

Hon. W. Craig Fugate  
*Administrator*  
Federal Emergency  
Management Agency  
500 C Street, SW  
Washington, D.C. 20472

Hon. Deborah Ingram  
*Assistant Administrator,*  
*Recovery*  
Federal Emergency  
Management Agency  
500 C Street, SW  
Washington, D.C. 20472

Hon. Anthony "Tony" Russell  
*Assistant Administrator,*  
*Recovery*  
Federal Emergency  
Management Agency  
FRC 800 North Loop 288  
Denton, TX 76209-3698

Re: Livingston Parish appeals to the Federal Emergency Management Agency concerning public assistance determinations in Declaration No. FEMA-LA-1786, Project Worksheets Nos. 54v1, 5590, 5591, 5593, and 5594.

Gentlemen and Ms. Ingram:

In September 2008, Livingston Parish, Louisiana was devastated by Hurricane Gustav. The Parish experienced unprecedented damage. Debris filled its streets, roads and public waterways. This debris posed an undeniable threat to the lives and property of the citizens of Livingston Parish. At the urging of the Federal Emergency Management Agency and the Louisiana Governor's Office of Homeland Security and Emergency Preparedness, the Livingston Parish Government took prudent and necessary steps to eliminate these hazards by removing this debris.

Throughout the debris removal project, representatives of the Livingston Parish Government emphasized to both FEMA and GOHSEP that Livingston Parish lacked the resources to fund this effort without federal assistance. Throughout the project, the Livingston Parish Government sought and received guidance from both FEMA and GOHSEP to insure that the project would receive the maximum available reimbursement through FEMA's Public Assistance program. Through the majority of the project, the Livingston Parish Government received repeated assurances from both FEMA and GOHSEP that the Parish had acted prudently and responsibly and that federal reimbursement should be available for the work.

Now, FEMA has denied funding for the vast majority of the costs incurred by the Livingston Parish Government. The referenced project worksheets represent determinations in which FEMA has denied millions of dollars in funding for costs that Livingston Parish incurred in good faith reliance on guidance and assurances that the Parish Government received from that agency. Each of these project worksheets is currently on appeal with FEMA, either at the first appeal level with FEMA's Region 6 or on second appeal to Washington.

The Livingston Parish Government does not want any money to which it is not entitled under the federal Stafford Act and its implementing regulations. The Livingston Parish Government has repeatedly expressed concerns that it does not want to be placed in a position in which it accepts money from FEMA only to have FEMA later seek to recoup that money in response to a Department of Homeland Security audit or some other contingency. *However, we*

believe that eligible costs were incurred by the Livingston Parish Government and represent legitimate and fully eligible costs that FEMA should reimburse.

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It has now been nearly two years since that project was completed. FEMA and GOSHEP observed and participated heavily in the implementation of the project, thereby gaining an intimate and first hand understanding of the work while it was being performed. FEMA and GOHSEP thereafter have had extensive access to the project records and vast amounts of time to sift those records and conduct needed inquiries. Representatives of the Parish Government have urged FEMA and GOHSEP to scrutinize the evidence rigorously, to the end that, to maximum possible extent, the Livingston Parish Government can confidently accept any awards that FEMA might grant with the assurance that the risk that FEMA might change its mind has been minimized.

The delay in federal reimbursement for the Hurricane Gustav cleanup costs has severely injured scores, if not hundreds, of Livingston Parish citizens and businesses. Vendors, contractors and workers who contributed to the effort have experienced or now face financial ruin.

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The Livingston Parish Government believes that FEMA now has had the opportunity and expects that FEMA has availed itself of the opportunity to fully investigate the eligibility of the costs that the Parish incurred in after Hurricane Gustav. The Livingston Parish Government believes that your investigation should confirm that the Parish acted reasonably, under the circumstances in the conduct of its affairs, and that the eligible costs that it incurred should be reimbursed through the Public Assistance Program. ***The Livingston Parish Government, through its President, its Council, and its legal representative, hereby urges FEMA to favorably consider its appeals of the referenced project worksheets, and grant to Livingston Parish the maximum legally available reimbursement.***

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Thank you very much for your consideration of this request. Questions concerning the subject matter of this letter should be directed to District Attorney Scott Perrilloux, special appeals counsel A. Shelby Easterly, and Parish President Mike Grimmer.

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Respectfully yours,

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Michael Grimmer  
Livingston Parish President

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Randall Rushing  
Chairman, Livingston Parish Council

and

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Scott M. Perrilloux  
District Attorney, 21st Judicial District

Legal Representative, Livingston Parish

cc:

Senator Mary Landrieu  
Senator David Vitter  
Representative Steve Scalise, First Congressional District  
Representative Cedric Richmond, Second Congressional District  
Representative Jeffrey Landry, Third Congressional District  
Representative John Fleming, Fourth Congressional District  
Representative Rodney Alexander, Fifth Congressional District  
Representative William "Bill" Cassidy, Sixth Congressional District  
Representative Charles W. Boustany, Jr., Seventh Congressional District  
Governor Bobby Jindal  
Hon. Mark Cooper, Director, GOHSEP  
Mr. Mark DeBosier, Assistant Deputy Director,  
Disaster Recovery, GOHSEP