

**The Great Flood of 2016: Remarks to the Subcommittee on Transportation and
Public Assets of the House Committee on Oversight and Government Reform**
Mayor Gerard Landry, Denham Springs, Louisiana
September 9, 2016

The Great Flood of 2016 began with a flash flood on Friday, August 12, 2016. Man-made barriers in the middle of the interstate, combined with the lack of completion of a diversion canal, made the water pool quickly and prevented it from draining naturally. Homes in areas near canals and drainage ditches flooded fast and residents in those areas lost everything by noon that Friday.

By the early morning hours of Saturday, August 13, 2016 the muddy waters had begun to creep over our streets and into the rest of our homes and businesses. These waters came from the stress placed on the Amite River—a second cause of our flooding. By noon, City Hall had 3 feet of water and it continued to rise to 4 ½. Many structures that had never flooded before had water up to the rooflines. Before the end of the next day, 4 trillion gallons of water had fallen in South Louisiana due to a thousand-year rain event. That’s enough to fill 6 million Olympic-sized swimming pools, or to provide the City of New Orleans with indoor water usage for the next 320 years. In the end, these two causes of flooding left ninety percent of the homes and businesses in our city under water.

Even as a storm rages against us, nothing can stop the citizens of South Louisiana. It did not take long before the “Cajun Navy,” as we call it now, came out in full force. Friends and family from all over our community performed search and rescue missions in their bateaus and bass boats. Strangers from across the state and all over the nation came to lend a hand. The Lord blessed these rescue efforts and we thank Him that very few lives were lost. Our faith, our families, and our friends got us through those deep waters.

As the waters receded, we began to assess the damage. We quickly realized that the waters did not respect the lines drawn on our flood maps. In the greater Baton Rouge area, 160,000 properties were flooded.¹ Most of the families whose homes were flooded were uninsured, because their homes were not in a flood zone. Therefore, we must rely on FEMA to assist us in getting back into our homes.

The Federal Emergency Management Agency’s mission statement says that it exists “to support our citizens and first responders to ensure that as a nation we work together to build, sustain and improve our capability to prepare for, protect against, respond to, recover from and mitigate all hazards.” We are thankful for this partnership and FEMA’s assistance, but thus far, FEMA has had very little impact on our community and has not fulfilled the totality of its mission.

¹ Ballard, Mark. *Understanding FEMA Flood-Recovery Programs, Why You're Not Getting 'Thousands of Dollars' Immediately*. The Advocate; September 2, 2016.
http://www.theadvocate.com/louisiana_flood_2016/article_70ccea8-7136-11e6-b6cf-7719e44e945f.html?sr_source=lift_amplify.

We are angered by the lack of effective response from FEMA, by the lack of accurate and timely information given to the citizens FEMA is designed to help, and by the requirement that the majority of the homes and businesses in our community elevate in order to receive assistance.

My frustration stems from the fact that FEMA is applying strict, generalized rules to a flood of epic proportions. Nothing like this has ever happened in Denham Springs, nor in any of the many other areas impacted by these waters. It is unlikely that a flood of this magnitude will ever happen again. Yet, FEMA continues to treat this event as if it were a routine, localized flood that affected a small number of individuals.

It seems that the rules imposed by FEMA are intentionally designed to prevent our citizens from obtaining the assistance they desperately need—the same assistance promised when their tax dollars were used to fund this program. We, as a community, opted to participate in FEMA’s National Flood Insurance Program in exchange for the assurance that FEMA would be there for us when disaster struck.

Lack of Timely Response

We expected help from FEMA to arrive quickly. Or, at the very least, we expected that FEMA representatives would come and assist us in beginning the process of applying for federal aid. After all, a fully-staffed, full-time FEMA Joint Field Office exists in downtown Baton Rouge, just seventeen miles from our City Hall. A short twenty-six minute drive.

But FEMA aid did not come quickly. We waited for five days before the first food and water deliveries were made to our city by FEMA. It took two weeks for a FEMA representative to contact me about setting up a Disaster Recovery Center within the city limits and it was nineteen days after the flood began before it opened.

This is unacceptable. FEMA promises aid and relief in times of great need. But FEMA has not delivered, and has only made our struggle more difficult. FEMA must evaluate its practices and procedures in order to ensure a quick response in times of great crisis. FEMA must efficiently and effectively utilize its vast resources and already-existing field offices in order to meet the needs of our communities. To date, this has not happened.

Lack of Accurate Information

In addition to failing to quickly lend assistance, FEMA has failed to deliver critical information to our citizens in an accurate and timely manner. Just last week, after I was invited to speak to this Subcommittee, four FEMA representatives appeared at my office to ask how they could help. I asked all four of them the same question: can residents living in the City of Denham Springs have FEMA RVs or mobile homes to live in while we rebuild? All four of them responded, “no.”

Gerard Stolar, FEMA's federal coordinating officer, testified before the state's House committee on Homeland Security that FEMA was "running into red tape" with cities.² There is no red tape in the City of Denham Springs. At the first City Council meeting shortly after the flood, our City Council made it clear that they were suspending the ordinance preventing recreational vehicles from being parked in our citizen's yards. Further, any ordinances FEMA requires the city to suspend in order for it to provide our citizens with the assistance they need will be suspended. To date, FEMA has not asked us to alter, amend or suspend any of our city ordinances, nor have they asked us to provide assistance in any other way. Time and time again, FEMA has not only been unable to assist us in meeting its stringent criteria, but has also placed the blame for their inefficiency and failures on our city ordinances.

In addition to misinformation at the city government level, FEMA is providing misinformation to our citizens. Mr. Clyde Meyers, a ninety-year old resident of Denham Springs, was told by FEMA two weeks ago to clear his yard of debris in preparation to receive a FEMA mobile home. After accomplishing this task, Mr. Meyers was told by FEMA that our city ordinances would not allow him to put a mobile home in his yard. FEMA also told Mr. Meyers that a mobile home could not be placed within a flood zone, despite the fact that FEMA lifted this ban last week. I am outraged that our citizens are being forced to fight with FEMA to receive assistance promised to them.

Failure to accurately and timely disseminate critical information essential to our recovery is unacceptable. Clear communication before and during a crisis would prevent this situation from occurring. FEMA must, at the very least, provide its employees with accurate information to give to the citizens in the affected communities. FEMA must provide qualified, experienced personnel to assist community leaders in making the adjustments needed in order for their communities to qualify for FEMA assistance. I am confident that FEMA can improve the lack of communication and provide qualified, experienced employees to assist us in recovery. I ask that they do so immediately.

Substantial Damage and Elevation

The most frustrating part of our experience with FEMA thus far has been navigating the substantial damage determination process and elevation requirements imposed under FEMA's stringent rules. FEMA is blaming the City's ordinance for the requirement that homes within the city that were substantially damaged be elevated to a foot above current base flood elevation. FEMA spokeswoman Robin Smith has publicly stated that elevation decisions are up to local governments. The local governments write their building codes, she said, not FEMA.³ She conveniently forgets the fact that FEMA required the city to pass this ordinance in order for its citizens to be eligible for NFIP.

² Allen, Rebekah. *Two Big Reasons Why Just 1 FEMA Trailer Is In Place After Louisiana Flooding*, The Advocate, August 31, 2016. http://www.theadvocate.com/louisiana_flood_2016/article_63028fc6-6f9c-11e6-9a68-a3f30012eae4.html.

³ Griggs and Hardy. *Where You Live Could Determine Whether Permits or Elevation Required for Flood Damaged Homes*. The Advocate; September 3, 2016. http://www.theadvocate.com/louisiana_flood_2016/article_dc70f312-7081-11e6-a10c-bbd74487cd6b.html?sr_source=lift_amplify.

FEMA's blanket rule, to be applied to all situations, states that in order for a community to participate in the National Flood Insurance Program, the community *must* adopt and enforce regulations and codes that apply to new development in Special Flood Hazard Areas (SFHAs) and to structures that are "substantially damaged."⁴ The FEMA Substantial Improvement/Substantial Damage Desk Reference defines "substantial damage" as follows: "**Substantial damage (SD)** means *damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Work on structures that are determined to be substantially damaged is considered to be substantial improvement, regardless of the actual repair work performed.*"⁵

Due to FEMA's requirement that the city pass such ordinances in order to participate in the NFIP, the City of Denham Springs passed an ordinance using FEMA's definition of "substantial damage." The City of Denham Springs had only two options: to leave its citizens paying outrageous amounts for flood insurance, or to pass this ordinance at the direction of FEMA. As Denham Springs is a city that, until recently, had never sustained damage from flooding of this magnitude, the City chose to pass the ordinance required by FEMA. Our hands were tied and we did exactly as FEMA instructed us to do. We used FEMA's own definition of "substantial damage" in our ordinance.

In effect, this rule means that the vast majority of homes in our city, most of which have never even come close to flooding before, must now elevate in order to obtain the assistance they need to return home.

Elevating homes is not something that is unfamiliar to South Louisianans. We've seen the blight it causes to major cities and can only imagine the blight that it will cause in our small town. We've been eye-witnesses as this requirement has taken its toll on New Orleans, Kenner, Metairie, Gretna, and more. Many homes in these areas remain abandoned, some with spray painted "X's" still on the doors. Many remain in various states of disrepair while they wait for grants to elevate and rebuild, eleven years after Hurricane Katrina made landfall.

This is not a problem that is unique to South Louisiana. We've watched as it's caused the abandonment of many homes on the East Coast following Superstorm Sandy.⁶ The effects of FEMA's stringent rule can be seen in almost every area of our nation that has experienced a catastrophic flood. This rule is a broken one, which has devastating consequences that I am sure its drafters never intended. Its effects worsened when this rule is unquestioningly applied to a city that has never seen a flood of this magnitude; to families who, before last month, would have bet their lives on the fact that their homes would never flood.

An example of one such family is Mr. and Mrs. Hewitt Underwood. Mr. Hewitt is a WWII Coast Guard Veteran who served his country proudly in the Pacific Theater from 1943 to

⁴ FEMA Rule P-758.

⁵ FEMA Substantial Improvement/Substantial Damage Desk Reference. FEMA, May 2010.

⁶ Vanacore, Andrew. *A Look Into The Future? Hurricane Sandy Victims Still Struggling To Rebuild Amid Red Tape, Crooked Contractors.* The Advocate; September 2, 2016.

1946. After he returned home from the war, he married his bride and they built a life together in the town their families had called home for 200 years. In 1957, they built a home on land on which the Underwood family had lived for 100 of those years. They built their home on this property in order to pass the family's legacy on to their grandchildren and great-grandchildren. Their roots are firmly planted in Denham Springs soil.

At 90 years of age, having survived the Great Depression and WWII, Mr. Hewitt experienced the Great Flood of 2016. Last month, the waters on his property exceeded any flood he had ever had known by at least five feet.

A proud veteran, Mr. Hewitt turned to his country for assistance. All he has requested is assistance in repairing his home so that he and his bride can spend their remaining years in the home they built together. Rather than receiving much-needed assistance, Mr. Hewitt was met with long lines, brief meetings and explanations of why he can't receive assistance until he meets a myriad of confusing, complicated regulatory requirements. Even if he meets these requirements, the assistance he so desperately needs is not guaranteed. If Mr. Hewitt is required to elevate his home it will cost around \$100,000, a cost almost equal to the value of his home. He, like so many others, will be forced to abandon his home if he is required to elevate.

All of his life when help was needed, whether by his country or his community, Mr. Hewitt was there. Now, in the twilight of his life, he needs his country to be there for him. And his country is letting him down. The system is broken, and it must be repaired.

The time to act is now. The experiences of Hurricanes Katrina, Rita, and Gustav, along with Superstorm Sandy, have proven to everyone that elevation requirements imposed on an entire city will cause communities to crumble and blight to take hold. Elevation requirements imposed in the aftermath of a flood of epic proportions, a flood which was largely caused by man-made barriers and uncompleted drainage projects, are absolutely unnecessary for mitigation. The majority of the structures that will face elevation requirements will be a distant memory before a thousand-year flood of this magnitude occurs again.

We are not asking for FEMA or their Flood Insurance Administration to waive requirements for new construction in our city. We are pleading with them both to waive the current "substantial damage" determination process and elevation requirements in the wake of this unique, unprecedented event that will not happen again before these buildings return to dust. These requirements have failed to serve as they were intended in the past, and they are sure to fail again.

It is within FEMA's, or their Flood Insurance Administration's, power to grant this request. FEMA should take this opportunity to address the substantial damage requirement that has been a recurring issue in every unique, catastrophic flood event. To fail to do this will permanently damage our recovery.

FEMA has historically created pilot projects to deal with unique catastrophic events. We ask that they use this catastrophic disaster event as a pilot project to change the substantial damage determination process and elevation requirement.

Please, Congressmen, don't make us wait for FEMA to fix the broken system that they have proven they are unwilling to fix. The rules, regulations, policies and laws that are causing our frustrations and inability to rebuild were designed to apply to events considered to be a 100-year flood or less. This event was a 1000-year flood. What we are asking you to create is an exemption from the rules, regulations, policies and laws for any event that exceeds the 100 year statistics. Anything exceeding the statistical 100-year flood these rules were designed to address should not trigger enforcement action.

Let me be clear about one thing—the people of Denham Springs and of South Louisiana are resilient. We are strong. We will continue to help each other and to rebuild. These flood waters will not destroy the heart and soul of our city. However, FEMA, the FIA and Congress must do their part as well. If FEMA continues to enforce strict, generalized standards that have repeatedly proven ineffective to this flood of historic proportions, our city will be unable to rebuild and will fall into blight because of the actions of FEMA. Instead, FEMA must, as its mission states, support our citizens.... to ensure that as a nation we work together to ...respond to, recover from and mitigate all hazards.” I urge you to consider this request as quickly as possible, and I appreciate your time today. Thank you.

Biographical Information

Gerard Landry was elected as Mayor of Denham Springs on November 4, 2014. Prior to running for office, Mayor Landry was the owner and manager of Landry's Markets, Inc. for seventeen years. He is the former District Manger for National Supermarkets, a position in which he oversaw twenty stores in three states with nearly one thousand employees. He is the former Director of Retail Development for Associated Grocers.

Gerard Landry served his country as a member of the U.S. Army's 4013th Garrison Unit. He attended Louisiana State University, served as a member of the Denham Springs Planning and Zoning Commissions, Livingston Parish Council on Aging, the Livingston Parish Chamber of Commerce, the Denham Springs Athletic Association and the Krewe of Denham Springs.

Mayor Landry is a member of Immaculate Conception Catholic Church and serves on its Administrative Council. He has been married to Marian Miller Landry for thirty years. They have seven children and thirteen grandchildren.