

DISASTER RECOVERY INITIATIVE

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

*Allocations, Waivers and Alternative Requirements for Grantees Receiving Community
Development Block Grant
Disaster Recovery Funds in Response to Disasters Occurring in 2011, 2012 and 2013
The Disaster Relief Appropriations Act, 2013 (Public Law 113-2)
Federal Register Docket No. FR-5696-N-03*

LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT-DISASTER RECOVERY UNIT

**STATE OF LOUISIANA
SUBSTANTIAL AMENDMENT NO. 8:
CLARIFICATION OF PROGRAM ACTIVITIES
FOR THE UTILIZATION OF
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
UNDER THE NATIONAL DISASTER RESILIENCE COMPETITION (NDRC)
LOUISIANA'S RESETTLEMENT OF ISLE DE JEAN CHARLES**

Public Comment Period: October 23, 2024 – November 7, 2024

Submitted to HUD: December 6, 2024

Approved by HUD: March 18, 2025

Jeff Landry, Governor

Billy Nungesser, Lieutenant Governor

Taylor F. Barras, Commissioner of Administration



**Louisiana Office of
Community Development
Disaster Recovery**

Overview

HUD awarded \$92.6 million in CDBG–NDR funds to the State of Louisiana in 2016, including \$48.3 million to implement the Isle de Jean Charles (IDJC) resettlement. Since the award of the CDBG–NDR funds, the State has moved forward in the planning and development of the new community, The New Isle, and has identified several challenges related to the eligibility of some project activities and the timeline for certain project activities to meet a national objective, as provided in the CDBG–NDR Notice (81 FR 36557). The State has also identified challenges associated with maintaining the affordability of New Isle homes for resettled residents.

In order to achieve the long-term resiliency and recovery goals of the CDBG-NDR project, HUD has granted a waiver and alternative requirements to allow the State to treat the “IDJC Resettlement Project,” a large complex project with multiple components that contribute to long-term recovery and resilience, as a single eligible activity. HUD’s Federal Register notice effective on January 29, 2024 (89 FR 3942) creates the “IDJC Resettlement Project” as a new eligible activity. This new eligible activity includes two components: (1) the creation of a Residential Assistance Fund (the “Fund”) and (2) the acquisition, infrastructure, housing, economic development, and public service activities described in the State’s HUD-approved, amended [Substantial CDBG-NDR Action Plan Amendment 5](#).

The Fund is being created to assist with certain costs in order to achieve the long-term resiliency and recovery goals of the project, and to ensure the affordability and sustainability of both The New Isle as well as the approved elements of the “IDJC Resettlement Project” eligible activity (as noted above, these elements may include acquisition, infrastructure, housing, economic development, and public service activities). Most immediately, the Fund will assist with the homeowner’s insurance cost for homeowners that executed a five-year forgivable mortgage and resettled from the IDJC community to the New Isle.

This Substantial Action Plan Amendment provides details on the new “IDJC Resettlement Project” eligible activity, the Fund, and how these activities meet a national objective as required by HUD in 89 FR 3942. The resettlement of the Isle de Jean Charles community and the development of the more resilient New Isle community is a unique effort by the State of Louisiana to demonstrate, with the support of CDBG–NDR funds, how communities nationwide may implement the voluntary resettlement of a community with diverse cultural identities and traditions, when confronted with repetitive disaster-related losses of land mass due to climate change. The IDJC Resettlement Project has the potential to serve as a model for other communities seeking to manage the retreat and resettlement of communities threatened by climate change.

The State intends to execute a Cooperative Endeavor Agreement (CEA) with the South Central Planning and Development Commission (SCPDC) in late 2024. The SCPDC is a Special District of the

State and a 501(c)1 non-profit organization that administers both Federal and State grants and projects and represents economic development interests and people in several parishes, including Terrebonne, where The New Isle is located to administer the Fund and carry out the other eligible activities.

IDJC Resettlement Project eligible activity

HUD determined that the components of the IDJC Resettlement Project are largely eligible CDBG–NDR activities but that the complexity of managing multiple separate eligible activities as components of the overall relocation would detrimentally delay the timeline of this critical recovery project. As such, HUD created the “IDJC Resettlement Project” as a new, eligible activity. This new eligible activity includes two components:

- The creation of the Residential Assistance Fund (the “Fund”); and
- The acquisition, infrastructure, housing, economic development, and public service activities described in the State’s HUD-approved, amended [Substantial CDBG-NDR Action Plan Amendment 5](#).

This amendment outlines the requirements related to the creation of the Fund.

Budget for the Fund

The Fund will be initially capitalized with the remaining unobligated CDBG-NDR grant funding in an amount of at least \$1,360,948. At the time the Fund is capitalized the budget included in the CEA will be adjusted as required. This amount is to be used by the fund administrator for the following activities:

- Homeowners Insurance Premium Payments
- Economic Development Assistance
- Public Facilities and Improvements
- Housing Development

The fund will thereafter be replenished by:

- CDBG-NDR program income generated by economic development activities at The New Isle; and/or
- CDBG-NDR program income generated from other sources

The incurred and estimated costs for homeowner’s insurance for all eligible homeowners for the full five-year period are \$697,250.31. As of October 16, 2024, the estimated remaining homeowners’ insurance payments for all eligible homeowners are \$364,072.05.

The insurance premium payments budget is calculated using the projected homeowners insurance costs for each homeowner based on historical and forecast homeowners' insurance premium data.

Eligible costs under the Fund

Eligible Costs under the Fund include the following:

- Five years of homeowners insurance costs for homeowners that executed a five-year forgivable mortgage and resettled from the IDJC community to The New Isle, and
- Other eligible costs include those allowable in accordance with 2 CFR Part 200, subpart E that are necessary to achieve the long-term resiliency and recovery goals of the project and ensure the affordability and sustainability of The New Isle and the approved elements of the “IDJC Resettlement Project” eligible activity.

Homeowners insurance costs

As noted above, homeowners that executed a five-year forgivable mortgage and resettled from the IDJC community to the New Isle may have their homeowners insurance costs covered for a five-year period from the date of closing.

Flood insurance, property taxes, and termite treatment are not eligible costs under the Fund. Beneficiaries to the Fund must be primary owners of the New Isle residence. Heirs and later owners are not included in the Fund. Homeowners insurance costs for a five-year period after closing are allowable in accordance with 2 CFR Part 200, subpart E. These costs are necessary for HUD and the State to achieve the long-term resiliency and recovery goals of the project and ensure the affordability and sustainability of New Isle so resettled households can successfully remain in their new residences. The Fund is to be used to pay for actual costs incurred by the homeowners and charged by property insurers. Payments are made directly to property insurers, which ensures the proper and efficient administration of the funds.

Eligible beneficiaries for home insurance payments are former residents of IDJC that resettled as part of the CDBG-NDR project (as described in [Substantial CDBG-NDR Action Plan Amendment 5](#) under “Resettlement Options: Eligibility and Benefits” as the “A New Home in the New Community” option).

The Fund shall not be used to compensate beneficiaries or any other New Isle households for losses from disaster-related impacts.

Other eligible costs

Other eligible costs include those allowable in accordance with 2 CFR Part 200, subpart E that are necessary to achieve the long-term resiliency and recovery goals of the project and ensure the affordability and sustainability of New Isle and the approved elements of the “IDJC Resettlement Project” eligible activity including acquisition, infrastructure, housing, economic development, and public service activities.

Mechanisms and process for providing assistance

The five years during which a homeowner is eligible to receive assistance begins on the date of closing for each New Isle household. As such, the Fund was established effective with the first New Isle Community closing on August 24, 2022. Currently, homeowners insurance is paid directly to the insurer on record for each homeowner by the State.

The use of the Fund for the other eligible activities including acquisition, infrastructure, housing, economic development, and public service activities described in the State’s HUD-approved, amended [Substantial CDBG-NDR Action Plan Amendment 5](#) are to be carried out as directed via the CEA between the State and the SCPDC.

Monitoring the administration and use of the Fund

The CEA contemplated by the State and the SCPDC includes the following:

- The transfer (from the State to SCPDC) of approximately 500 acres of land at The New Isle, which includes commercial use property (including the community center and marketplace), residential use property, and residual community property; and
- The transfer (from the State to SCPDC) of the Residential Assistance Fund in the amount of at least \$1,360,948 for administration and management by the SCPDC in accordance with this Action Plan Amendment, the associated Sustainability Plan and the CEA; acceptance and management of the Fund and associated Sustainability Plan, and acceptance and management of the Homeowner’s Association at the New Isle.

Through this CEA, the SCPDC is also willing and able to oversee the development of the remainder of the residential property supporting the interest of the current New Isle residents and SCPDC’s newly created entity, the South Central Regional Affordable Community Housing Authority (SCRACH) and its mission to develop affordable housing in this area and resettling persons that

have been displaced and/or are at risk of displacement. The SCPDC will be allowed to dispose of land or otherwise generate program income to deposit into the Fund for payment of the eligible homeowners' insurance costs and other eligible activities. The SCPDC must first use the funds to pay all eligible homeowners' insurance costs for the five-year period. Other eligible activities include those allowable in accordance with 2 CFR Part 200, subpart E that are necessary to achieve the long-term resiliency and recovery goals of the project and ensure the affordability and sustainability of New Isle and the approved elements of the "IDJC Resettlement Project" eligible activity including acquisition, infrastructure, housing, economic development, and public service activities. Additionally, as part of the CEA, the State will require SCPDC to provide various reports to the Louisiana Office of Community Development – Disaster Recovery (LOCD-DR) detailing, at minimum, payments made to insurers on behalf of eligible households, economic development activities, property disposition, and deposits, and payments and balances of the Fund.

Currently, the State pays homeowners insurance costs directly to insurance companies. After execution of the agreement with the SCPDC, homeowners' insurance policies and invoices will be provided directly to the SCPDC every year through the five-year period. If a policy lapses or is cancelled, the LOCD-DR is notified as the mortgagee listed on the insurance policy and will notify the SCPDC. As described, the SCPDC will pay the homeowners' insurance companies directly as invoices come due on behalf of each New Isle residence eliminating the risk of misuse of the Fund for non-eligible costs.

The CEA will be executed subsequent to approval of this Substantial Action Plan Amendment by the U.S. Department of Housing and Urban Development and will be available to the public.

Ensuring public transparency

In addition to the publication of this Substantial Action Plan Amendment, the State has developed a detailed Sustainability Plan that is available online and is being provided to all New Isle homeowners eligible for assistance from the Fund. The State hosted a meeting open to all residents of The New Isle to provide an overview of the Sustainability Plan, information on the Fund and the SCPDC and the details of the Action Plan Amendment on September 5, 2024, at the Community Center in The New Isle. The State will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with organizations located in or serving the target area or neighborhood. The State will also hold a public hearing and as of this publication, the hearing is scheduled for October 31, 2024.

National objective

HUD has established alternative requirements for addressing the objective of benefitting low- and moderate-income (LMI persons) to enable the State to accomplish its IDJC Resettlement Project goals which includes relocating households as well as carrying out acquisition, infrastructure, housing, economic development, and public service activities intended to create a sustainable, long-term community for resettled residents in New Isle. This section describes how the IDJC Resettlement Project meets all criteria of the LMI National Objective required by HUD in 89 FR 3942 including:

- The service area of New Isle is primarily residential with related cultural and recreational components;
- At least 70 percent of resettled households qualify as LMI;
- The New Isle community includes the community center, marketplace, recreational facilities, parks, and additional site improvements;
- The economic development activities funded by the IDJC Resettlement Project will increase economic opportunity, primarily for LMI persons, through the creation of permanent jobs;
- The creation of a Sustainability Plan used to assist resettled households with housing costs for five years.

Service area benefit

The State has determined the service area benefiting from the IDJC Resettlement Project is primarily residential in character with related cultural and recreational components including the community center and marketplace.

Household LMI status

The State verified the income of each household during the application phase of the program to determine whether they qualified as LMI. At least 70% of the households that are part of the original IDJC resettlement to the New Isle qualify as LMI. Appropriate documentation for each household is contained in the State program files.

Community center, marketplace, recreational facilities, parks, and additional site improvements

The State has completed the marketplace and the community center, parks, recreational facilities and made additional site improvements described in its approved action plan as part of the New Isle community.

LMI job creation

The State, through its CEA with the SCPDC, will require that economic development activities funded through the IDJC Resettlement Project are complete and will increase economic opportunity primarily for LMI persons, through the creation of permanent jobs. Any jobs held or created because of the economic development activities located in the New Isle community are presumed to be held by or made available to primarily LMI persons.

Sustainability plan

The Sustainability Plan is available on OCD's website at <https://www.doa.la.gov/doa/ocd/policy-and-reports/apa/>. Along with this Action Plan Amendment, the Sustainability Plan is also posted for Public Comment from October 23, 2024, to November 7, 2024. A Public Hearing to discuss this Action Plan Amendment and the Sustainability Plan is scheduled for October 31, 2024.

All IDJC project households that have resettled or are pending resettlement in New Isle are receiving a hard copy version of the Action Plan Amendment as well as the Sustainability Plan via mail to their current address and, when available, their email address. In addition, LOCD-DR is notifying affected citizens about the Sustainability Plan through a press release provided to area news outlets.

Program budget

The IDJC Resettlement project is a single activity and the total funding for this project is \$48,379,249.

Public comments

STATE ACCEPTING PUBLIC COMMENTS, HOSTING PUBLIC HEARING ON NATIONAL DISASTER RESILIENCE ACTION PLAN AMENDMENT 8

The Louisiana Office of Community Development – Disaster Recovery is accepting public comments and hosting a public hearing on the state’s National Disaster Resilience Action Plan Amendment 8 to describe the Isle de Jean Charles waiver, alternative requirements for eligibility and national objective compliance, and use of program income. The public comment period starts October 23, 2024 and ends November 7, 2024.

The resident meeting for this proposed amendment was held September 5, 2024, 5:30-6:30pm at the New Isle Community Center. A Public Hearing will be held on October 31, 2024, 10:30-11:30am at the New Isle Community Center.

A copy of the Action Plan Amendment is available at doa.la.gov/doa/ocd/policy-and-reports/apa/ or by calling 225.219.9600.

Members of the public can submit comments several ways:

- Emailing them to ocd@la.gov;
- Mailing them to Disaster Recovery Unit, P.O. Box 94095, 70804-9095, Attn: Janice Lovett; or
- Faxing them to the attention of Janice Lovett at 225.219.9605

The plan is available in Vietnamese and Spanish to reach the limited English proficiency citizens in the impacted areas. Citizens with disabilities or those who need other technical assistance should contact the LOCD-DR office for assistance via the methods listed above.

At the end of the official public comment period, the State will submit the action plan amendment to the U.S. Department of Housing and Urban Development for approval.

PUBLIC COMMENTS

LOCD-DR Note: The following comments relate to the tribe as a partner in The New Isle Resettlement. They have been grouped and responded to collectively.

COMMENT General Comment: There is no reference to the Tribe as a partner or beneficiary. The new CEA does not appear to recognize the role of Tribal leadership or the original intent of the proposal.

COMMENT I am very concerned that this process does not meaningfully incorporate insights from tribal leadership, and that, without those insights, the intentions of the amendment are in question and its consequences could be harmful to these groups. Please do not transition the ownership and management of the New Isle without further discussion with Jean Charles Choctaw Nation. I also worry about the financial support restrictions proposed in the amendment, and this need to be rethought to ensure that the resettlement is more equitable.

COMMENT I am writing in support of protecting and upholding the Tribal Sovereignty and Indigenous Rights of the Jean Charles Choctaw Tribe. The proposed amendment to the Isle De Jean Charles Resettlement is concerning for a number of reasons. The results of this amendment will infringe on Tribal Sovereignty as the Tribe will be essentially removed as a partner. Additionally, the proposed process will change the entity responsible for managing the New Isle. This decision was made without Tribal consultation and raises concerns regarding how the transition of ongoing projects will be handled and completed. It is also unclear how the new management entity, the South Central Planning and Development Commission, will include the Tribe in future decision making. While reading through the proposed amendments, it is clear that there is not a firm understanding of the current status of ongoing project work. I implore you to reconsider this amendment. The Office of Community Development must uphold its commitment to working with the Jean Charles Choctaw Tribe as an equal partner in project planning and decision making around the sustainability plan

COMMENT I write to you as a concerned Indigenous Federally recognized Tribal member and mother of four children who have roots to the Choctaw Nation. As a mother it's important to protect my children's right to know and learn of their ancestry and history. Recently, the State of Louisiana has submitted an Amendment to the Isle De Jean Charles Resettlement. This amendment has failed to include the Jean Charles Choctaw Tribe in these amendments as partners, beneficiaries, and fails to include culture preservations. The amendment also fails to provide a plan on existing and incomplete projects and how the Jean Charles Choctaw Tribe will be included in decision making within this new transition of management of the new Isle under South Central Planning and Development Commission. The Jean Charles Choctaw Tribe has an ancestral right to be included in the management and preservation of the Jean Charles Choctaw Tribal community Resettlement of Isle De Jean Charles with right to financial supports for long-term goals of the Jean Charles Choctaw Tribe. Please deny the State of Louisiana's request of Amendments to the Isle De Jean Charles Resettlement, and protect Jean Charles Choctaw Tribal community's rights to cultural preservation and protections.

COMMENT I'm sending this letter in support of protection for the Jean Charles Choctaw Tribes Tribal Sovereignty and Indigenous Rights. I am in opposition to the amendment that would further remove the Tribe as a partner and beneficiary of the funding for resettlement. Decisions

about the transfer of the Resettlement should not be made without their participation. Thank you for adding my voice to those who believe that cultural preservation and Tribal rights should not be ignored

COMMENT I am writing to comment on the State's Amendment to the Isle De Jean Charles Resettlement. SCPDC should not be the owner or manager of this project without there being formal, signed, assurances delineating the SCPDC's obligations to include the Jean Charles Choctaw Tribe in decision making. These assurances should be drafted in partnership with the tribal community, and only after these assurances have been drafted should the amendment be put in place. There is no reference to the Tribe as a partner or beneficiary. The new CEA does not appear to recognize the role of Tribal leadership or the original intent of the proposal.

Louisiana/HUD need to understand why the approach to respecting self-determination articulated by OCD in its response to public comments pp. 44-46 at the link below is so unacceptable.

https://www.doa.la.gov/media/3wwj2iyx/ndr_idjc_substantial_amendment_5-hud-approved.pdf

COMMENT I am the Founder & Director of The Neutral Ground Collective. We are a collective of trauma specialists, disaster mental health professionals, climatologists, and social scientists. We provide a community-model approach addressing trauma by leveraging the strengths and resources of the community. Currently, we have been offering aftercare support for several coastal communities throughout South Louisiana. We now know that we can transform trauma through neuroscience which will help alleviate long term physical illnesses. We do cover disaster work in other communities nationally but none are so unique as ours. Our cultural identity is deeply tied to our land. Many of us are indigenous, Cajuns, Louisiana Creoles, French-Indian, and other great cultures that help Louisiana thrive with tourism and commerce. Part of our work is both trauma recovery, prevention, and post-traumatic-growth. With that, cultural preservation is one of our missions for communities to be able to heal and thrive amidst climate change. We are also collaborating with climate migration and receiving community groups to help communities stay together. This is a component of trauma/disaster recovery. We do have a few questions/comments regarding Jean Charles Choctaw Nation sovereignty protection and them having a voice. This is from a mental health perspective Is there a reference to the Tribe as a partner, beneficiary or having representation? The new CEA does not appear to recognize the role of Tribal leadership or the original intent of the proposal. As we face the rapid intensification of the climate crisis, having representation while keeping communities together and thriving will help the overall physical health and well-being for the tribal community as well as surrounding communities.

LOCD-DR Response: The Resettlement of Isle de Jean Charles is a community resettlement, not a tribal resettlement. While most of the residents are Native American, some affiliate with one tribe, others several tribes, and still other residents do not have any tribal affiliation. The program prioritized residents and former residents in providing housing opportunities, but the development must comply with the federal Fair Housing Act, which makes it illegal for public or private housing developments to discriminate based on race, color, religion, sex, disability, familial status or national origin/ethnicity. Moreover, the application approved by HUD envisioned an option allowing the general public to become part of The New Isle through Option C. Option A (current Island residents moving to the New Isle) and D (current Island residents selecting to relocate) have been fulfilled and finalized. Option B (previous Island residents prior to Hurricane Isaac) continues to be a priority for the Program. However, qualifying for financing has been challenging for eligible households, which limits the program's ability to provide opportunities for previous residents to purchase homes at The New Isle. Therefore, as this initiative ends with LOCD-DR, the community will continue to expand and provide affordable housing opportunities to the public qualifying for home ownership.

LOCD-DR Note: The following comments relate to the long-term resiliency of The New Isle. They have been grouped and responded to collectively.

COMMENT "The Fund is being created to assist with certain costs in order to achieve the long-term resiliency and recovery goals of the project, and to ensure the affordability and sustainability of both The New Isle as well as the approved elements of the "IDJC Resettlement Project" eligible activity (as noted above, these elements may include acquisition, infrastructure, housing, economic development, and public service activities)." What will be done to achieve "long-term resiliency?" Some homes have been up for Parish Tax Sale and the insurance payments are only covered for five (5) years. The "long-term" resiliency component is still not being addressed and the community is still struggling with short-term resiliency. Also, OCD repeatedly states that flood insurance and property taxes are not eligible costs under the Fund but does not justify why

COMMENT What will be done to achieve "long-term resiliency?" Some homes have been up for Parish Tax Sale and the insurance payments are only covered for five (5) years. The "long-term" resiliency component is still not being addressed and the community is still struggling with short-term resiliency. Also, OCD repeatedly states that flood insurance and property taxes are not eligible costs under the Fund but does not justify why.

LOCD-DR Response: Thank you for your comments and concerns about long-term resiliency and the Fund's eligibility rules. Here's some clarification:

1. What will be done to achieve "long-term resiliency"?

The Fund aims to support long-term resiliency by helping to create affordable,

sustainable housing and infrastructure that can withstand future risks. For example, the program focused on building homes to FORTIFIED standards and improving community infrastructure to reduce risks from future storms. These efforts are designed to provide stability for current and future residents of The New Isle.

2. Why aren't flood insurance and property taxes eligible costs?

While we understand that flood insurance and property taxes are important, these costs are not eligible due to budgetary and federal compliance concerns. The New Isle is not located in a special flood hazard area and the program is not requiring proof of flood insurance. In addition, payment of property taxes is not an allowable use of CDBG-NDR funds.

LOCD-DR Note: The following comments relate to the Cooperative Endeavor Agreement with South Central Planning and Development Corporation. They have been grouped and responded to collectively.

COMMENT "Other budgeted and planned activities and detailed information on the intended administration of the Fund may be found in the Cooperative Endeavor Agreement to be executed between the State and the intended administrator of the Fund, South Central Planning and Development Commission." Where can the details of the Cooperative Endeavor Agreement be read? I believe, in clear transparency the community and public should know the full details on what future planned activities entail.

COMMENT "Through this CEA, the SCPDC is also willing and able to oversee the development of the remainder of the residential property supporting the interest of the current New Isle residents and SCPDC's newly created entity, the South Central Regional Affordable Community Housing Authority (SCRACH) and its mission to develop affordable housing in this area and resettling persons that have been displaced and/or are at risk of displacement." Again, what are the details surrounding SCPDC's new program and how will the resettlement be used for their purposes? Can this "newly created" program now just walk in and take over the New Isle project? This makes it clear that they've totally written the Tribal cultural resiliency components out of the resettlement program, and it is just affordable housing.

COMMENT "The State intends to execute a Cooperative Endeavor Agreement (CEA) with the South Central Planning and Development Commission (SCPDC) in late 2024. The SCPDC is a Special District of the State and a 501(c)1 non-profit organization that administers both Federal and State grants and projects and represents economic development interests and people in several parishes, including Terrebonne, where The New Isle is located to administer the Fund and carry out the other eligible activities."

Does SCPDC have a proposed plan for future development and strategy they are able to share with the community and public?

COMMENT “Through this CEA, the SCPDC is also willing and able to oversee the development of the remainder of the residential property supporting the interest of the current New Isle residents and SCPDC’s newly created entity, the South Central Regional Affordable Community Housing Authority (SCRACH), and its mission to develop affordable housing in this area and resettling persons that have been displaced and/or are at risk of displacement.” What are the details surrounding SCPDC’s new program and how will the resettlement be used for their purposes? Can this “newly created” program now just walk in and take over the New Isle project? This makes it clear that Tribal cultural resiliency components are not included in the resettlement program and it is just affordable housing.

COMMENT “The State intends to execute a Cooperative Endeavor Agreement (CEA) with the South Central Planning and Development Commission (SCPDC) in late 2024. The SCPDC is a Special District of the State and a 501(c)1 non-profit organization that administers both Federal and State grants and projects and represents economic development interests and people in several parishes, including Terrebonne, where The New Isle is located to administer the Fund and carry out the other eligible activities.”

COMMENT Does SCPDC have a proposed plan for future development and strategy they are able to share with the community and public?, and public service activities).”

LOCD-DR Response: Thank you for your questions and feedback about the Action Plan Amendment. Here are answers to your main concerns:

1. What is the CEA and where can I see it?

The Cooperative Endeavor Agreement (CEA) will be a legal agreement between the State and the South Central Planning and Development Commission (SCPDC). It will explain how SCPDC will manage the program. When the CEA is finalized, it will be made available on our website.

2. What activities are planned?

The Action Plan Amendment outlines the main activities, like creating affordable housing and helping people who were displaced. SCPDC will continue to carry out the mission of affordable housing.

3. Who is SCPDC, and what is SCRACH?

SCPDC is a nonprofit organization that helps with economic development and manages state and federal projects. SCRACH is a new group that SCPDC created to focus on

affordable housing. Together, they plan to help build homes and support displaced families in the area.

4. Will Tribal cultural needs be included?

The Cooperative Endeavor Agreement (CEA) will be a legal agreement between the State and the South Central Planning and Development Commission (SCPDC). It will explain how SCPDC will manage the program. This agreement hasn't been finalized. The Community Center is and will continue to be available to residents to socialize, participate in recreational or educational activities, cultural events and other purposes. Recreational areas available to The New Isle community include access to 123 acres of wetlands, two man-made ponds, St. Louis Bayou and Bayou Blue, which was restored and returned to its natural state, a gathering area behind the Marketplace that potentially could be used for festivals, Pow Wows etc., and sidewalks throughout the community which enhance connectivity and promote walking. The original plan called for several pocket parks and a series of walking trails, which were not completed due to budgetary constraints. The current residents of The New Isle were granted an exception to maintain current ownership of the original island property for cultural and recreational activities. Retaining ownership is not normally allowed in a buyout/relocation HUD program.

5. Does SCPDC have a plan ready?

SCPDC doesn't have a final plan yet because it depends on the Action Plan Amendment being approved. Once it's approved, they will create a plan.

LOCD-DR Note: The following comments relate to the recreational components of The New Isle. They have been grouped and responded to collectively.

COMMENT There are no visible recreational facilities and parks. By definition: recreational facility means a building and/or site used for sports or other active recreational activities and may include health and fitness clubs, racquet courts, dance studios, martial arts schools, basketball and volleyball courts, hockey arenas, football and soccer field, and or other similar sporting fields but not including an outdoor golf course; or any enclosed, indoor area

COMMENT Pg. 8 "The service area of New Isle is primarily residential with related cultural and recreational components;" There are no visible "cultural or recreational components" on the New Isle. The marketplace is not servicing anyone, there are no tenants. The community center is just a rentable building (daily event insurance is required). You are stretching ideas by calling these building cultural and recreational. This makes it clear that they've totally written the Tribal cultural resiliency components out of the resettlement program and it is just affordable housing

COMMENT “The State has completed the marketplace and the community center, parks, recreational facilities and made additional site improvements described in its approved action plan as part of the New Isle community.” The State has not completed a community park or recreation facility.

LOCD-DR Response: The Community Center is available to residents to socialize, participate in recreational or educational activities, cultural events and other purposes. Recreational areas available to The New Isle community include access to 123 acres of wetlands, two man-made ponds, St. Louis Bayou and Bayou Blue, which was restored and returned to its natural state, a gathering area behind the Marketplace that potentially could be used for festivals, Pow Wows etc., and sidewalks throughout the community which enhance connectivity and promote walking. The original plan called for several pocket parks and a series of walking trails, which were not completed due to budgetary constraints. The current residents of The New Isle were granted an exception to maintain current ownership of the original island property for cultural and recreational activities. Retaining ownership is not normally allowed in a buyout/relocation HUD program.

LOCD-DR Note: The following comments relate to language and education components of the program and Action Plan Amendment. They have been grouped and responded to collectively.

COMMENT There is also no reference to how the available webinars and homeowner education strategies will be made accessible to residents. They all appear to require a computer, internet, and knowledge of English.

COMMENT “The plan is available in Vietnamese and Spanish to reach the limited English proficiency citizens in the impacted areas.” The second language of most of the community members is French.

LOCD-DR Response: Thank you for your comments about ensuring accessibility for all residents.

- 1. All program participants resettling to the New Isle community participated in homeowner education courses and individual credit counseling sessions before closing on their New Isle home. The courses were offered through the Mid-City Redevelopment Alliance, a community development nonprofit in Louisiana. Should residents desire to take refresher courses, local libraries provide computer and internet access at no cost.**
- 2. Languages for outreach materials:**
Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 require that recipients of federal funds take responsible steps to ensure meaningful access by persons with Limited English Proficiency (LEP persons). The Louisiana Office of Community Development (OCD) is a recipient of federal funds for a portion of its

programs and, thus obligated to reduce language barriers that can preclude meaningful access by LEP persons to OCD Programs. OCD has prepared a Language Access Plan (LAP) which can be reviewed at [a-31-ocd-language-access-plan-2024.pdf](#). LOCD-DR has access to translation services that can be utilized for special requests for translations if requested.

Your feedback is vital to helping us improve. We are committed to making this program as inclusive and accessible as possible.

LOCD-DR Note: The following comments were not grouped and responses are provided for each.

COMMENT “The IDJC Resettlement Project has the potential to serve as a model for other communities seeking to manage the retreat and resettlement of communities threatened by climate change”. It has been 8 years since the grant was awarded and now implemented, has the State of Louisiana created a model? With the recent developments in North Carolina, Georgia, and Florida due to storms, the model for other communities to utilize would be an important document to share. And that model cannot repeat the same violations of Tribal sovereignty but must respect Tribe-led plans and Tribal leadership's sovereign role. Louisiana/HUD need to understand why the approach to respecting self-determination articulated by OCD in its response to public comments pp. 44-46 at the link below is so unacceptable

https://www.doa.la.gov/media/3wwj2iyx/ndr_idjc_substantial_amendment_5-hud-ap

LOCD-DR Response: Please see the Isle de Jean Charles resettlement [Phase I](#) and [Phase II](#) reports.

COMMENT I am writing to you in support of the Jean Charles Choctaw Tribe and asking that you protect the Tribal Sovereignty and Indigenous Rights of the Tribe. Full transparency of projects (planning and implementation) is needed to determine how to best protect the water, soil and air from being degraded. Full transparency protects the health and welfare of the people for in perpetuity. Please do not formulate another land grab.

LOCD-DR Response: The Resettlement of Isle de Jean Charles is a community resettlement, not a tribal resettlement. While most of the residents are Native American, some affiliate with one tribe, others several tribes, and still other residents do not have any tribal affiliation. The program prioritized residents and former residents in providing housing opportunities, but the development must comply with the federal Fair Housing Act, which makes it illegal for public or private housing developments to discriminate based on race, color, religion, sex, disability, familial status or national origin/ethnicity. Moreover, the application approved by HUD envisioned an option allowing the general public to become part of The New Isle through Option C. Option A (current Island residents moving to the New Isle) and D (current Island residents selecting to relocate) have been fulfilled and finalized. Option B (previous Island residents prior

to Hurricane Isaac) continues to be a priority for the Program. However, qualifying for financing has been challenging for eligible households, which limits the program's ability to provide opportunities for previous residents to purchase homes at The New Isle. Therefore, as this initiative ends with LOCD-DR, the community will continue to expand and provide affordable housing opportunities to the public qualifying for home ownership.

COMMENT Thank you for taking comments, though I have written my concerns as questions:

- Has SCPDC established a Cooperative Endeavor Agreement? Where is it? Does it include benefits the way a Community Benefits Agreement/Plan (CBA/CBP) typically does?
- How will SCPDC and the State of Louisiana respect Tribe-led plans and Tribal leadership's sovereign role?
- Does SCPDC have a proposed plan for future development and strategy they are able to share with the community and public? If so, will it be shared in an equitable manner (e.g., in French language as well as in written/video/audio formats) so that all may have access, respond, and contribute?
- Regarding sustainability, what will be done to achieve "long-term resiliency?"
- Where are the cultural and recreational facilities, spaces, and plans?

LOCD-DR Response: The Resettlement of Isle de Jean Charles is a community resettlement, not a tribal resettlement. While most of the residents are Native American, some affiliate with one tribe, others several tribes, and still other residents do not have any tribal affiliation. The program prioritized residents and former residents in providing housing opportunities, but the development must comply with the federal Fair Housing Act, which makes it illegal for public or private housing developments to discriminate based on race, color, religion, sex, disability, familial status or national origin/ethnicity. Moreover, the application approved by HUD envisioned an option allowing the general public to become part of The New Isle through Option C. Option A (current Island residents moving to the New Isle) and D (current Island residents selecting to relocate) have been fulfilled and finalized. Option B (previous Island residents prior to Hurricane Isaac) continues to be a priority for the Program. However, qualifying for financing has been challenging for eligible households, which limits the program's ability to provide opportunities for previous residents to purchase homes at The New Isle. Therefore, as this initiative ends with LOCD-DR, the community will continue to expand and provide affordable housing opportunities to the public qualifying for home ownership.

COMMENT: Keep up the communication.

LOCD-DR RESPONSE: Thank you for your comment on the State of Louisiana’s proposed Substantial Action Plan Amendment 8 for the resettlement of the residents of Isle de Jean Charles. The state is committed to ensuring public transparency as we move forward with plans for the continued development and sustainability of the New Isle community.