighborhood recovery plans, the recommended Development/ Recovery Corporation would serve as the means by which city officials incorporate those plans into official funding applications and develop means of implementing funded projects through city policies and programs.

For example, entities, including the Mayor's Offices of Environmental Affairs, Economic Development, Building and Permits, and Sewage and Water Board should be structured to expedite the implementation of city-wide and neighborhood-specific plans. Where necessary, this includes revising the policy mandates and authorities governing these entities, and implementing programs that allow for fast-track implementation of recovery projects, generate public-private projects, enforce planning mandates and incentives of non-governmental funding of recovery projects.

Recommended Policy Actions (by major recovery-issue area):

a) **Sustainable Design & Green Building**

In redeveloping neighborhoods, housing designs and construction techniques that result in durable, energy efficient, and environmentally healthy homes, schools and public buildings must be a top priority. Affordable construction that incorporates renewable resources, recycled materials, water conservation and energy-efficient systems ensure healthier, more storm resistant homes that reduce costly energy consumption and operating costs for lower and middle-income owners and renters.

To accomplish this, the City should work with U.S. EPA, the Louisiana Department of Environmental Quality, the U.S. Green Building Council (USGBC) and other developers and NGO's to promote and implement green building principles in all new construction.

In general, the following programs could be implemented as part of carrying the Planning Process:

- i) Implementation of sustainable design guidelines technology into City building codes;
- ii) Funding incentives to support incremental costs of developing sustainable and energy efficient buildings;
- iii) Amend building codes and/or zoning restrictions to reduce construction costs for sustainable and energy efficient buildings;
- iv) Ensure that buildings incorporate accessible design features;
- v) Direct technical assistance to homeowners and developers in order to support use of sustainable development techniques in rebuilding or restoring public and private buildings.

In addition, specific programs utilized in other cities include, a "Public Facilities Initiative," whereby the City commits to "build green" by using the Leadership in Energy and Environmental Design

(LEED) Green Building Rating System® on all future public buildings.⁴ The City’s goal would be to have all new municipal buildings or other constructions built through private-public partnerships meet LEED Silver Certification, the second of LEED’s four-tier certification system. Similar projects done in other cities demonstrate that a 2% increase in upfront costs for green design can yield an average life-cycle savings 20%.

In addition, long-term recovery could be enabled through a “*Green Points Building Program*,” in which developers and homeowners rebuilding or developing new properties through the “Road Home” program, receive “points” towards tax breaks, zoning adjustments, and other incentives by building in compliance with heightened safety and energy efficiency codes, as well as incorporating into constructions the use of recycled materials, conservation of materials, use of efficient irrigation and landscaping systems, and other sustainable building methods.⁵

More generally, the City should implement a “*Homeowner’s Choice Program*,” in which city agencies encourage sustainable rebuilding by making publicly available online and through partnering resource centers, building techniques and components that result in a more energy efficient, healthy homes. Under such a program, participating builders are given priority in the plan review process, marketing materials to promote their participation in the program, and access to city-sponsored training.⁶

b) Historic Preservation

The City should institute a “*Historic Preservation/Environmental Sustainability Integration Project*,” which develops procedures for minimizing impacts to historically significant architecture, while rebuilding or rehabilitating utilizing energy efficient or sustainable building components. Coordinated between a Historic Preservation Program and the Office of Environmental Affairs, the program would mandate that any alterations to the exterior of historic buildings must first be approved by the city, including energy efficiency improvements that affect the exterior, such as windows and door upgrades, new roofing, or the installation of solar panels.⁷

c) Brownfield Redevelopment

In the aftermath of Hurricane Katrina, New Orleans has thousands of commercial and industrial sites that were flooded and remain abandoned. These newly abandoned commercial and industrial properties are in addition to nearly 200 proposed federal “brownfield” sites, which were previously

⁴ The LEED system is a voluntary, consensus-based national standard for developing high-performance, sustainable buildings. Under the LEED system, buildings are awarded points for each sustainable design item incorporated into the project.

⁵ See e.g., Boulder, CO’s “Green Points” Building Program, available at: (<http://www.ci.boulder.co.us/buildingservices>); see also, a newly implanted program for Montgomery County, MD, available at: (http://www.montgomerycountymd.gov/apps/News/press/PR_details.asp?ItemID=1781).

⁶ For a program from an urbanized Southern metropolitan area similar to New Orleans, see Arlington, VA’s “Green Home Choice Program,” available at: (<http://www.arlingtonva.us/Departments/EnvironmentalServices/epo/EnvironmentalServicesEpoGreenHomeChoice.aspx>).

⁷ See e.g., Boulder, CO’s program, available at: (<http://www.ci.boulder.co.us/buildingservices>).

abandoned or underutilized prior to Katrina.⁸ Addressing newly abandoned and previously abandoned commercial/industrial properties in the context of reconstruction is a critical recovery measure.

Prior to Katrina, regional supervision over brownfield sites had been handled by the Southeast Louisiana Regional Brownfields Consortium, an entity within the Regional Planning Commission for Jefferson, Orleans, Plaquemines, St. Bernard and St. Tammany Parishes (RPC). With regards to New Orleans, the Consortium had worked directly with the Mayor's Office of Environmental Affairs. In addition, academic and NGO partners, including the Deep South Center for Environmental Justice at Dillard (now Southern) University also cooperated with regional and city officials.

Nevertheless, for several years the City's ability to facilitate comprehensive remediation and re-development of brownfield sites has been limited due to the staff size and resources available to the Mayor's Office of Environmental Affairs. Pre-Katrina, the Office was staffed by a director, and two full-time staff. Moreover, as a subdivision of the Office of Economic Development it lacked policy advisory authority and operated on limited funds.

Given that the majority of New Orleans' brownfield sites are in immediate proximity or within residential communities, it is crucial that rebuilding plans identify these locations, assess the degree of clean-up needed, adequately inform the public of present health risks and clean-up efforts, and develop requirements and incentives for expedited remediation and redevelopment. Specifically, the Administration should pursue the following actions:

- i) Immediate development and carrying-out of remediation and risk assessment plan for the former Thompson Hayward facility and surrounding neighborhood.
- ii) Identify and map for purposes of city planning and re-inhabitation all proposed brownfield locations; inventory clean-up actions to date; develop timeframe and cost analysis for complete remediation and redevelopment.
- iii) Expand the New Orleans Brownfield Program by revamping the Mayor's Office of Environmental Affairs to include increased funding, staff, and policy-advisory authority, while restructuring the office to be independent from the Office Economic Development.
- iv) Develop financial incentives to encourage brownfield property owners to enter their sites into the Louisiana Voluntary Remediation Program or sell the property to the government or non-profit for the purpose of remediation and redevelopment.
- v) Advocate for a fast-track or prioritized application process for New Orleans brownfield locations under the EPA Brownfield Program in order to better ensure expedited and adequate remediation and redevelopment funding.
- vi) Institute a citizen advisory board, comprised of residents from neighborhoods with inventoried brownfield sites, that advises the Southeast Louisiana Regional Brownfields

⁸ A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminants. The Louisiana Department of Environmental Quality's Brownfields Program offers environmental site assessment assistance for government entities and nonprofits to begin the process towards rebuilding and recovery. Also, the EPA offers environmental site assessment assistance under its' Targeted Brownfields Assessments (TBAs). For more information about EPA's Brownfields Program, the Region 6 contact is Karen Peycke, email peycke.karen@epa.gov. The EPA Brownfields website is <http://www.epa.gov/swerosps/bf/>.

Consortium and Mayor's Office of Environmental Affairs, including assisting with monitoring site selection, and facilitating outreach, job training, and reinvestment.

- vii) Implement land use and urban design features, with the advice and consent of the citizen advisory board, that facilitate redevelopment of contaminated properties, where possible, and otherwise create buffers to adjacent neighborhoods through use of green spaces.
- viii) Institute procedures whereby citizens can report evidence of continued or non-remediated contamination and residents within neighborhoods adjacent to or containing contaminated sites are provided with regularly scheduled monitoring reports.

d) Energy Efficiency

Storm-related damage greatly compromised the ability of the city's housing stock to maintain cost-effective energy efficiency. The resulting financial drain is compounded by increasing energy costs.⁹ For low to middle income families, this loss of energy efficiency will cause a tremendous secondary cost in re-inhabiting homes that could significantly chill economic redevelopment of the City. Therefore, in addition to mandates and incentives for rebuilding homes with energy-efficiency systems, the following additional policy options are recommended:

- i) The City should collaborate with LDNR and EPA to determine appropriate Energy Star and renewable energy programs and criteria for application in the city redevelopment plan.¹⁰
- ii) City Council should reinstitute the New Orleans Energy Efficiency Program, a program sidelined pre-Katrina, whereby tax credits and other incentives for energy efficient appliances, energy use, home designs are supported through an annual budget of \$5-7 million, which is funded through a \$1 per month surcharge on residential ratepayer bills.
- iii) The City should implement and promote regionally, renewable energy tax credits, a carbon emission trading system for industry, and a renewable portfolio standard (RPS).
- iv) City planners should utilize the National Database of State Incentives for Renewable Energy and Energy Efficiency (<http://www.dsireusa.org>). This database provides a full range of incentives available, including tax credits and deductions, rebates, low-interest loans, grants, property tax exemptions, sales tax exemptions, and bond programs.¹¹

⁹ When energy rates are as high as present levels, the energy burden for low to middle income homes can be as high as 60%-70%. For example, in March 2001 when fuel costs were at comparable rates, at least 100,000 low-income Louisiana households (30,000 just in New Orleans) teetered on the verge of disconnection for non-payment.

¹⁰ Contact: Patrick Kelly, USEPA Region 6, Kelly.patrick@epa.gov.

¹¹ Used widely in other cities, such incentives for energy efficiency save 50-60 billion kilowatt-hours annually, resulting in consumer energy bill savings of \$4 billion annually according to the American Council for an Energy Efficient Economy. Overall, energy efficiency programs produce an economic benefit because the cost to reduce a kilowatt-hour of electricity is a fraction of the cost to produce a kilowatt-hour of electricity. According to an LSU study on this subject, a statewide program would result in energy efficiency improvements to approximately 60,000 homes and businesses annually and would have an annual per customer total economic benefit of over \$400 and result in almost 2,200 new jobs (see, <http://www.leeric.lsu.edu/energy/>).

Economically, these measures provide immediate benefits to New Orleans consumers and businesses. For example, increased competition from renewable energy leads to lower natural gas prices, offsetting the incremental costs of meeting a renewable energy standard. In addition, rather than exporting costs to secure energy, investment in wind and biomass will create jobs - indeed entirely new economic sectors, which would likely be based in the New Orleans region. Moreover, renewable energy tax credits and a carbon emission trading system provide businesses with incentives and financial means required to rely more on alternative fuel sources, and, indeed, become generators of such energy options themselves.

Environmentally, the measures position New Orleans as a leader in addressing climate change, which, according to the United Nations, has rendered New Orleans the most vulnerable city in North America.

e) **Decentralized Wastewater Treatment**

The City must consider a range of centralized and decentralized wastewater treatment options for various areas within the Parish. In some situations, decentralized waste water systems can be designed and installed at lower cost as well as have lower operation and maintenance expenses on a continuing basis. If properly managed, they can also be more resilient than centralized systems and less vulnerable to outages in the event of damage at vulnerable points in centralized systems.¹²

f) **Stormwater Management**

The use of storm water management systems serving individual lots or neighborhoods can reduce loads inflicted on the existing systems of sewers, canals and pumping stations. The City should incorporate into its recovery plan, the design and implementation of individual lot and neighborhood storm water management systems. This must be done as part of the overall evaluation of storm water management needs within the Parish.¹³

g) **Efficient Drinking Water Development**

The City must investigate the applicability of innovative drinking water infrastructure options and policies and incorporate such wastewater and utility strategies into the recovery plan.¹⁴

h) **Sediment and Soil Remediation**

¹² For more information, see: Center for Watershed Protection, <http://www.cwp.org>, Septic Systems Info and Management Handbook for Septic/Decentralized Systems, http://cfpub.epa.gov/owm/septic/home.cfm?program_id=70, <http://www.epa.gov/owow/nps/urban.html>).

¹³ For ore information, see: "Using Smart Growth Techniques as Storm water Best Management Practices," <http://www.epa.gov/smartgrowth/stormwater.htm>).

¹⁴ For more information, please see: "Growing Toward More Efficient Water Use: Linking Development, Infrastructure," and "Drinking Water Policies," http://www.epa.gov/smartgrowth/water_efficiency.htm; see also, "System Partnership Solutions to Improve Public Health Protection," <http://www.epa.gov/safewater/smallsys.pdf/capacitydevelopstudyv15.pdf>, <http://www.epa.gov/safewater/smallsys/ssinfo.htm>).

Sediment and soil contamination caused by wide-spread flooding in New Orleans raises critical public health, economic and legal concerns that significantly impact the rebuilding process.

First, contamination and dust from sediment accumulations present considerable environmental health risks to thousands of people working and in increasing numbers, inhabiting areas that were flooded. Second, remaining sediment accumulations, documented contamination, and a lack of testing of underlying soil and private property are creating widespread insecurity within the insurance and mortgage lending industry, with respect to rebuilding and conveying flooded properties. Third, as residents return en masse to flooded areas, the city and state could face possible legal liability if contaminated areas are not thoroughly identified and remediated as part of any process by which residents are permitted to rebuild and re-inhabit an area.

In conjunction with LDEQ and EPA,¹⁵ the following action items should be implemented:

- i) The immediate removal of the remaining significant accumulations of flood sediment in residential areas and remediate soil contamination in locations where contamination exceeds federal and state remediation levels.
- ii) Provide city planners and the public with thorough sampling, public health, and toxicological data, detailing: a) the location and magnitude of contaminated public and private property; and b) the extent to which flood contaminants have leached into residential property topsoil.
- iii) Issue procedures and timelines for conducting remedial actions in “hotspot” locations where contamination levels exceed federal and state safeguards.
- iv) Conduct a formal risk assessment, detailing: a) short- and long-term health risks associated with contaminants found in excess of state and federal standards, particularly for sensitive population groups; b) exposure pathways associated with such contaminants; and c) methods for reducing associated health risks.
- v) Develop a transparent and uniform process whereby property owners, developers, and insurance and mortgage lending companies can receive certification that properties that were flooded and are to be bought, sold or developed do not have soil contamination in excess of applicable governmental health risk criteria.

i) Landfill & Waste Management

The City must develop a comprehensive policy for siting landfills and managing storm-related waste and building residuals. First, federal spending guidelines confer higher priorities for plans and projects

¹⁵ In addition to governmental support through existing enforcement and clean-up programs, CARE, an EPA sponsored, community-based, multi-media program, serves local communities by helping them address the cumulative risk of toxics exposure. CARE provides competitive grants offering an innovative way for communities to work at the local level to address the risks from multiple sources of toxics in their environment. CARE educates and supports communities by helping them assess risks while also providing funding and access to EPA’s and other voluntary programs to address local environmental priorities. See, <http://www.epa.gov/care>, Roxanne Smith, smith.roxanne@epa.gov.

that demonstrate “value-added” management. Therefore, debris removal and disposal projects that employ uniform and sustainable practices for waste separation, storage, and disposal are more apt to receive federal funding and relaxed scrutiny. Moreover, a comprehensive landfill siting plan will provide neighborhoods that are rebuilding with a reliable participatory process through which they can challenge the location of proposed landfills, while receiving information concerning hazard mitigation measures to be incorporated by public officials and the landfill operator.

In addition to a comprehensive landfill siting process, as best as practicable, the City should utilize storm debris and residuals as resources that, through state-of-the-art handling and reuse methods, can enhance economic development and community quality of life in the City. Specifically, the City should develop means to incentivize home deconstruction and recycling in lieu of demolition and landfilling. Finally, it should develop best practices and policies in order to managing green waste as cribbage for coastal restoration in lieu of incineration.

j) Cultural and Civic Institutions

The Planning Process must work in collaboration with State and City offices for Tourism, Arts and Culture and Economic Development in order to plan for restoring and expanding damaged cultural and civic institutions, as well as setting out means for new institutions throughout New Orleans. This includes developing city-wide and neighborhood-specific plans that outline infrastructure and amenity requirements that are necessary to revitalize existing cultural institutions and streamline the process for siting and funding the development of new institutions, including the conversion of damaged or unused properties into diverse cultural and artistic venues.

More specific policy and planning proposals should mirror the recommendations of the “Bring New Orleans Back” Commission’s Cultural Committee and, in addition, include:

- i) Development of a Katrina Memorial in a highly accessible location within the City;
- ii) Conduct cultural and entertainment study of Downtown, the Rampart Corridor, and other areas to identify opportunities for expanding arts and cultural features incident to the proposed creation of the “Jazz Experience” Center along Poydras Avenue;
- iii) Restore the Saenger Theatre, Mahalia Jackson Theatre of the Performing Arts, Municipal Auditorium, and other landmark cultural institutions.

k) Parks and Open Space System

The Planning Process should incorporate existing plans for managing the City’s parks and public spaces. This will help identify opportunities for utilizing existing and creating new public space to create an accessible, attractive, and comprehensive park and open space system for New Orleans. Based in part on the recommendations of the “Bring New Orleans Back” Commission and other community recommendations, the following policies should be enabled through the Planning Process:

- i) Establishing Parks in every neighborhood;
- ii) Ensuring that parks and open spaces are multi-functional and, where feasible, operating as green corridors connecting neighborhoods with other locations of the city;

- iii) Designing and utilizing canal edges and covered canals as open space amenities;
- iv) Incorporate to the extent practicable, the City's parks and open space as components within a city-wide stormwater management system;
- v) Implement a consistent streetscape treatment on public sidewalks, along parks and in new or renovated plazas;
- vi) Connect existing public spaces along the riverfront and canals into continuous park systems;
- vii) Identify opportunities to create new parkland that expand or link existing parcels;
- viii) Create new public spaces that will spur private development.

In order to accomplish these aims, the Planning Process must be utilized to update park and open space components of the existing Master City Plan; identify properties that can become part of the system or need to be refurbished as existing parts of the system; and develop proposals for funding by governmental and non-governmental sources.

In accomplishing this, the Planning Process must not only be done in collaboration with related governmental entities or private park space owners. It is essential that the Planning Process involve in a direct advisory capacity, those non profit organizations, charitable trusts and other citizen groups that can ensue meaningful public participation and requisite expertise in the planning and shaping of proposed parks and open space systems.

7) *Neighborhood planning must be done in concert with regional planning.*

The current proposal includes representatives from the Regional Planning Commission (RPC) serving in an advisory capacity. This is essential in forming the planning framework; however, as plans are developed, RPC must be active in developing land use proposals and projects that service the broader region (i.e., storm water retention systems, parks, roads, transit, etc.).

According to RVT, funding priority conferred to proposed infrastructure projects turns in large part on their place within the context of an overall regional development plan that reflects: state-of-the art land use planning tools, a consensus community vision, site restoration and readiness for redevelopment, a plan for residuals management, energy efficiency and water conservation and management. Moreover, the project must also help prevent future environmental and property losses by directing development and infrastructure to suitable areas, and using land more efficiently and in a manner that increases community livability.

Recommended Policy Actions:

The Mayor should meet with the leadership of RPC, CPC, and related public officials to identify projects that will service the metropolitan region. Designated persons would then operate within each

Parish planning process to ensure coordination and uniformity in developing funding proposals for these projects. Further, the plans must be components within each Parish's recovery application.

The coupling of these projects in each Parish's respective plan has a multiplier effect of value-added incentives. For example, a regional plan to dedicate land for community purposes such as pedestrian-friendly mobility, also improves regional air quality and regional recreation opportunities. Such multiplier plans, maximizing regional benefit, have high-funding priority value.

8) *Planning Process must facilitate development of master city plan and zoning alterations.*

The neighborhood planning process must not only be a means to securing government funds; it must also enable the fast-track development of a master city plan and related zoning changes. This coupling is essential to expediting the rebuilding process, as well as in demonstrating to funders that proposed land use concepts and projects can be implemented.

Recommended Policy Actions:

a) Working in conjunction with CPC and City Council, The Mayor should develop a plan that streamlines the creation and implementation of a master city plan by utilizing the existing (but unapproved) 1999 plan as a base, and altering it, as necessary, based on land use concepts and projects developed within the recovery planning process. Proposed alterations to the base master plan should be done as part of the recovery planning process such that the revised master plan can be submitted and approved no later than 3 months after Orleans Parish submits its recovery plan to LRA. Either by agreement or state mandate, City Council must vote on the master plan within a set timeframe.

b) The planning process should be a means of conducting critical code and zoning audits. Proposed zoning changes should be incorporated into each neighborhood-level plan and prioritized based on the importance of the related land use concept and/or project to safety, economic development, and housing restoration. City Council's timetable for voting on zoning changes would be dictated by these priorities.¹⁶

9) *Neighborhood planning should accommodate private investment and development.*

Concurrent with the development of land use proposals and related projects, the planning process should provide private investors and developers with means of submitting proposals for funding and building such projects. Federal recovery funds alone will not finance most recovery projects, particularly those requiring alterations or improvements from pre-storm conditions.

Recommended Policy Actions:

In developing proposed Action Plans, setting out city-wide and neighborhood specific recovery projects, every listed land use proposal and project should include an estimate as to what portion can

¹⁶ For example, Boston employs fast-track zoning to accommodate conversion of abandoned or industrial property into business-use property. In that program, design review occurs prior to the zoning board hearings. Paralleling this, the plans developed incident to the neighborhood planning process would serve as the proposal for consideration by CPC and the City Council, without need for duplication of effort.

be funded by federal recovery funds or other sources of governmental funds and what amount must be secured through private financing.

Based on this, RFP's should be issued, inviting private investment in developing such projects, while including guidelines for construction, deadlines, and formal review of submitted proposals.

10) *Formal Planning Process must full utilize NGO (non-profits, universities, and planning-related entities) expertise and resources.*

For the past several months, dozens of local and national non-profit organizations, universities, and other institutions have contributed resources, staff, and expertise to neighborhood groups developing their own plans. In addition, numerous conferences and inter-NGO task forces have created a considerable volume of guidance materials and policy suggestion related to conducting the New Orleans recovery process.

In order to augment limited staff and resources available to the Planning Process, NGO specialists and materials should be utilized by the CSO and planning teams.

Recommended Policy Actions:

- a) In issuing a formal RFI, the CSO should request from national, regional, and local organizations all materials, policy recommendations, and other guidance documents created in collaboration with neighborhoods developing recovery plans, or addressing more general recovery post-storm matters.
- b) NGO appointees to the CSO should be selected through a formal RFQ, issued city-wide, and using a format similar to that used to solicit planners. Criteria should be based not only on the status of the organization as "city-wide," but its particular expertise relative to recovery and planning issues, policy advocacy, and governmental affairs.
- c) Similar to LRA, the CSO should utilize task forces for each of the major policy issue areas impacting on recovery. A set number of individuals and organizations would comprise each task force and provide the following assistance:
 - i) Compliance guidance pertaining to relevant state and federal regulations;
 - ii) Identification of federal, state, and private grants that match proposed recovery projects;
 - iii) Identification of organizations, companies, and individuals that can support or create recovery initiatives;
 - iv) Development of state and city-level policy recommendations that would enable or support implementation of recovery projects.

APPENDIX

Current Leaders & Other Parties (Non-exhaustive List)

Greater New Orleans Foundation

Ben Johnson, CEO	Kathy Herbert, VP-Finance
Orlando Watkins, YP – Programs	Carey Shea (Rockefeller)

New Orleans Support Foundation

Wayne Lee (Chair)	Joseph Williams	Cleland Powell (Vice Chair)
Kim Boyle (Sec/Treas)	David Voelker	Gary Solomon (Vice Sec)

Louisiana Recovery Authority

David Voelker, Liaison to Orleans Planning Process
 Steven Binger, Orleans Parish Planning Coordinator (developing neighborhood planning format)
 Peter Calthorpe, Principal, Calthorpe Associates (Chief Urban Planner; Planning Team Selection Committee)
 Donna Fraiche, Chair, Long-Term Community Planning Task Force
 Walter Leger, Chair, Housing Task Force Senator Diana Bajoie, Co-Chair, Housing Task Force

Nagin Administration

Greg Meffert, Chief Information Officer
 Judith Williams, Co-Chair, 100-Days Committee
 Rob Couhig, Co-Chair, 100-Days Committee

City Council (all members)

City Planning Commission

Yolanda Rodriguez, Director (Planning Team Selection Committee)	Leslie Allen, Asst. Director
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FEMA Emergency Support Function Planning Team

Scott Davis, Recovery Branch Chief	Ralph Thayer, Senior Urban Planner
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Others

Una Anderson, New Orleans Neighborhood Development Collaborative (NGO advisor)
 John Beckman, Wallace Roberts & Todd (developed BNOB Urban Planning Committee presentation)
 LaToya Cantrell, President, Broadmoor Neighborhood Assoc. (important planning model)
 Joe Canizaro, BNOB Commissioner; Nagin Representative to previous efforts to develop planning process
 Sherman Copeland, Business Person and Former State Legislator, New Orleans East Business Association
 Pam Dashiell, President, Holy Cross Neighborhood Association (important planning model)
 Sheila Danzey, Coordinator, Lambert Planning Process
 Senator Ann Duplessis, New Orleans East Legislator; LRA Long-Term Community Planning Task Force
 Alan Eskew, Planner (Architect of “Landrieu” Planning Process)
 Pres Kabicoff, CEO, HRI Properties; Influential Developer and Financier
 Michelle Kimball, Preservation Resource Center of New Orleans
 Paul Lambert, Lambert Advisory, LLC
 Martin Landrieu, Chair, Lakeview Neighborhood Planning Committee (important planning model)
 Ray Manning, Former Co-Lead Planner (developed original framework)
 Rep. Charmaine Marchand (authoring bills for neigh. develop. authorities & limiting LRA planning authority)
 Nikki Najiola, Planning Advisor, Gentilly Neighborhood Association (important planning model)
 Jeanne Nathan, Creative Industries (developed original communications/ outreach strategy)
 Gus Newport (Planning Team Selection Committee)
 R. Larry Schmidt, Director, The Trust for Public Land
 Nathan Shroyer, Neighborhood Planning Network (NGO advisor)
 Mtumishi St. Julien (Housing Task Member; Affordable housing specialist)
 Jeffrey Thomas, Simon Peragine Smith & Redfearn (legal/policy advisor to BNOB Urban Planning Committee)
 Keith Twitchell, Committee for a Better New Orleans (NGO advisor)
 John Williams, Architect (Co-Founder, City Works; BNOB Urban Planning Advisor)