



Everything New Orleans

The Times-Picayune

Area levee boards merger is still alive

Bold bill is the surprise survivor of Legislature's special session

Saturday, November 19, 2005

By Ed Anderson and Robert Travis Scott
Capital bureau

BATON ROUGE -- A proposal to unite several New Orleans area levee boards has become the surprise of the current special lawmaking session, riding with business support to an unexpected triumph in the Senate while threatening to overshadow a levee initiative by the governor.

Vying for the title as the most aggressive government overhaul law of the session, the legislation by Sen. Walter Boasso, R-Arabi, faces a tough battle in the House as local interests, political opponents and even government watchdog groups that normally favor levee reform are finding fault with the bill.

And time is short. The session devoted to hurricane recovery will end at 6 p.m. Tuesday.

Boasso concedes his bill will "have a tough time in the House" because some lawmakers will want to keep the patronage-heavy boards intact, and others are opposed to mergers and consolidation, fearing a loss of local input.

"I am not giving up," the pugnacious Boasso said, promising to bring the bill back in the March regular session -- or sooner -- if it dies now.

Senate Bill 95 would create an 11-member Southeast Louisiana Levee Authority with flood control duties that currently are the responsibility of separate levee district boards for Orleans, east Jefferson, St. Bernard and Plaquemines parishes. It also would incorporate a newly created St. Tammany Levee District.

Gov. Kathleen Blanco says she will "not have a problem" with Boasso's bill, as long as the new regional agency would be under the authority of a separate 22-member panel she wants to create to deal with coastal erosion and flood protection on a statewide basis.

"We want to make sure any organization is responsible and will yield to the state's master plan," Blanco said.

Blanco's measure, Sen. Bill 71 by Sen. Reggie Dupre, D-Montegut, has moved quickly through the legislative process and is widely expected to pass.

Dupre's bill creates a Louisiana Coastal Protection and Restoration Authority of 22 members that would work with levee boards, parish governments and federal agencies to come up with a plan to coordinate financing and construction of levees and coastal restoration programs.

Dupre's measure requires the authority to devise short-term and comprehensive plans for flood protection and coastal restoration, and "speak with one voice" in Washington in seeking funds to rebuild levees and coastal protection, said Blanco coastal adviser Sidney Coffee.

If levee boards do not cooperate, Coffee said, Dupre's bill allows the state to withhold money, bring the board to court and gives the state the authority to take over the recalcitrant board.

"This is not just on paper; it is about protecting our coast, and this is the hammer," Coffee said.

Rep. Jim Tucker, R-Algiers, said the problem with Blanco's bill is that it expands bureaucracy and gives the governor's office more power. She now not only names most levee board members, but would name most of the members of the 22-person authority, Tucker said, and her administration would run the authority.

Boasso's bill would allow lawmakers and local governments from the parishes to name the superboard. Tucker said Boasso's bill "gets us closer to what we need in the New Orleans metro area," one agency to coordinate flood problems.

Too many catches?

Jim Brandt, president of the Public Affairs Research Council, a government watchdog agency, said he favors a regional approach to flood protection in the New Orleans area, but Boasso's bill has too many exceptions: It does not include the West Jefferson Levee District or the River Parishes bordering Lake Pontchartrain.

Brandt said he would like to see one levee district for the entire state or at least merged regional levee boards. "The governor's bill doesn't consolidate anything," he said.

Still, he likes the fact that the administration proposal requires a master plan for flood protection to be drafted and followed.

Boasso's bill is backed by the Business Council of New Orleans and the River Region, which has hired top lobbyists to generate support for its agenda in the Legislature. The council argues that the Orleans Levee Board is an embarrassment of political patronage and that the state's fragmented levee district system sends a message to leaders in Washington that federal money on levee improvements will not be well spent.

The group has criticized Blanco's bill as "additional bureaucracy" that would "only compound the problem." So the Boasso bill, in the council's opinion, has become a litmus test of whether Louisiana is serious about post-storm recovery. Many New Orleans businesses, including some that have taken refuge in Houston since the storm, are weighing their future in the city with an eye on whether the levees can be made safe without unnecessary delay.

A 'known failure'

"What we have is a known failure," said Council President Jay Lapeyre Jr. "It seems to me the risks of change are pretty small."

Under Boasso's bill, members of the regional board would include representatives of the East Jefferson Levee District; the Lake Borgne Levee District, which controls levees in St. Bernard Parish; and the flood control portion of the Orleans Levee District. It also would include the Plaquemines Parish Levee District, an arm of parish government. It recreates the St. Tammany Levee District, and exempts the West Jefferson Levee District and the portion of the Orleans Levee District that deals with nonflood matters, such as land leases, two marinas and Lakefront Airport.

A Senate amendment orchestrated by Sens. Francis Heitmeier, D-Algiers, and Edwin Murray, D-New Orleans, assured that the Orleans Levee Board would survive with a large amount of autonomy over nonflood-control issues.

The bill abolishes the East Jefferson and Lake Borgne board; allows the Orleans board to exist without levee functions; and gives the control of a new St. Tammany Levee District to the new superboard with the authority to impose up to a 5-mill property tax. The Plaquemines board cannot be abolished because it is a part of local government.

The separate districts, each with taxing authority, would remain in place. But the district boards would be abolished, ceding power over flood-control projects to the new authority and pooling the tax revenue.

The idea of splitting the Orleans board has support among the local board's members. Board Chairman Michael McCrossen suggested the board be split after he took over the chairman's seat from John Huey prior to the legislative session, Heitmeier said Friday.

"I'm not interested in maintaining the status quo," said Dan Foley, an attorney who serves as a member of the Orleans Levee Board. "If the money is well spent and enhances our potential to improve flood protection and improve our relationship with Washington, to make the leaders in Washington to feel comfortable about getting the financial resources we need, I'm for those changes."

Rodney Braxton, a legislative adviser to the city of New Orleans, said Mayor Ray Nagin "wholeheartedly" supports Boasso's bill. Pat Bossetta, president of the East Jefferson Levee Board, opposes Boasso's bill.

Existing levee boards should be abolished, Boasso said, because "they have to do with the damn politics, not the people."

Boasso's bill is tentatively set to be heard Monday morning by the House Committee on Transportation, Highways and Public Works, but could be heard as early as Sunday night.

.....

Ed Anderson can be reached at eanderson@timespicayune.com or (225) 342-5810.