

Mr. Frugé

**COASTAL WETLANDS PLANNING, PROTECTION
AND RESTORATION ACT**

TASK FORCE MEETING

JULY 14, 1994

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

14 July 1994

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Ken Bahn - La Branche wetl. sign -
write Sen/ Gov names

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

14 April 1994

9:30 a.m.

AGENDA

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 - B. Opening remarks by Task Force members
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 - B. Technical Committee evaluation of feasibility study proposals--Mr. Schroeder F
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- XII. **Date and Location of the Next Task Force Meeting**..... P
- XIII. **Request for Written Questions from the Public**Q

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEMBERS

Task Force Member

Member's Representative

Governor, State of Louisiana

Dr. Len Bahr
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Administrator, EPA

Mr. Russell F. Rhoades
Division Director
Environmental Services Division
Region VI
Environmental Protection Agency
1445 Ross Ave.
Dallas, Texas 75202
(214) 655-2210; Fax: (214) 655-7446

Secretary, Department of the Interior

Mr. James W. Pulliam, Jr.
Director, Southeast Region
U. S. Fish and Wildlife Service
1875 Century Blvd.
Atlanta, Georgia 30345
(404) 679-4000; Fax: (404) 679-4006

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEMBERS (cont.)

<u>Task Force Member</u>	<u>Member's Representative</u>
Secretary, Department of Agriculture	Mr. Donald Gohmert State Conservationist Soil Conservation Service 3737 Government Street Alexandria, Louisiana 71302 (318) 473-7751; Fax: (318) 473-7771
Secretary, Department of Commerce	Dr. William Fox, Jr. National Oceanic and Atmospheric Administration National Marine Fisheries Service Office of Protected Resources, F/PR Rm. 8268 1335 East-West Highway Silver Spring, Maryland 20910 (301) 713-2332; Fax: (301) 588-4967
Secretary of the Army (Chairman)	Col. Kenneth Clow District Engineer U.S. Army Engineer District, N.O. P.O. Box 60267 New Orleans, LA 70160-0267 (504) 862-2204; Fax: (504) 862-2492

COASTAL WETLANDS PLANNING, PROTECTION AND
RESTORATION ACT

IMPLEMENTATION PLAN

TASK FORCE PROCEDURES

I. Task Force Meetings and Attendance

A. Scheduling/Location

The Task Force will hold regular meetings quarterly, or more often if necessary to carry out its responsibilities. When possible, regular meetings will be scheduled as to time and location prior to the adjournment of any preceding regular meeting.

Special meetings may be called upon request and with the concurrence of a majority of the Task Force members, in which case, the Chairperson will schedule a meeting as soon as possible.

Emergency meetings may be called upon request and with the unanimous concurrence of all members of the Task Force at the call of the Chairperson. When deemed necessary by the Chairperson, such meetings can be held via telephone conference call provided that a record of the meeting is made and that any actions taken are affirmed at the next regular or special meeting.

B. Delegation of Attendance

The appointed members of the Task Force may delegate authority to participate and actively vote on the Task Force to a substitute of their choice. Notice of such delegation shall be provided in writing to the Task Force Chairperson prior to the opening of the meeting.

C. Staff Participation

Each member of the Task Force may bring colleagues, staff or other assistants/advisors to the meetings. These individuals may participate fully in the meeting discussions but will not be allowed to vote.

D. Public Participation (see Public Involvement Program)

All Task Force meetings will be open to the public. Interested parties may submit written questions or comments that will be addressed at the next regular meeting.

II. Administrative Procedures

A. Quorum

A quorum of the Task Force shall be a simple majority of the appointed members of the Task Force, or their designated representatives.

B. Voting

Whenever possible, the Task Force shall resolve issues by consensus. Otherwise, issues will be decided by a simple majority vote, with each member of the Task Force having one vote. The Task Force Chairperson may vote on any issue, but must vote to break a tie. All votes shall be via voice and individual votes shall be recorded in the minutes, which shall be public documents.

C. Agenda Development/Approval

The agenda will be developed by the Chairperson's staff. Task Force members or Technical Committee Chairpersons may submit agenda items to the Chairperson in advance. The agenda will be distributed to each Task Force member (and others on a distribution list maintained by the Chairperson's staff) within two weeks prior to the scheduled meeting date. Additional agenda items may be added by any Task Force member at the beginning of a meeting.

D. Minutes

The Chairperson will arrange for minutes of all meetings to be taken and distributed within two weeks after a meeting is held to all Task Force members and others on the distribution list.

E. Distribution of Information/Products

All information and products developed by the Task Force members or their staffs will be distributed to all Task Force members normally within two weeks in advance of any proposed action in order to allow adequate time for review and comment, unless the information/product is developed at the meeting or an emergency situation occurs.

III. Miscellaneous

A. Liability Disclaimer

To the extent permitted by the law of the State of Louisiana and Federal regulations, neither the Task Force nor any of its members individually shall be liable for the negligent acts or omissions of an employee, agent or representative selected with reasonable care, nor for anything the Task Force may do or refrain from doing in good faith, including the following: errors in judgement, acts done or committed on advice of counsel, or mistakes of fact or law.

B. Conflict of Interest

No member of the Task Force (or designated representative) shall participate in any decision or vote which would constitute a conflict of interest under Federal or State law. Any potential conflicts of interest must clearly be stated by the member prior to any discussion on the agenda item.

Coastal Wetlands Planning, Protection and Restoration Act

TASK FORCE MEETING

April 14, 1994

MINUTES

I INTRODUCTION

Colonel Kenneth Clow, representing the Secretary of the Army, convened the thirteenth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force at 9:35 a.m. on April 14, 1994, in the District Assembly Room of the New Orleans District, U.S. Army Corps of Engineers. Enclosure 1 is the meeting agenda. The Task Force was created by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA), which was signed into law (PL 101-646, Title III) by President George Bush on November 29, 1990.

II ATTENDEES

Enclosure 2 is the Attendance Record for the Task Force meeting. Listed below are the six Task Force members. With the exceptions of Mr. Pulliam and Dr. Fox, who were represented by Mr. David Frugé and Mr. Tim Osborn, respectively, all were in attendance.

Dr. Len Bahr, State of Louisiana
Mr. Russell Rhoades, Environmental Protection Agency
Mr. James Pulliam, U.S. Department of the Interior
Mr. Donald Gohmert, U.S. Department of Agriculture
Dr. William Fox, U.S. Department of Commerce
Colonel Kenneth Clow, U.S. Department of the Army, Chairman

III APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes of the Task Force meeting held on February 4, 1994, were approved unanimously. Mr. Osborn made the motion to approve the minutes and Mr. Gohmert seconded it. [1/139-148]

IV. TASK FORCE DECISIONS

A. Mr. Tim Axtman, USACE, explained the USACE feasibility study process, including Division and Washington level reviews and submission to the Congress for authorization and funding. Dr. Bahr expressed his concern as to the length of time required by the process. Also, he had reservations about the directions that the USACE was taking on the Task Force approved Barrier Island and Mississippi River studies. The initial plan formulation meetings for the studies did not address the right issues as far as he was concerned. Mr. Dave

Soileau, Louisiana Department of Natural Resources (DNR), presented to the Task Force a proposal that the State of Louisiana would perform the two studies. He observed that the State had demonstrated the capability to design and construct coastal projects over the past several years and could complete both studies in eighteen months to two years. A general discussion of the matter among the Task Force members and members of the public followed. All agreed that an expedited process should be sought. [2/311end, 3/0-637, 4/1-240]

Motion by Dr. Bahr: That the Technical Committee review the State proposal (Enclosure 3) and other proposals for expediting the two feasibility studies, returning with a recommendation or a range of alternatives, including schedules and budgets, within sixty days.

Second: Mr. Rhoades.

Approved unanimously.

- B. Mr. Quinn Kinler, DNR, asked the Task Force to approve an increase from \$38,000 to \$45,960 in the budget for the WLAE video production.

Motion by Mr. Frugé: That the Task Force agree to increase the budget for the WLAE production to \$45,960.

Second: Col. Clow.

Approved unanimously.

- C. Ms. Beth Cottone, USACE, asked the Task Force to approve the Vermilion River Cutoff Bank Protection project for construction. [2/676-end, 3/0-533]

Motion by Mr. Gohmert: That the Task Force approve the Vermilion River Cutoff Bank Protection project for construction.

Second: Mr. Osborn.

Approved unanimously.

V. INFORMATIONAL AGENDA ITEMS

- A. Mr. Jim Addison, USACE-NOD Public Affairs Officer, reported on the status of the CWPPRA public outreach program. He is establishing a newsletter and a speakers bureau. He informed the Task Force of the media coverage and the public ceremony for the LaBranche Wetlands Restoration project. The Task Force was shown a video of local television news coverage of the project. Mr. Rhoades asked about dissemination of information to the local schools. Mr. Addison replied that school boards will be included on the mailing list for the newsletter. Dr. Bahr expressed his concern about getting a sign on the LaBranche site as well as the need to identify future projects with signs. A discussion followed during which a consensus was arrived at urging Dr. Bahr to take the lead in such endeavors. [1/152-498]

- B. Ms. Sue Hawes, USACE, reported on the status of the Citizen Participation Group (CPG) and the Scientific Advisors Group. The candidate projects for the 4th priority list were presented to the CPG at their last meeting. A plan of work has been agreed to by the Louisiana Universities Marine Consortium (LUMCON). Scientific advisors will be available for the 4th Priority List candidate project field trip of April 19-20, 1994. Dr. Woody Gagliano, a private coastal engineering consultant, expressed his concern that the private sector was being left out of the CWPPRA process. Mr. Frugé pointed out that the LUMCON agreement strictly addressed the Task Force's intention of bringing the academic community into the process. Dr. Bahr and Mr. Norm Thomas, EPA, both reiterated the need to bring the private sector on board where advantageous. Col. Clow agreed. [1/499-649, 2/1-27]
- C. Mr. Stan Green, Chairman of the Planning and Evaluation Subcommittee, presented a draft standard operating procedure for engineering and design of priority list projects, which had been developed by Mr. Dom Elguezabal, USACE Project Manager. Mr. Osborn questioned the need for the USACE to approve the real estate agreements on every project. Mr. Bob Schroeder, Chairman of the Technical Committee, explained that the CWPPRA made the Secretary of the Army responsible for the long-term conservation of the projects. Consequently the USACE must approve the language and extent of easements required by each project. Other Task Force members shared the view that the agencies would be given wide latitude to pursue real estate agreements according to their own methods. Mr. Shroeder assured the Task Force that all of the problems with the real estate portion of the SOP would be resolved by the next Task Force meeting. [2/29-260]
- D. Mr. Green reported on the status of the Record of Decision (ROD) on the Louisiana Coastal Wetlands Restoration Plan. The ROD has been forwarded to USACE Headquarters in Washington. Mr. Rhoades asked where the Record of Decision goes in Congress. Mr. Green reported later in the meeting that the Record of Decision goes to the Senate Committee for the Environment and Public Works. [2/261-310]
- E. Mr. Jim St. Germain, USACE, briefed the Task Force on the status of the investigation of Louisiana's barrier islands. USACE coastal engineering experts from the Waterways Experiment Station (WES) and the Coastal Engineering Research Center (CERC) have been consulted to define a scope of work and determine a starting point for the study. Dr. Joe Suhayda, Louisiana State University (LSU), informed the Task Force of the modeling effort that he was undertaking for the Barataria-Terrebonne estuary program. [4/241-298]
- F. Mr. Norm Thomas briefed the Task Force on the status of the State Conservation Plan. Governor Edwards has signed an executive order establishing a State Wetlands Advisory Task Force. A proposal to develop the

plan has not yet been signed by the Secretary of DNR, the state agency designated to develop the plan.

- G. The Task Force members reviewed the status of priority list projects enclosed in their briefing books. Member agencies were asked to comment if desired. Mr. Stan Green reported that the USACE had completed the LaBranche Wetlands Restoration project. Colonel Clow requested that the status of projects be provided to the Task Force prior to future meetings. Allen Ensminger, wetlands consultant, advised the Task Force of problems with real estate easements. Landowners want to be indemnified from lawsuits by users of CWPPRA projects. Colonel Clow repeated his request to be apprised of the status of projects with potential problems highlighted prior to meetings.

VI. TASKS REQUIRING FURTHER ACTION

- A. Mr. Shroeder will investigate and resolve problems related to USACE approval of real estate agreements prior to the next Task Force meeting.
- B. The Technical Committee will review the State proposal to do the Mississippi River and Barrier Island feasibility studies. They will also explore other options of expediting authorization of large-scale projects through existing Federal channels. They will report their findings to the Task Force within sixty days.
- C. The status of priority list projects, including potential problems, will be furnished to the Task Force prior to all subsequent meetings.

VII. ADDITIONAL AGENDA ITEMS

- A. Mr. Frugé informed the Task Force that according to Interior Department officials the funding for CWPPRA projects expires in 1997. Mr. Mark Davis, Executive Director of the Coalition to Restore Coastal Louisiana, stated that members of Senator John Breaux's staff advised him last year that they understood funding to extend through 1999.
- B. Mr. Green reported the status of the 4th Priority Project List. There are twenty four candidate projects and ten demonstration projects presently under consideration. The Wetland Value Assessment team and the engineering work group will visit each candidate project site. [4/360-381]

VIII. DATE AND LOCATION OF THE NEXT TASK FORCE MEETING

Colonel Clow recommended the dates of July 6-13, 1994, for consideration for the next Task Force meeting. No one voiced any objections. Task Force members will be contacted to confirm one of those dates.

IX. QUESTIONS FROM THE PUBLIC

No written questions or comments were received from the public.

X. ADJOURNMENT

Dr. Bahr moved to adjourn the meeting at 12:55 p.m. Mr. Rhoades seconded the motion, and it passed unanimously.

Encl 1

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
April 14, 1994**

ENCLOSURE 1

AGENDA

Encl 1

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

14 April 1994

9:30 a.m.

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III. Status of Tasks from the February 1994 Meeting Requiring Further Action	
A. Public outreach program--Mr. Addison.....	E
B. Scientific advisors program and Citizen Participation Group--Ms. Hawes	F
C. Development of a standard operating procedure for evaluating projects at various stages during the engineering and design phase--Mr. Green	G
D. Status of the Record of Decision for the Restoration Plan EIS--Mr. Green.....	H
E. Mississippi River Diversion study--Mr. Axtman.....	I
F. Barrier Island study--Mr. St. Germain.....	J
IV. FY 94 Budget Amendment	
DNR Contract for Preparation of CWPPRA Video--Dr. Good.....	K
V. Status of Development of the State Conservation Plan--Mr. Thomas.....	L
VI. Status of Priority List Projects--Lead Agencies.....	M
VII. Request for Approval of the Vermilion River Cutoff Project--Ms. Cottone.....	N
VIII. Additional Agenda Items.....	O
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COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
April 14, 1994**

**ENCLOSURE 2
ATTENDANCE RECORDS**



ATTENDANCE RECORD



DATE(S) 14 April 1994	SPONSORING ORGANIZATION Planning Division	LOCATION District Assembly Room
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PURPOSE Louisiana Coastal Wetlands Conservation and Restoration Task Force Meeting

PARTICIPANT REGISTER *

NAME	ORGANIZATION	TELEPHONE NUMBER
Tom Johnson	USDA-SCS	318-473-7751
Jeanne Landrean	USDA-SCS	318-473-7768
David Muzé	USDI-FWS	318/262-6630
Michael J. Jefferson	U.S. Senator John Breaux	504/382-2050
Bill Berry	LD&E	504-526-6425
Denise Reed	LUMCON	504 851 2800
John Woodward	FINA LATERAL	504-879-3528
Ronny Paille	USFWS	318-262-6630
Tim Osborn	NMFS	301-713-0174
Ric Ruhsamen	DOC/NMFS	504-389-0508
P Jones	"	"
BARRY KOHL	LA. AUDUBON COUNCIL	(504) 861-8465
Kyle Hayes	DNR/CRO	504-342-7363
Stephenc. Smith	Bor./Terr. Nat'l Estuary Prog.	504-800-254-0869
Stan Green	USACE, Plng Div.	(504) 862-1486
Roy Francis	Lafayette Parish CZM	(504) 632-4666
CARROL CLARK	LDNR - CAD	504 342 9418
DENISE ARCEMENT	PLAQ. PARISH GOVT.	(504) 682-0081
W. Darryl L. Clark	La. Dept. of Nat. Resources - CAD	504-342-6690
Norm Thomas	US EPA	214-655-2260
Russell Rhoades	US EPA	214 655 2210
CARL B. HAKENTOS	GULF INTRACOSTAL CANAL ASSOC.	504-523-5281
Teresa M. Stigue	NMFS Lafayette Office	318-231-5915

LMV FORM 583-R
(replaces LMN 906)

* If you wish to be furnished a copy of the attendance record, please indicate so next to your name.

AUG 87

PROPOSER: CELMV-IM

PARTICIPANT REGISTER (CONTINUED)

NAME	ORGANIZATION	TELEPHONE NUMBER
Jim St. Jean	USACE	504 862-2499
S.M. Gagliano	CEI	504 383-7455
Tim Astman	USACE	504 862-1921
Gary Rauber	USACE	504 862-2543
Janice Burkham	EPA	214-655-8330
Pete Jones	Plaquemine Parish	682-0081
WALLY BURKS	" "	392-6690
Jim Stone	Govt Office	922-3244 (504)
Ken Bahr	" "	" "
Jim Dixon	COE	862-2201
Mike Holland	CELMN-PD-EW	862-2517
Bill Gove	DNR	342-7308
Quin Kink	DNR	342-7548
Sue Hawes	COE	862-2518
LTC GREG KUITR	COE	862-2204
R.W. Schroeder	COE	862-2482
P. Kemp	Coalition	766-0195
Paul W. Buzzard	USFWS - Refugees	318-598-2216
Joseph N. Sullivan	LSU	504-388-8620
ONAIL MALYROVICH	CEEL	(504) 868-3934
Chris Andry	St. Bernard Parish C2M	(504) 278-4303
Lois Schaefer	J. BAKER SENIOR & SONS, Inc.	(504) 868-1050
Burton Kemp	KAPP	(601) 467-9891
MARK DAVIS	CRCL	504 766 0195
Cathy Signac	LSU	(504) 388-6505
Allan Eusminger	La Assoc. Care Dist.	318 462-0762
Nick Constant	COE - PD-E	504 862-1906
Oscar Rowe	DNR	504 342 9492
JIM EMY	S. Terrebonne Technical Dist	504-504-4104

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
April 14, 1994**

ENCLOSURE 3

STATE PROPOSAL FOR FEASIBILITY STUDIES/EIS'S

STATE PROPOSAL FOR FEASIBILITY STUDIES/EIS'S

4/13/94

INTRODUCTION

The State of Louisiana hereby requests that the Department of Natural Resources, Coastal Restoration Division, conduct the following feasibility studies referred to in Governor Edward's letter of December 2, 1993:

1) "A Mississippi River diversion plan including : upper basin diversions, Bayou LaFourche corridor diversion, lower Mississippi diversions below New Orleans, and lower Atchafalaya diversion; in order to maximize the wetland and conservation potential of the water and sediment resources of the lower Mississippi River system."

and,

2) "The re-establishment of the barrier island systems in the Barataria and Terrebonne Basins, to an extent sufficient to ameliorate the trend of increasing tidal amplitudes."

The DNR is in an advantageous position to provide these services due to available staff dedicated exclusively to coastal restoration; its ability to interact well with the concerned federal agencies through the Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA) process; its interaction with concerned state agencies through the state's Wetlands Authority; and its close ties to parish and local governments, and the public.

These abilities and resources will provide final feasibility recommendations to Congress that have built-in acceptance at the state and local levels. In an arena as complex as large-scale coastal restoration, and one with such profound socio-economic consequences, grass-roots support is essential to success.

PROPOSAL

The state proposes that the CWPPRA Technical Committee act as the official steering committee, with LUMCON's Scientific Advisory Group and the Citizen's Participation Group serving as ex officio members. The state then, acting under the CWPPRA leadership, would serve as a liaison to state and local interests (see attached organizational chart). Poised in this pivotal role, the state would be able to rapidly assimilate the information and concerns

from the aforementioned groups, and focus the feasibility studies into areas where practicality, from a technical point of view, and consensus regarding acceptable socio-economic impacts, overlap.

Attached are straw-man proposals which are presented to stimulate discussion and creative thinking that will chart an optimal course towards the desired feasibility reports and environmental impact statements (EIS's). The overall time-frame for each study is 24 months (see attached study matrix).

Barrier Island "Straw-man" Proposal

I. General Objectives

- A) Prefeasibility Report (year one)
- B) Feasibility Report and EIS (year two)
- C) Provide a draft local cooperation agreement

II. Prefeasibility Report

- A) Identification of problems associated with Barataria and Terrebonne barrier island loss. This would include: direct effects on habitat availability, tidal prism amplification, increased salt-water intrusion, increased interior wetland erosion, increased exposure of industrial and mineral development infrastructure, increased exposure of transportation infrastructure, and reduced protection from hurricane surges. Note: headlands such as the Cheniere Coastline and Caminada-Moreau Headland could be included in this study provided that the Technical Committee approves, and sufficient additional funds are made available.
- B) Determination of the extent to which barrier islands must be restored to benefit interior wetlands. This could be based on:
 - a) correlations of historical size of barrier island systems versus bayside edge-erosion rates and tidal amplitudes; correlations of the size of extant barrier island systems versus bayside edge-erosion rates and tidal amplitudes;
 - b) computer simulation modeling; and
 - c) review of scientific literature, agency documents, and Barataria-Terrebonne National Estuary Program findings.
- C) Analyze benefits associated with barrier island restoration. This would include: conservation of barrier island and bay habitat, reduced tidal prism, reduced salt-water intrusion, reduced interior wetland erosion, protection of industrial and mineral development infrastructure, protection of transportation infrastructure, and increased hurricane and flood protection.
- D) Preparation of Pre-feasibility Report.

III. Feasibility Report and EIS (year two)

- A) Review of scientific literature, agency documents, and Barataria-Terrebonne National Estuary Program findings.
- B) Identify significant resources, review predictions of topographic loss, identify adverse environmental impacts that barrier island restoration may have, review existing and future "without" conditions.
- C) Development of solutions: evaluation of alternative solutions, including costs and benefits, and projected implementation schedule.
- D) Develop a project that best addresses identified needs-- environmental and socio-economic. This could consist of a number of site-specific components at historic barrier island locations and/or alternative locations.
- E) Complete EIS and feasibility report.

IV. Provide a draft local cooperation agreement to establish state/federal co-participation in recommended project implementation. This would identify federal and state sponsoring agencies, agency roles, project purpose, project location, and expected costs.

Mississippi River Diversion "Straw-man" Proposal

I. General Objectives

- A) Prefeasibility Report (year one)
- B) Feasibility Report and EIS (year two)
- C) Provide a draft local cooperation agreement

II. Prefeasibility Report

- A) Quantification of freshwater and sediments available in the lower Mississippi River for wetlands enhancement, maintenance, and creation. This would involve the determination of the seasonal demands for river water for navigation; industrial and municipal water requirements; and existing diversions. Determination of seasonal sediment concentrations would also be necessary. Seasonal water and sediment budgets would be needed for the following river reaches: Old River-Baton Rouge, Baton Rouge-New Orleans, and New Orleans-Head of Passes. Note: a lower Atchafalaya diversion could be included in this study provided that the Technical Committee approved, and sufficient additional funds were made available.
- B) Determination of sub-basin needs of freshwater and sediment to provide for maintenance of existing wetlands and (where applicable) creation of new wetlands. This would be based on subsidence, water depths (in the case of wetland creation), annual sediment requirements, projected wetland loss and future geography. Potential locations, diversion type, and seasonal discharge rates would be developed.
- C) Analyze benefits associated with diversions of freshwater and sediments, including habitat creation and enhancement, increases to fisheries and wildlife productivity, increased recreational opportunities, and infrastructure protection.
- D) Preparation of Pre-feasibility Report. Establish a realistic goal for the Mississippi River Deltaic Plain based on projected future topography, sub-basin level physical processes, total water/sediment availability, the relationship of wetlands to developed areas, and proposed estuarine functions. Provide matrix of diversion opportunities with a comparative overview of relative merits of each in light of proposed project goals. Identify diversion alternatives for detailed feasibility analysis. Formulate institutional approach for dealing with key issues. Identify critical information needs.

III. Feasibility Report and EIS (year two)

- A) Review of scientific literature and agency documents.
- B) Identify significant resources, project topographic loss, identify significant resources, identify adverse environmental impacts that Mississippi River diversions may have, review existing and future "without" conditions. In particular, social, economic, navigational, and infra-structure impacts would be identified and evaluated; proposed solutions and their implementation costs would also be defined.
- C) Development and optimization of "final" proposed project that best addresses identified environmental and socio-economic needs. This may consist of a number of diversions of various types, operated under different management strategies. This would include evaluation of alternative solutions, including costs and benefits, and projected implementation schedules.
- D) Complete EIS and feasibility report.

IV. Provide a draft local cooperation agreement to establish state/federal co-participation in recommended project implementation. This would identify federal and state sponsoring agencies, agency roles, project purpose, project location, and expected costs.

STATE PROPOSAL FOR FEASIBILITY STUDIES/EIS's

4/13/94

	Barrier Island Restoration	Mississippi River Diversions
year one	<ol style="list-style-type: none"> 1) Problem identification 2) Determination of extent of barrier island system sufficient to benefit interior wetlands 3) Benefit analysis 4) Prepare prefeasibility report 	<ol style="list-style-type: none"> 1) Determine freshwater and sediment availability for wetlands 2) Determine sub-basin freshwater and sediment needs 3) Identify major social, economic, navigation and infra-structure constraints and opportunities 4) Prepare prefeasibility report
year two	<ol style="list-style-type: none"> 1) Evaluation of alternative solutions 2) Complete EIS 3) Prepare feasibility report 4) Provide draft LCA 	<ol style="list-style-type: none"> 1) Evaluation of alternative solutions 2) Complete EIS 3) Prepare feasibility report 4) Provide draft LCA

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

USACE APPROVAL OF
REAL ESTATE AGREEMENTS

Mr. Clyde Sellers, chief of the New Orleans District's Real Estate Division, will brief the Task Force on the situation concerning Corps of Engineers approval of the real estate agreements of other lead agencies.

See Standard Op. Procedures^{*}; every agency follows
own requirements. Obtain sufficient interest to protect
investment. Hazardous / Toxic waste → suggested
each agency be familiar w/ innocent landowner
provisions of CERCLA. July 11, 1994^{*} SOP

Norm Thomas: Is Corps satisfied that SOP meets
303(e). Response - ~~is~~ Corps will approve / certify
if SOP ~~is~~ followed. Don't want to dictate

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
July 14, 1994

TECHNICAL COMMITTEE EVALUATION OF
FEASIBILITY STUDY PROPOSALS

Make Divi: Needs to come back to T.F. for final of future scope
Be made only these efforts!
Task Force not effort

Norm: M. of inland CE on River State lead on barrier island.

Need feasible & appropriate process, use science advisors, including Tech committee.
Need to move NBS, USGS, MMS in Task Force Plan of study / Task identification and assignment

Mr. Schroeder will brief the Task Force on the Technical Committee's findings with regard to proposals by DNR and USACE to conduct feasibility studies on barrier islands and on diversions from the Mississippi River.

Recommendations of the Technical Committee:

That the Task Force direct the Corps of Engineers to manage the Mississippi River Comprehensive Diversion study generally in accordance with the proposal submitted to the Technical Committee, subject to refinement by a work group to be convened in early August 1994. *41 mos / \$3.5 M*

That the Task Force direct the Louisiana Department of Natural Resources to manage the barrier island study generally in accordance with the proposal submitted to the Technical Committee. *2.5 years \$2-3 M (dependent on POW) (30 mos)*

Miss R. Div will focus on optimum use of current flow distrib., incl. Atchaf / MS River.

Claw: Need to build in periodic review / key decision points by Task Force. Develop early so Task Force knows what they are to be managing

Establish Terms that T.F. should approve Follow outlines given by Ben Am!

Ben Bahr - Wants to ~~Go~~ OK w/ designated lead; worried about details. Comfortable w/ State Prop. + Comp proposal

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

**REQUEST FOR EARLY SUBMISSION OF
STATUS REPORTS FOR PRIORITY LIST PROJECTS**

Mr. Elguezabal will advise the Task Force of efforts to provide advance copies of status reports on priority list projects.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
July 14, 1994

STATUS OF DEVELOPMENT OF THE STATE CONSERVATION PLAN

Mr. Norm Thomas will brief the Task Force on the status of the Conservation Plan authorized by section 304 of the CWPPRA. An executive order signed by Governor Edwards establishing a State Wetlands Advisory Task Force is enclosed.

EPA - unsuccessful in re-starting process.

STATE OF LOUISIANA

EXECUTIVE DEPARTMENT

BATON ROUGE

EXECUTIVE ORDER NO. EWE 94 - 6

- WHEREAS, Louisiana's expansive coastal and inland wetlands provide a variety of economic and environmental benefits to the citizens of our state and nation; and
- WHEREAS, important societal benefits and values of the state's wetlands include, among others, their fundamental role in natural flood control, in providing coastal and inland shoreline stabilization, in the recharge of groundwater aquifers, and in filtering and absorbing pollutants that may degrade the water quality of the state's rivers, lakes and estuaries; and
- WHEREAS, Louisiana's wetlands support commercial and recreational fishing, hunting and trapping industries worth annually in excess of a billion dollars; and
- WHEREAS, Louisiana's wetlands provide essential habitats for the state's diverse and abundant marine, estuarine and freshwater plants and animals, including state and federally listed threatened and endangered species; and
- WHEREAS, Louisiana has lost approximately eight million acres of coastal and inland wetlands since statehood; and
- WHEREAS, the majority of existing wetlands in Louisiana are privately owned; and
- WHEREAS, it is the intent of the state to improve coordination and cooperation among state and federal agencies, user groups and landowners and to establish consistency in wetland protection goals and objectives; and
- WHEREAS, the extraordinary values of Louisiana's wetlands and their progressive loss compel the development of a coherent statewide wetlands conservation and management plan; and
- WHEREAS, the Coastal Wetlands Planning, Protection and Restoration Act of 1990 (P. L. 101-646) provides funding to pursue the development of a wetlands conservation plan that carries the opportunity to reduce the state's coast share for coastal restoration projects from 25% to 15% (about \$4 million savings/year) upon approval; and
- WHEREAS, such a plan should consider various paths including incentives, regulations and acquisitions that might lead to greater protection of the state's critical wetland habitats, including, if prudent, state assumption of federal wetlands jurisdictional authority; and

WHEREAS,

the development and implementation of an effective statewide wetlands plan will require a broad-based consensus of stakeholders representing diverse economic and environmental interests;

NOW THEREFORE

I, EDWIN W. EDWARDS, Governor of the State of Louisiana, by virtue of the state Constitution and laws of the State of Louisiana, do hereby create the Louisiana Statewide Wetlands Advisory Task Force, which shall be domiciled in the Office of the Governor and hereinafter referred to as the Statewide Wetlands Advisory Task Force.

FURTHER,

the Statewide Wetlands Advisory Task Force shall aid and assist the state in the development of a statewide Wetlands Conservation Plan that adequately considers diverse environmental and economic interests; and

FURTHER,

the Statewide Wetlands Advisory Task Force shall promote the coordination and development of plans for wetlands protection within the lower Mississippi River Valley in conjunction with the seven delta states' wetland initiatives; and

FURTHER,

the Statewide Wetlands Advisory Task Force shall assist in providing public input for promoting coordination and development of plans for wetlands protection within the lower Mississippi River Valley in conjunction with the seven delta states' wetland initiatives; and

FURTHER,

the Statewide Wetlands Advisory Task Force shall be composed of the following to be appointed by and to serve at the pleasure of the Governor and the Governor shall select the Chairman from the following members:

- 1) Governor's Office of Coastal Activities
- 2) Secretary of the Department of Natural Resources or his designee
- 3) Secretary of the Department of Wildlife and Fisheries or his designee
- 4) Secretary of the Department of Environmental Quality or his designee
- 5) A member of the Louisiana Nature Conservancy
- 6) A member of the Coalition to Restore Coastal Louisiana
- 7) A representative of the Louisiana Association of Business and Industry
- 8) LSU Sea Grant Legal Program
- 9) A representative of the Louisiana Landowners Association
- 10) A representative of Mid-Continent Oil and Gas Association
- 11) A member of the Louisiana Wildlife Federation
- 12) A representative of the Pulp and Paper Association
- 13) A representative of the Louisiana Farm Bureau Federation
- 14) A Louisiana Land Owner (Property in Coastal Zone)
- 15) A Louisiana Land Owner (Property Outside Coastal Zone)
- 16) A member of the Sierra Club (Delta Chapter)
- 17) A representative of the Louisiana Soil and Water Conservation Districts
- 18) LSU Agriculture Center
- 19) A Representative of a National Estuary Program
- 20) A representative of the Louisiana Municipal Association

- 21) A member of the Louisiana Police Jury Association
- 22) A representative of the Louisiana Independent Oil and Gas Association
- 23) A Local Coastal Zone Management Area Representative
- 24) Three citizens residing in parishes outside the Coastal Zone
- 25) Three citizens residing in parishes wholly or partially in the Coastal Zone
- 26) Three representatives of local or municipal government located in the Coastal Zone
- 27) Three representatives of local or municipal government located outside the Coastal Zone

FURTHER,

I hereby invite participation by the appropriate federal natural resource agencies, including the U.S. Army Corps of Engineers, the U. S. Environmental Protection Agency, the U. S. Fish and Wildlife Service, the National Marine Fisheries Service, the National Oceans and Atmospheric Administration and the U. S. Soil Conservation Service to provide assistance to the state in the development and implementation of a statewide Wetlands Conservation Plan.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 23rd day of February, 1994.



Edwin Edwards
GOVERNOR OF LOUISIANA

ATTEST BY
THE GOVERNOR

Joseph P. Kitley
SECRETARY OF STATE

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

REPORT ON THE STATUS OF PRIORITY PROJECT LIST PROJECTS

Representatives of the Lead Agencies will brief the Task Force on the design and construction status of projects on the 1st, 2nd, and 3rd Priority Project lists. The current status report on the projects is enclosed.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

PROJECT STATUS SUMMARY REPORT

29 June 1994

Summary report on the status of all CUPPRA projects prepared for the Louisiana Coastal Wetlands Conservation and Restoration Task Force.
Report sorted by Priority List, Lead Agency and Project Name.
Information based on data furnished by the Lead Agencies.

Prepared by:

Programs & Project Management Division
U.S. Army Corps of Engineers
New Orleans District
P.O. Box 60267
New Orleans, LA 70160-0267

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT
Project Status Summary Report - Priority List 1

PROJECT: ***** SCHEDULES ***** ESTIMATES *****
 Lead Agency: DEPT. OF THE ARMY, CORPS OF ENGINEERS

PROJECT	BASIN	PARISH	CSA	Start Const	End Const	Baseline	Current	Pct Current	Pct	Actual Expenditures	Remarks/Issues/Status
Barataria Bay Marsh Creation	BARA	JEFF	03/30/1995	06/30/1995	09/30/1995	\$1,625,258	\$1,635,000	100.6	100.6	\$30,072	Maintenance dredging was originally scheduled for summer of 1994, but was postponed to spring of 1995 because of a shortage of FY 94 Operations & Maintenance (OM) funds. A long delay in receiving rights-of-entry for surveys, however, has pushed the construction schedule to summer of 1995. The project is being modified, with the concurrence of the Local Sponsor, to include work at Queen Bess Island in addition to several CUPPRA sites. CUPPRA funds will also be used to "clear" and acquire easements on all proposed CUPPRA sites for future maintenance dredging use. CUPPRA sites included in the first contract do not impact oyster leases; however, the remaining CUPPRA sites to be included in future maintenance dredging cycles do impact oyster leases and, as stated in the original authorization, full implementation of the project depends upon the clearing of these oyster leases.
Bayou Labranche Wetlands Restoration	PONT	STCHA	04/17/1993A	01/06/1994A	04/07/1994A	\$4,327,300	\$3,710,000	85.7	85.7	\$3,297,462	Contract awarded to T.L. James Co. (Dredge "Tom James") for dredging approximately 2,500,000 cy of Lake Pontchartrain sediments and placing in marsh creation area. Contract final inspection was performed on 04/07/94. Site visit by Task Force took place on 04/13/94. The area was seeded by LDNR on 06/25/94.
Vermilion River Cutoff Bank Protection	TECNE	VERMI	04/17/1993A	10/31/1994	02/28/1995	\$1,522,637	\$1,740,000	114.2	114.2	\$290,896	The project was modified by moving the dike from the west to the east bank of the Cutoff to better protect the wetlands. The need for the sediment retention fence on the west bank is still undetermined. The Task Force approved a revised project estimate of \$2,500,000.
West Bay Sediment Diversion	DELTA	PLAQ	09/30/1994	09/30/1995	12/31/1995	\$8,517,066	\$20,242,700	237.61	237.61	\$402,302	The major portion of the cost increase is for dredging the anchorage as a result of induced shoaling caused by the diversion of flow from the river. A model study of the river and diversion point was recently completed, providing a basis for estimating the amount of material to be dredged. Alternatives to reduce anchorage dredging costs and project costs in general, are being

KEY ITEMS - CWPPRA TASK FORCE MEETING (7/14/94)

Adoption of Minutes - No amendments to recommend.

Feasibility Studies

At the last Task Force meeting, LA DNR proposed to do the feasibility studies via outside contracts. The Technical Committee was directed to review the various proposals and report back to the Task Force. There is consensus that, because studies are CWPPRA-funded, they need to be a Task Force effort, with involvement by all Task Force agencies.

Miss. River Sediment Diversion

Only proposal submitted was Corps'. ~~Same~~ Sound; ~~but will be~~ modified to specify more public involvement. Total study cost is \$3.5 million; completion date is December 1997. We still need to iron out the extent of involvement by FWS, USGS and other Interior agencies, but the door is open.

LA Barrier Islands

Both the Corps and the State (LA DNR) submitted proposals. LA DNR proposal calls for July 1994-Jan. 1997 effort (\$2-3 million). Product would be comprehensive plan for managing LA's barrier islands which meets Federal criteria and receives Federal authorization and funding. Product would be done mainly by an umbrella contract administered by LA DNR and approved by CWPPRA Task Force/Technical Committee. Federal agencies could also participate on review committee.

Problems/concerns:

1. Technical Committee is agreeable to large contracting role by State, but more work is needed to build in adequate level of Task Force oversight, control and involvement. More work is needed to decide which tasks the LA DNR should handle via contract and which should be done by Federal agencies.
2. Proposal does not specify how Federal agencies will participate throughout plan formulation process; inadequate use of Federal expertise (FWS fish and wildlife/habitat evaluation expertise; USGS barrier island expertise; NBS/NWRC modeling expertise); proposal fails to recognize FWS equal planning partner role mandated by Fish and Wildlife Coordination Act.
2. No firm cost estimate provided.
3. Need to ensure Task Force consensus on what analytical tools (models, etc.) will be used to quantify benefits to wetlands; those tools may be applied by contractor or by Federal or State agency, depending on the tools chosen and who has the expertise. Note: since CWPPRA will fund the study,

primary focus should be potential wetland benefits.

4. If preparation of feasibility report is done by State, it will need to satisfy Federal guidelines (Principles and Guidelines), or it will not warrant Congressional authorization (probably under Water Resources Development Act).

~~Corps proposal calls for Oct. 1994-January 1998 study (\$2.6 million).~~

Technical committee currently prefers to let State play a major role in contracting out a significant portion of this study, if the above-stated concerns can be addressed. Will ask the State to come back with a more detailed, task-specific proposal.

Status of Priority List Projects

Cameron Prairie NWR Shoreline Protection (PPL1) - Construction ^{started June 12} should be complete by August 1; contractor has until August 23 to complete job. Public relations event in the works; Congressional contacts being made.

Sabine NWR (Pool 3 Levee Repair) (PPL1) - Site visit scheduled July 19 for potential contractors; bids would be solicited shortly thereafter; should start construction in a couple of months. Approved for construction by mail vote by Task Force June 13. Total cost \$1,621,000; originally approved cost was \$4,844,000. *\$3.2M Savings*

Cameron-Creole Canal Plugs (PPL 1) - Main holdup is land rights (private lands) for one of the plugs; State is making progress in resolving that problem; bids/construction can proceed when that is accomplished.

Bayou Sauvage NWR Hydrologic Restoration (PPL 1) - Construction approval to be requested from Task Force on July 14. Current cost estimate, excluding monitoring, is \$889,000 (vs. original estimate of \$930,000). We may construct this project and the PPL 2 project on Bayou Sauvage at the same time, to save mobilization costs. ~~Signing the cost-sharing agreement with LA DNR is a prerequisite to Task Force approval of construction funding.~~

PPL 2
Bayou Sauvage NWR Hydrologic Restoration (PPL2) - The State (LA DNR) recently signed the cost-share agreement; design is underway. May construct at same time as above project to reduce mobilization costs.

Sabine NWR (Replace Structures at Headquarters canal and Hog Island Gully) (PPL3) - SCS has been asked start engineering and design.

Draft Operating Procedure

Good set of standard procedures to follow for implementing CWPPRA-funded projects; should increase efficiency. Approved by Technical Committee July 6. Vote for approval is recommended.

Request for Approval of Construction Funds

Boston Canal Project - This is a Soil Conservation Service 2nd Priority List project that will reduce shoreline erosion along Vermilion Bay in southwestern LA. Net marsh savings would be 199 acres over 20-year project life. Current cost estimate is \$846,727 vs. originally approved \$1,008,634. Approved by Technical Committee July 6. Recommend vote for approval.

Bayou Sauvage Hydrologic Restoration - See above discussion under Project Status; advocate approval for this FWS project.

La DNR Request for Additional Planning Funds

Request for additional \$55,423 in FY 1994 planning funds (Restoration plan, feasibility study and environmental compliance work) seems reasonable, and was unanimously approved by the Technical Committee July 6. Recommend vote for approval.

Criteria For Demonstration Projects

This should be a routine matter. FWS had relatively minor technical comments on the latest draft. Suggest Task Force go along with Technical Committee's recommendations on this issue.

PROJECT	BASIN	PARISH	CSA	SCHEDULES	Start Const	End Const	ESTIMATES	Baseline	Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
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Lead Agency: DEPT. OF THE ARMY, CORPS OF ENGINEERS

revised now. Also, the State of Louisiana is currently looking into the issue of State-owned waterbottom vs. private ownership, both before and after project construction. It is an issue that must be addressed prior to acquisition of Real Estate easements required for the project. The current estimate includes \$25,000 for environmental clearance, \$65,000 for WES model study, \$2,500,000 for pipeline relocations, \$9,000,000 for dredging of induced shoaling in the anchorage area, and costs for Project Management and Local Sponsor activities, all of which were not included in the original estimate.

Total Dept. Of The Army, Corps Of Engineers ----- \$15,992,261 ----- \$27,327,700 ----- 170.8 ----- \$4,020,732

- 4 Project(s)
- 2 Cost Sharing Agreements Executed
- 1 Construction Started
- 1 Construction Completed

Lead Agency: ENVIRONMENTAL PROTECTION AGENCY

Eastern Isles Dernieres Restoration (Phase 0)	TERRE	TERRE	04/17/1993A	10/31/1994	10/31/1995	\$6,345,468	\$7,606,288	119.8	\$0
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ROL #1

Total Environmental Protection Agency ----- \$6,345,468 ----- \$7,606,288 ----- 119.8 ----- \$0

- 1 Project(s)
- 1 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed

Lead Agency: DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE

Bayou Sauvage Refuge Hydrologic Restoration	PONT	ORL	04/17/1993A	05/31/1995	10/30/1995	\$1,104,708	\$1,667,000	150.91	\$37,606
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Will be T.F. for Cont. Fu. Working for Approve to date

now necessary
Project is awaiting 404 approval, to be followed by construction approval by Task Force. Escrow will be established. Corps contract for a hurricane protection levee must be completed prior to start of the project.

Schedule May 1995

Cameron Prairie Refuge Shoreline Protection	MERM	CAMER	04/17/1993A	05/19/1994A	09/01/1994	\$1,110,668	\$1,461,000	131.51	\$35,043
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Shovel bedline by Aug 1

Notice to proceed to contractor issued 19 May 1994. Construction started 12 June 1994. Two large barge-mounted cranes are constructing the project.

PROJECT BASIN PARISH CSA ***** SCHEDULES ***** ESTIMATES ***** Actual
Start Const End Const Current Pcnt Expenditures

Lead Agency: DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE

PROJECT	BASIN	PARISH	CSA	***** SCHEDULES *****	***** ESTIMATES *****	Actual		
Start Const	End Const	Current	Pcnt	Expenditures				
Cameron-Creole Watershed Hydrologic Restoration	CALC	CAMER	04/17/1993A	/ / * / / *	\$725,000	144.31	\$50,650	
Sabine Wildlife Refuge Erosion Protection	CALC	CAMER	04/17/1993A	09/30/1994	01/31/1995	\$4,844,081	101.2	\$127,641
				Total Dept. Of The Interior, Fish & Wildlife		\$7,561,886	115.8	\$250,940

Work on project has been delayed pending resolution of land rights problem between the State and Miami Corp. Once this is resolved, bid procedures and construction will immediately begin. Progress toward an acceptable land right agreement has been made in the last week.

FWS received construction approval from the Task Force on 13 June 1994. Bid procedures will begin in the very near future.

one strike on private land

July 19 Auto visit for Potential Contractor

4 Project(s)
4 Cost Sharing Agreements Executed
1 Construction Started
0 Construction Completed

Lead Agency: DEPT. OF COMMERCE, NATIONAL MARINE FISHERIES SERV

PROJECT	BASIN	PARISH	CSA	***** SCHEDULES *****	***** ESTIMATES *****	Actual		
Start Const	End Const	Current	Pcnt	Expenditures				
Fourchon Hydrologic Restoration	TERRE	LAFOU	07/31/1993*	/ / * / / *	\$261,999	103.9	\$6,998	
Lower Bayou LaCache Hydrologic Restoration	TERRE	TERRE	04/17/1993A	11/30/1995	09/30/1996	\$1,253,738	127.71	\$758,590
			Total Dept. Of Commerce, National Marine		\$1,505,773	123.7	\$765,588	

In a meeting on October 7, 1993, Port Fourchon conveyed to NMFS personnel that any additional work in the project area could be conducted by the Port and they did not wish to see the project pursued because they question its benefits and are concerned that undesired Government/general public involvement would result after implementation.

NMFS has recommended to the Task Force that the project be suspended.

In a public hearing on September 22, 1993, with landowners in the project area, users strenuously objected to the proposed closure of the two east-west connections between Bayou Petit Caillou and Bayou Terrebonne. The integrity of the project with these openings must be determined before proceeding with project implementation.

2 Project(s)
1 Cost Sharing Agreements Executed
0 Construction Started
0 Construction Completed

Lead Agency: DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE

PROJECT	BASIN	PARISH	CSA	***** SCHEDULES *****	***** ESTIMATES *****	*****	Actual Expenditures	Remarks/Issues/Status	
				Start Const	End Const	Baseline	Current	Pcnt	
Lead Agency: DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE									
GIWW To Clovelly Wetland Restoration	BARA	LAFOU	04/17/1993A	09/30/1994	03/31/1996	\$8,141,512	\$8,152,000	100.1	The project has been divided into a number of smaller contracts in order to expedite implementation.
Vegetative Plantings (4 Projects)	VARY	VARY	04/17/1993A	11/30/1993A	06/30/1994	\$848,090	\$983,016	115.9	4 sub-projects: Dewitt-Rollover, West Hackberry, Timballe Island and Falgout Canal.
Total Dept. Of Agriculture, Soil Conservation						\$8,989,602	\$9,135,016	101.6	
2 Project(s)									
2 Cost Sharing Agreements Executed									
1 Construction Started									
0 Construction Completed									
13 Project(s)									
10 Cost Sharing Agreements Executed									
3 Construction Started									
1 Construction Completed									
Total Priority List 1						\$40,394,990	\$54,690,303	135.3	\$5,702,452

Notes:

- Expenditures based on Corps of Engineers financial data.
- Date codes: A = Actual date * = Behind scheduled
- Percent codes: ! = 125% of baseline estimate exceeded

PROJECT BASIN PARISH CALC CALCA 03/31/1995 10/30/1995 12/29/1995 \$1,741,311 \$4,350,000 249.8: \$225,508

Lead Agency: DEPT. OF THE ARMY, CORPS OF ENGINEERS

Clear Marais Bank Protection

***** SCHEDULES ***** ESTIMATES *****
CSA Start Const End Const Baseline Current Pcnt Actual Expenditures

Design and permitting efforts are on hold pending a resolution to the cost increase problem. The original construction estimate was low based on the proposed plan in that the rock quantity estimate was less than half of the quantity needed (based on the original design), and the estimate did not include a floatation channel needed for construction. This accounts for most of the cost increase shown. A Value Engineering study was conducted to explore more cost effective designs for the shoreline protection, and the results are expected by July 1 of this year. Once the most cost-effective design is decided upon, we will report to the Task Force for approval to proceed with design and permitting efforts.

West Belle Pass Headland Restoration

TERRE LAFYT 05/29/1994* 04/20/1995 10/13/1995 \$4,854,102 \$5,020,000 103.4 \$237,935

Full implementation of the project depends upon the State of Louisiana not renewing, or otherwise clearing oyster leases in the project area. The LA Dept of Wildlife and Fisheries has stated that they can not help in clearing the oyster leases and that the Govt. should proceed with any necessary action to obtain rights over the leases anticipated to be impacted. Real Estate Div. is in the process of determining the lease owners and action required.

Total Dept. Of The Army, Corps Of Engineers ----- \$6,595,413 ----- \$9,370,000 ----- 142.0 ----- \$463,443

2 Project(s)
0 Cost Sharing Agreements Executed
0 Construction Started
0 Construction Completed

Lead Agency: ENVIRONMENTAL PROTECTION AGENCY

Isles Dernieres (Phase 1) TERRE TERRE 04/17/1993A 10/30/1994 10/30/1995 \$6,907,897 \$7,647,526 110.7 \$546,781

Includes actual expenditures for the Isles Dernieres (Phase 0) project.

Total Environmental Protection Agency ----- \$6,907,897 ----- \$7,647,526 ----- 110.7 ----- \$546,781

1 Project(s)
1 Cost Sharing Agreements Executed
0 Construction Started
0 Construction Completed

Walter
PROJECT
BASIN PARISH PONT ORL 06/30/1994 05/01/1995 05/01/1996
***** SCHEDULES ***** ESTIMATES *****
***** CSA Start Const End Const Baseline Current Pcmt Actual Expenditures

Lead Agency: DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE

Bayou Sauvage	PONT	ORL	06/30/1994	05/01/1995	05/01/1996	\$1,452,036	\$1,462,000	100.6	\$2,935
Total Dept. Of The Interior, Fish & Wildlife						\$1,452,036	\$1,462,000	100.6	\$2,935

A final draft of the cost sharing agreement was sent to the State on 6 June 1994. Design is continuing.

1 Project(s)
0 Cost Sharing Agreements Executed
0 Construction Started
0 Construction Completed

Lead Agency: DEPT. OF COMMERCE, NATIONAL MARINE FISHERIES SERV

Atchafalaya Sediment Delivery	ATCH	STMRY	08/01/1994	08/01/1995	07/31/1996	\$907,810	\$922,781	101.6	\$4,123
Big Island Mining (Increment 1)	ATCH	STMRY	08/01/1994	08/01/1995	07/31/1996	\$4,136,057	\$4,166,704	100.7	\$3,323
Point Au Fer	TERRE	TERRE	01/01/1994A	10/30/1994	04/30/1995	\$1,069,588	\$1,080,000	100.9	\$706,039
Total Dept. Of Commerce, National Marine						\$6,113,455	\$6,169,485	100.9	\$713,485

3 Project(s)
1 Cost Sharing Agreements Executed
0 Construction Started
0 Construction Completed

Lead Agency: DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE

Brown Lake	CALC	CAMER	03/28/1994A	06/30/1995	11/30/1996	\$3,222,799	\$3,233,000	100.3	\$3,094
Caernarvon Outfall Management	BRET	PLAQ	04/30/1994*	01/31/1996	09/30/1997	\$2,522,200	\$2,634,000	104.4	\$3,094
Freshwater Bayou	MERM	VERMI	06/30/1994	02/28/1996	09/30/1997	\$2,770,093	\$2,780,000	100.3	\$3,148
Fritchie Marsh	PONT	STTAM	07/31/1994	11/30/1996	02/28/1996	\$3,048,389	\$3,058,000	100.3	\$3,094
Hwy 384	CALC	CALCA	09/30/1994	06/30/1996	08/30/1997	\$700,693	\$711,000	101.4	\$3,201
Jonathan Davis Wetland	BARA	JEFF	06/30/1994	06/30/1995	09/30/1997	\$3,398,867	\$3,409,000	100.3	\$8,257
Mud Lake	CALC	CAMER	03/24/1994A	09/30/1994	04/30/1996	\$2,903,634	\$2,914,000	100.3	\$60,663
Vermilion Bay/Boston Canal	TERRE	VERMI	03/24/1994A	06/30/1994	11/30/1995	\$1,008,634	\$1,055,200	104.6	\$56,529

***** SCHEDULES ***** ESTIMATES *****
 Start Const End Const Baseline Current Pcnt Actual Expenditures
 Remarks/Issues/Status

Total Dept. Of Agriculture, Soil Conservation \$19,575,309 \$19,794,200 101.1 \$141,080

8 Project(s)
 3 Cost Sharing Agreements Executed
 0 Construction Started
 0 Construction Completed

Total Priority List 2 \$40,644,110 \$44,443,211 109.3 \$1,867,724

15 Project(s)
 5 Cost Sharing Agreements Executed
 0 Construction Started
 0 Construction Completed

Notes:

1. Expenditures based on Corps of Engineers financial data.
2. Date codes: A = Actual date * = Behind scheduled
3. Percent codes: ! = 125% of baseline estimate exceeded

***** SCHEDULES ***** ESTIMATES *****
 ***** CSA Start Const End Const Baseline Current Pcnt Actual Expenditures

Lead Agency: DEPT. OF THE ARMY, CORPS OF ENGINEERS

PROJECT	BASIN	PARISH	CSA	Start Const	End Const	Baseline	Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
Channel Armor Gap Crevasse	DELTA	PLAQ	03/13/1995	10/30/1995	12/31/1995	\$808,397	\$860,400	106.4	\$869	Cost increase is due to additional project management costs, by both Federal and Local Sponsor. Planning and design were late in starting due to manpower constraints, but the overall schedule will not be impacted.
MRGO Back Dike Marsh Protection	PONT	STBER	10/31/1994	01/31/1995	03/31/1995	\$512,199	\$585,700	114.3	\$631	Cost increase is due to additional project management costs, by both Federal and Local Sponsor. Planning and design did not start on schedule. Though efforts are now being accelerated, it will probably by early Spring of 1995 before construction begins.
Pass-a-Loutre Crevasse	DELTA	PLAQ	03/31/1995	10/31/1995	12/31/1995	\$2,857,790	\$2,867,900	100.3	\$1,155	Project is on schedule to initiate construction in October of 1995.

Total Dept. Of The Army, Corps Of Engineers

3 Project(s)
 0 Cost Sharing Agreements Executed
 0 Construction Started
 0 Construction Completed

 \$4,178,386 \$4,314,000 103.2 -----
 \$2,655

Lead Agency: ENVIRONMENTAL PROTECTION AGENCY

Red Mud Demo	TERRE	STJOM	07/31/1994	12/31/1994	02/28/1995	\$529,000	\$533,000	100.7	\$0	Kaiser Aluminum will contribute \$183,000 to the project cost.
Whiskey Island Restoration	TERRE	TERRE	08/31/1994	09/30/1995	04/30/1996	\$4,844,274	\$4,844,282	100.0	\$0	

Total Environmental Protection Agency

2 Project(s)
 0 Cost Sharing Agreements Executed
 0 Construction Started
 0 Construction Completed

 \$5,373,274 \$5,377,282 100.0 -----
 \$0

Lead Agency: DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE

Hog Island SAB AWR	CALC	CAMER	11/01/1994	06/30/1995	12/31/1995	\$4,581,453	\$4,592,000	100.2	\$0	Preliminary design meetings have been held. Design is continuing.
Total Dept. Of The Interior, Fish & Wildlife						\$4,581,453	\$4,592,000	100.2	\$0	

1 Project(s)
 0 Cost Sharing Agreements Executed
 0 Construction Started
 0 Construction Completed

 \$4,581,453 \$4,592,000 100.2 -----
 \$0

PROJECT	BASIN	PARISH	CSA	***** SCHEDULES *****	***** ESTIMATES *****	***** ESTIMATES *****	***** ESTIMATES *****	Actual Expenditures	Remarks/Issues/Status
				Start Const	End Const	Baseline	Current	Pcnt	
Lead Agency: DEPT. OF COMMERCE, NATIONAL MARINE FISHERIES SERV									
B. Perot/B. Rigolettes Marsh	BARA	JEFF	03/31/1995	07/31/1995	12/31/1995	\$1,835,046	\$1,845,000	100.5	\$0
E. Timbalier Restoration	TERRE	LAFYT	12/31/1994	04/30/1995	11/30/1995	\$2,046,970	\$2,057,000	100.4	\$160
L. Chapeau Marsh Creation & Hydrologic Restoration	TERRE	TERRE	12/31/1994	03/31/1995	12/31/1995	\$4,149,183	\$4,159,000	100.2	\$160
L. Salvador Shore Protection Demo	BARA	STCHA	03/31/1995	06/01/1995	09/01/1995	\$1,444,628	\$1,455,000	100.7	\$0
Total Dept. Of Commerce, National Marine						\$9,475,827	\$9,516,000	100.4	\$320
4 Project(s) 0 Cost Sharing Agreements Executed 0 Construction Started 0 Construction Completed									

Lead Agency: DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE

Brady Canal	TERRE	TERRE	08/30/1994	02/28/1997	08/30/1998	\$4,717,928	\$4,728,000	100.2	\$0
Cameron-Creole Maintenance	CALC	CAMER	08/30/1994	04/01/1995	03/31/2015	\$3,719,926	\$3,730,000	100.2	\$0
Cote Blanche Hydrologic Restoration	TECHE	STMRY	08/30/1994	08/30/1996	08/30/1997	\$5,173,062	\$5,183,000	100.1	\$0
SW Shore White Lake Demo	MERM	CALCA	08/30/1994	02/28/1995	05/31/1995	\$126,060	\$136,000	107.8	\$0
Violet Freshwater Distribution	PONT	STBER	08/30/1994	02/28/1998	11/30/1998	\$1,821,438	\$1,831,000	100.5	\$0
West Pointe-a-La-Hache Outfall Management	BARA	PLAQ	08/30/1994	05/31/1997	11/30/1997	\$881,149	\$891,000	101.1	\$0
White's Ditch Outfall Management	BRET	PLAQ	08/30/1994	05/31/1998	11/30/1998	\$756,134	\$766,000	101.3	\$0
Total Dept. Of Agriculture, Soil Conservation						\$17,195,697	\$17,265,000	100.4	\$0
7 Project(s) 0 Cost Sharing Agreements Executed 0 Construction Started 0 Construction Completed									

PROJECT	BASIN	PARISH	CSA	SCHEDULES *****	Start Const	End Const	ESTIMATES *****	Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
				Total Priority List 3							
				\$40,804,637	\$41,064,282	100.6					

17 Project(s)
 0 Cost Sharing Agreements Executed
 0 Construction Started
 0 Construction Completed

- Notes:
1. Expenditures based on Corps of Engineers financial data.
 2. Date codes: A = Actual date * = Behind scheduled
 3. Percent codes: I = 125% of baseline estimate exceeded

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT
 Project Status Summary Report - All Priority Lists

PROJECT	BASIN	PARISH	CSA	SCHEDULES	Start Const	End Const	ESTIMATES	Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
***** SCHEDULES *****											
***** ESTIMATES *****											
***** Baseline											
***** Start Const											
***** End Const											
***** Current											
***** Pcnt											
***** Actual Expenditures											

SUMMARY

Total ALL Projects \$121,843,737 \$140,197,796 115.0 \$7,573,151

- 45 Project(s)
- 15 Cost Sharing Agreements Executed
- 3 Construction Started
- 1 Construction Completed

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

LINKING OF NAVIGATION AND MARSH CREATION INTERESTS ON THE MISSISSIPPI RIVER

→ Liaison State: Corps Liaison MS RIVER Deepening Project (55ft) 1988 - 45 feet To D'ville from Exxon Dock R.R. 50ft depth prop.

Mr. Mervin Morehiser will propose to the Task Force that marsh creation and restoration be done in a manner consistent with the needs of navigation.

45 ft low - 2nd local crest low
→ 45 ft
- 50% coast
50% of D&M unimpaired
Dist. in Piedmont - effort diversion study
Potential for "synergy" - Sediment DW / Silt
TMAPs

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

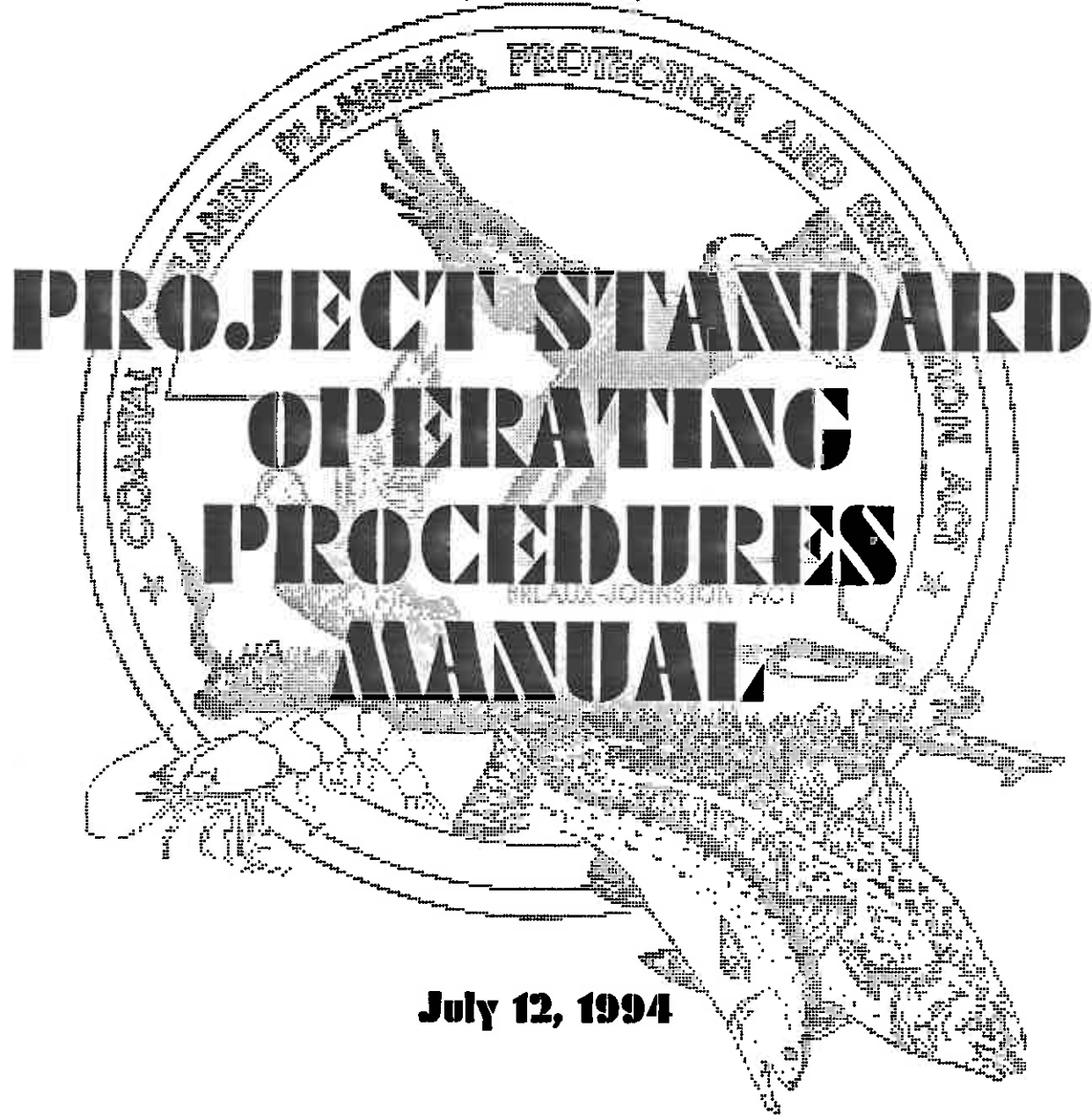
TASK FORCE MEETING

July 14, 1994

DEVELOPMENT OF STANDARD OPERATING PROCEDURE

Mr. Elguezabal will present to the Task Force a draft Standard Operating Procedure (enclosed). The draft (with amendments) was approved by the Technical Committee at its 6 Jul 94 meeting.

Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA)



July 12, 1994

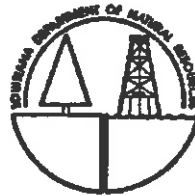


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July 12, 1994



**COASTAL WETLANDS PLANNING, PROTECTION AND
RESTORATION ACT
(CWPPRA)**

PROJECT STANDARD OPERATING PROCEDURES MANUAL

1. Applicability. This manual is applicable to all Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) Agencies and the Local Sponsor in the management of the CWPPRA projects. These standard procedures shall not supersede nor invalidate any rules or regulations internal to any Agency.

2. Purpose. The purpose of the SOP is to establish standard procedures among the separate Agencies and the Local Sponsor in the managing of CWPPRA projects.

3. References.

a. Pub. L. 101-646, Coastal Wetlands Planning, Protection and Restoration Act, hereinafter referred to as the "CWPPRA."

b. Pub. L. 91-646, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by Title IV of Pub. L. 100-17, the Surface Transportation and Uniform Relocation Assistance Act of 1987.

4. Definitions.

a. The definitions in Section 302 of the CWPPRA are incorporated herein by reference.

b. The term "Agencies" shall mean the agencies listed in the CWPPRA that make up the Louisiana Coastal Wetlands Conservation and Restoration Task Force.

c. The term "Lead Agency" shall mean the Federal Agency with responsibility to design and construct a CWPPRA project.

d. The term "Local Sponsor" shall mean the State of Louisiana.

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e. The term "Technical Committee" shall mean the committee established by the Task Force to provide advice on biological, engineering, environmental, ecological, and other technical issues.

f. The term "Planning and Evaluation Subcommittee" shall mean the working level committee established by the Technical Committee to form and oversee special technical workgroups to assist in developing policies and processes, and recommend procedures for formulating plans and projects to accomplish the goals and mandates of CWPPRA.

g. The term "Priority List" shall mean the annual list of projects submitted by the Task Force to Congress in accordance with Sec. 303.(a) of the CWPPRA.

h. The term "total project cost" shall mean all Federal and non-Federal costs directly related to the implementation of the project, including but not limited to engineering and design costs; lands, easements, servitudes, and rights-of-way costs; project construction costs; construction management costs; relocation costs; pre-construction, construction, and post-construction monitoring costs; operation, maintenance, repair, replacement, and rehabilitation costs; supervision and administration costs; hazardous and toxic waste investigation costs; and cultural resources investigation costs, and as otherwise provided for in the Cost Sharing Agreement for the project fully funded through the life of the Project. Required NEPA documentation studies are funded with Planning funds and are not included in total project costs.

i. The term "total Project expenditures" shall mean the sum of all Federal expenditures for the Project and all non-Federal expenditures for which the Lead Agency has granted credit.

j. The term "Cost Sharing Agreement" shall mean any Agency agreement entered into by the Lead Agency and the Local Sponsor for engineering and design, real estate activities, construction, monitoring, and operation and maintenance of a project in accordance with Sec. 303.(f) of the CWPPRA.

k. The term "life of the project" shall mean 20 years from completion of construction of the project or functional portion of the project, unless otherwise stated in the Cost Sharing Agreement for the project.

l. The term "project funding categories" shall mean the five distinct project funding areas:

- (1) Engineering and design (E&D).
- (2) Real Estate.
- (3) Construction.

- (4) Monitoring.
- (5) Operation and maintenance (O&M).

m. The term "escrow account" shall mean the bank account established by the Local Sponsor in accordance with the CWPPRA Escrow Agreement executed between the Corps of Engineers, the Local Sponsor, and the financial institution selected by the Local Sponsor to act as custodian for the escrow account.

n. The term "overgrazing" shall mean allowing cattle and other grazing animals to forage within the Project lands, easements or rights-of-way to the detriment of the wetlands.

o. The term "State fiscal year" shall mean one fiscal year of the State of Louisiana, beginning July 1 and ending June 30 of the following calendar year.

p. The term "Federal fiscal year" shall mean one fiscal year of the Government, beginning October 1 and ending September 30 of the following calendar year.

q. The term "Conservation Plan" shall mean the Coastal Wetlands Conservation Plan prepared by the State of Louisiana in accordance with Section 304 of the CWPPRA.

5. Procedures.

a. General: For the purposes of funds control, and at the request of the Task Force, the Corps of Engineers will act as bookkeeper, administrator, and disbursing officer of all Federal and non-Federal funds. All correspondence from the Agencies and the Local Sponsor to the Corps of Engineers regarding fund requests and status shall be addressed to:

U.S. Army Corps of Engineers
ATTN.: CELMN-PP
P.O. Box 60267
New Orleans, LA 70160-0267

b. Local Sponsor: Unless otherwise specified, all correspondence to the Local Sponsor shall be addressed to:

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Administrator
Coastal Restoration Division
Louisiana Department of Natural Resources
P.O. Box 94396
Baton Rouge, LA 70804-9396

c. Priority List Approval:

(1) Upon approval by the Task Force of a Priority List, the Agencies shall submit to the Corps of Engineers an estimate of the funds required for the remainder of the Federal fiscal year for engineering and design of the priority list projects assigned to the Lead Agency.

(2) Upon approval of a Priority List by the Task Force, the Corps of Engineers will set up the necessary accounts for each project funding category and reserve funds in the amount estimated in the Priority List report.

d. Preliminary Engineering and Design:

(1) Within 30 days after approval of the Priority List by the Task Force, the Corps of Engineers will prepare a Military Interdepartmental Purchase Request (DD Form 448), hereinafter referred to as MIPR, obligating the funds required for Engineering and Design for the remainder of the Federal Fiscal Year, up to a maximum of 75% of the Project Engineering and Design estimate, to each Lead Agency in accordance with their request (see paragraph 5.c.(1) above) and subject to the availability of funds.

(2) During this phase, the Agencies shall perform the surveys and investigations, including preliminary real estate research and appraisals, necessary to establish that the project is feasible and to verify the project total cost.

e. Real Estate:

(1) Each Lead Agency shall follow the real estate procedures in use by the Agency.

(2) During the preliminary engineering and design phase, the Lead Agency shall identify all real estate tracts potentially impacted by the Project.

(3) After determining the property rights required, the Lead Agency shall have an appraisal of the property to determine the value of the lands, easements, and rights-of-way to be acquired in those cases where other than minimal monetary compensation will be required.

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f. **Design Reviews:** In order to resolve problems and anticipate cost growth at the earliest possible point, design reviews shall be performed at the following milestone points:

(1) **Preliminary design:** Upon completion of surveys, borings, and land ownership investigation, and based on preliminary designs, the Lead Agency shall prepare a revised project cost estimate and hold a "Preliminary Design Review Conference" with the Local Sponsor to obtain their concurrence to proceed with design. After the conference, the Lead Agency shall forward a letter to:

Technical Committee
c/o U.S. Army Corps of Engineers
ATTN.: CELMN-PD
P.O. Box 60267
New Orleans, LA 70160-0267

along with the estimate and a statement of concurrence from the Local Sponsor, informing them of the decision to proceed with the project. If the estimate indicates that the project cost will exceed 125% of the cost established in the Priority List, the Lead Agency shall request approval from the Task Force to proceed with the project.

(2) In some cases, the Task Force may require an additional formal review, involving all the Agencies, of the Project design at an intermediate level to ensure that optimum benefits to wetlands and associated fish and wildlife resources are achieved. In those cases the Lead Agency shall be responsible for coordinating the review with the other Agencies and the Local Sponsor.

(3) **Final Design:** Upon completion of design, the Lead Agency shall forward to the other Agencies and the Local Sponsor a set of Plans and Specifications for their review and comments.

g. **Cost Sharing Agreements:**

(1) Prior to requesting permission from the Task Force to proceed with construction of the Project, the Lead Agency and the Local Sponsor shall negotiate the necessary Cost Sharing Agreement with the Local Sponsor using their own internal procedures.

(2) Normal Cost Sharing Agreement processing is as follows:

(a) Lead Agency forwards draft Cost Sharing Agreement to the Local Sponsor.

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(b) After review and negotiations, the Local Sponsor executes the Cost Sharing Agreement and forwards document(s) to the Lead Agency.

(c) The Lead Agency executes the document(s) and forwards copies to the Local Sponsor for approval by the State of Louisiana Office of Contractual Review.

(d) The Local Sponsor makes distribution of the Cost Sharing Agreement document(s) and forwards a copy to the Corps of Engineers, ATTN.: CELMN-PP, for Task Force records and to aid in managing funds disbursement.

h. CWPPRA Section 303(e) Approval:

(1) In accordance with Section 303(e) of the CWPPRA, the Lead Agency shall, prior to acquiring any lands, easements or rights-of way for a CWPPRA project, obtain Secretary of the Army, or his designee, approval that the "project is subject to such terms and conditions as necessary to ensure that the wetlands restored, enhanced or managed through that project will be administered for the long-term conservation of such lands and waters and dependent fish and wildlife populations."

(2) In order to obtain approval in accordance with paragraph 5.h.(1), at least 45 calendar days prior to the request for Construction Approval (see paragraph 5.i), the Lead Agency shall furnish the Corps of Engineers the following information:

(a) Plan showing Project limits and type of landrights required.

(b) Language of landrights.

(c) Certification that land acquisition is in accordance with all applicable Federal and State laws and regulations.

(d) Statement that all standard real estate practices will be followed in acquiring landrights.

(e) Overgrazing determination:

i. Statement as to whether overgrazing in the Project area is a problem and whether easements restricting grazing are required.

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ii. The Corps of Engineers, in the review of the determination, may request concurrence from the Soil Conservation Service as to the need for any grazing restricting easements.

(3) All requests for Section 303(e) approval shall be sent to:

U.S. Army Corps of Engineers
ATTN.: CELMN-RE
P.O. Box 60267
New Orleans, LA 70160-0267

i. Construction Approval. Prior to advertising for bids for the first construction contract, the Lead Agency shall request permission from the Task Force to proceed to construction. The request shall be addressed to the:

Planning and Evaluation Subcommittee
c/o U.S. Army Corps of Engineers
ATTN.: CELMN-PD-FE
P.O. Box 60267
New Orleans, LA 70160-0267

and, at a minimum, include:

- (1) Section 303(e) certification from the Corps of Engineers.
- (2) Overgrazing determination statement.
- (3) The current estimated total project cost, including inflation through the life of the project.
- (4) A statement that the Cost Sharing Agreement between the Lead Agency and the Local Sponsor has been executed.
- (5) A statement that:
 - (a) all NEPA, environmental, and cultural requirements have been complied with; and,

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i. Operation and Maintenance. Project operation and maintenance shall be as specified in the Project's Cost Sharing Agreement. Funding for operation and maintenance activities shall be as required in paragraphs 5.k and 5.n.

m. Monitoring. Project monitoring shall be accomplished following the plan developed for the Project by the Monitoring Subcommittee and as specified in the Cost Sharing Agreement. Funding for the monitoring activities shall be as required in paragraphs 5.k and 5.n.

n. Work-in-Kind. Credit for work-in-kind or other activities performed by the Local Sponsor will be granted as follows:

(1) By September 1 of each year the Local Sponsor shall submit to the Lead Agency a statement of expenditures in a format agreeable to the Lead Agency. It is the Lead Agency's responsibility to assure that the amount of credit given is in accordance with the Cost Sharing Agreement and applicable regulations and that audits, if required, are performed.

(2) After review and approval, the Lead Agency shall forward to the Corps of Engineers, ATTN.: CELMN-PP, with copy to the Local Sponsor, a request that credit be given the Local Sponsor for the work performed. This statement shall indicate the amount of credit to be granted to the Local Sponsor, by project funding category, and the period covered.

(3) The Corps of Engineers will give credit to the Local Sponsor on the project in the amount stated and inform both the Local Sponsor and the Lead Agency of the current status of funding and cost sharing for the project.

o. Reports. By the 20th of the month following the end of a fiscal quarter, the Corps of Engineers will prepare and furnish all the Agencies and the Local Sponsor a report on the status of funding and cost sharing for each of their projects.

p. Funding Adjustments: Whenever the Corps of Engineers determines that:

(1) The Local Sponsor's share of the project cost to date, including cash and credits granted under paragraph 5.n, is less than the required 25 percent (15 percent after the Conservation Plan is approved) of the total project cost to date; and/or

(2) The Local Sponsor has paid, in cash, less than the required 5 percent of the total project cost to date; and

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(3) Insufficient funds for the project are on deposit in the escrow account to cover the deficit; then

the Corps of Engineers will inform both the Local Sponsor and the Lead Agency of the deficiency and request that the Local Sponsor deposit into the escrow account the necessary funds or, if allowed, furnish the Lead Agency sufficient proof of additional credits in the amount necessary to maintain the required cost sharing percentage.

q. Transfer of Funds Between Projects. The Local Sponsor may request the transfer of excess project funds in its escrow account from one project to another provided that:

- (1) The Corps of Engineers agrees, in writing, that the funds are excess to the project; and,
- (2) The Lead Agency of the project losing the funds agrees, in writing, to release the funds; and,
- (3) The Lead Agency of the project gaining the funds agrees, in writing, to the funds transfer.

r. Project Deauthorization.

(1) If the Task Force determines that a Project should be abandoned or no longer pursued because of economic or other reasons, all expenditures shall cease as soon as a reasonable stopping point is reached. Congress will be informed of the decision.

(2) Once a Project is de-authorized by the Task Force, it shall be categorized as "completed" and closed-out as required by paragraph 5.s.

s. Project Closeout.

(1) Upon completion of all work and certification by the Lead Agency of the final accounting on the project, the Corps of Engineers shall release any excess Project funds from the escrow account and/or reimburse the Local Sponsor for any overpayment of their cost sharing requirements, provided funds are available, in accordance with the provisions of the applicable Cost Sharing Agreement and the Escrow Agreement.

(2) If the Corps of Engineers advances funds to a Lead Agency for a project, any excess funds identified at the completion of the project shall be returned to the Corps of Engineers for credit to the CWPPRA accounts.

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(3) Any excess funds in an escrow account shall be returned to the Local Sponsor, or at its option, transferred to another Project in accordance with paragraph 5.q.

t. Disputes. Neither the Corps of Engineers, as funds administrator, nor any Lead Agency shall be a party to any disputes that may arise between another Lead Agency and the Local Sponsor under a project Cost Sharing Agreement.

6. Responsibilities.

a. Lead Agency:

(1) Assure that funds spent on a project are spent in accordance with the project's Cost Sharing Agreement and the CWPPRA.

(2) Perform any audits of the Local Sponsor's credits for the project as required by the project's Cost Sharing Agreement and the individual agency's regulations.

(3) No later than September 30 of each year, the Lead Agency shall provide the Local Sponsor with an annual statement of prior State fiscal year expenditures in a format agreeable to the Local Sponsor.

b. Local Sponsor:

(1) Provide the necessary funds as required by the project's Cost Sharing Agreement.

(2) Perform any Work-in-Kind required by the Cost Sharing Agreement.

(3) Furnish the Lead Agency with the documentation required to support any work-in-kind credit requests.

c. Corps of Engineers (as funds administrator):

(1) Use Corps of Engineers financial accounting procedures.

(2) Manage the funds for the project.

(3) Disburse project funds as requested by the Lead Agency.

(4) Regularly report to the Agencies and the Local Sponsor on the status of the project accounts.

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(5) By August 31 of each year, furnish each Lead Agency a report on Project expenditures for the last State fiscal year.

ROBERT H. SCHROEDER, JR.
Chairman, Technical Committee

Enclosures:

Appendix A - CWPPRA Project Cost Sharing Status Report
Appendix B - Calendar of Required Activities

APPENDIX A

CWPPRA PROJECT COST SHARING STATUS REPORT ²

PROJECT _____

as of _____

1. Estimated fully funded total project cost:

- a. Engineering and design \$ _____
- b. Real estate \$ _____
- c. Construction \$ _____
- d. Monitoring \$ _____
- e. Operation and maintenance \$ _____
- f. Total \$ _____

2. Project expenditures to date:

- a. Engineering and design \$ _____
- b. Real estate \$ _____
- c. Construction \$ _____
- d. Monitoring \$ _____
- e. Operation and maintenance \$ _____
- f. Total \$ _____

3. Expenditures to date:

- a. Federal \$ _____ (_____ %)
- b. Non-Federal
 - (1) Cash \$ _____ (_____ %)
 - (2) Credits \$ _____
 - (3) Subtotal \$ _____ (_____ %)
- c. Total \$ _____

4. Escrow account balance \$ _____

² Based on Corps of Engineers financial records.

APPENDIX B

CALENDAR OF REQUIRED ACTIVITIES

- January 1** Agencies return updated copy of Project Status Report to Corps of Engineers.
- January 15** Agencies send quarterly Project Fact Sheet to Local Sponsor.
- January 20** Corps of Engineers sends report on financial status of Projects to Agencies and Local Sponsor.
- March 10** Corps of Engineers sends copy of Project Status report to Agencies for updating.
- April 1** Agencies return updated copy of Project Status Report to Corps of Engineers.
- April 15** Agencies send quarterly Project Fact Sheet to Local Sponsor.
- April 20** Corps of Engineers sends report on financial status of Projects to Agencies and Local Sponsor.
- June 1** Agencies furnish Corps of Engineers and the Local Sponsor with a revised estimate of funding requirements for each project for the State fiscal year beginning next July 1.
- June 1** The Local Sponsor furnishes the Agencies an estimate of work-in-kind credits and expenditures for the next State fiscal year.
- June 10** Corps of Engineers sends copy of Project Status report to Agencies for updating.
- June 15** Corps of Engineers informs Local Sponsor of funds required to be placed in escrow account for each Project by July 1.
- July 1** Agencies return updated copy of Project Status Report to Corps of Engineers.

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- July 1** State fiscal year starts. Local Sponsor receives funds. Funds placed in escrow account.
- July 15** Agencies send quarterly Project Fact Sheet to Local Sponsor.
- July 20** Corps of Engineers sends report on financial status of Projects to Agencies and Local Sponsor.
- August 31** The Corps of Engineers and the Local Sponsor forwards the Agencies a tabulation of actual project expenditures for the last State fiscal year.
- September 10** Corps of Engineers sends copy of Project Status report to Agencies for updating.
- September 15** Local Sponsor furnishes each Lead Agency an estimate on work-in-kind scheduled to be performed next State fiscal year.
- September 30** Agencies forward to the Local Sponsor a report on all project expenditures for the last State fiscal year.
- October 1** Agencies return updated copy of Project Status Report to Corps of Engineers.
- October 1** Federal fiscal year starts. Federal funds received.
- October 15** Agencies send quarterly Project Fact Sheet to Local Sponsor.
- October 20** Corps of Engineers sends report on financial status of Projects to Agencies and Local Sponsor.
- November 1** For budgetary purposes, the Agencies furnish the Local Sponsor an estimate of funds required for next State fiscal year.
- November 30** Priority List submitted to HQUSACE or ASA(CW).
- December 10** Corps of Engineers sends copy of Project Status report to Agencies for updating.
- December 31** Corps of Engineers furnishes MIPR to Agencies for Preliminary Engineering and Design.

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Expenditures	2, 8-13, A-1, B-1, B-2
Fiscal year	3, 4, 8, 9, 12, 13, B-1, B-2
HTRW	8, 8
Lead Agency	1, 2, 4-13, B-2
Local Sponsor	1-3, 5-12, B-1, B-2
Maintenance	2, 3, 10, A-1
MIPR	4, 9, B-2
Monitoring	2, 3, 10, A-1
Operation	2, 3, 10, A-1
Overgrazing	3, 6, 7
Planning	1, 2, 7
Planning and Evaluation Subcommittee	2, 7
Priority List	2, 4, 5, B-2
Real Estate	2, 4, 6, 9, A-1
Technical Committee	2, 2, 5, 13
Transfer	11
Work-in-kind	9, 10, 12, B-1, B-2

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

**REQUEST FOR CONSTRUCTION APPROVAL:
BOSTON CANAL/VERMILION BAY**

Mr. Landreneau will request Task Force approval for construction of the Boston Canal/Vermilion Bay project from the 2nd Priority Project List. A letter from Mr. Landreneau detailing compliance with Task Force requirements is enclosed.

Recommendation of the Technical Committee:

That the Task Force approve construction of the Boston Canal/Vermilion Bay project for an estimated cost of \$847,000.



United States
Department of
Agriculture

Soil
Conservation
Service

3737 Government Street
Alexandria, Louisiana
71302

July 6, 1994

Mr. Stan Green, Chairman
CWPPRA Planning and Evaluation Subcommittee
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, Louisiana 70160

Dear Mr. Green:

The USDA-Soil Conservation Service hereby requests approval by the Louisiana Coastal Wetlands Planning, Protection, and Restoration Task Force for construction unit No. 1 of the Boston Canal/Vermilion Bay Shore Stabilization Project. Construction unit No. 1 consists of installing rock breakwaters at the mouth of Boston Canal. The project was approved by the Task Force as part of the 2nd Priority Project List. The current construction cost estimate for construction unit 1 is \$331,050 and the cost estimate for construction unit 2 is \$205,677 for a total project construction cost of \$536,727. This figure, combined with the \$43,000 engineering and design costs; \$70,000 monitoring cost, and \$197,000 for operations and maintenance, total \$846,727 in fully funded costs over the 20 year life of the project. These cost estimates are less than the originally approved project costs (\$1,008,634).

The National Environmental Policy Act compliance for this project has been accomplished. A Finding of No Significant Impact was published in the federal register on April 20, 1994. Ronald J. Ventola, Chief of Regulatory Function Branch COE issued a permit dated July 1, 1993, for this work under the authority of (General Permit) NOD-22.

Cultural resource clearance was provided in a letter dated November 23, 1993, from the State Historic Preservation Officer. The Louisiana Department of Natural Resources Coastal Management Division provided a letter signed by Terry W. Howey dated July 27, 1993, that stated this project was found to be consistent with the Coastal Zone Management Act of 1972. Water Quality certification was granted by DEQ in a letter dated August 12, 1993. The cost sharing Agreement between the State of Louisiana and the Soil Conservation Service was signed on March 24, 1994, and approved on May 26, 1994; a letter dated June 22, 1994 from DNR certified the landrights for the project. The escrow agreement was executed on June 29, 1994.



The Soil Conservation Service
is an agency of the
Department of Agriculture

AN EQUAL OPPORTUNITY EMPLOYER

Page 2
July 6, 1994

Overgrazing in the project area is not a problem.

Therefore, we request that the Task Force approve the expenditure of construction funds for this project. We are ready to advertise for bids immediately upon your approval.

If you have any questions regarding this matter, please call me at 318-473-7756.

Sincerely,


Bennett C. Landreneau
Assistant State Conservationist
Water Resources

cc: Richard Abshire, State Administrative Office, SCS,
Alexandria LA

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

**REQUEST FOR CONSTRUCTION APPROVAL:
BAYOU SAUVAGE NATIONAL WILDLIFE REFUGE**

Mr. Dave Frugé will request Task Force approval for construction of the Bayou Sauvage National Wildlife Refuge project. A 5 July 1994 letter from Mr. Paul Yakupzack detailing compliance with Task Force requirements is enclosed. Also enclosed is an 8 July 1994 letter with a revised project cost estimate.

Recommendation of the Technical Committee:

That the Task Force approve construction of the Bayou Sauvage National Wildlife Refuge project for an estimated cost of \$889,000.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Cameron Prairie National Wildlife Refuge
Route 1 Box 643
Bell City, LA 70630
(318) 598-2216



July 5, 1994

Mr. Stan Green, Chairman
CWPPRA Planning and Evaluation Subcommittee
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160

Dear Mr. Green:

The U.S. Fish and Wildlife Service hereby requests approval by the Louisiana Coastal Wetlands Conservation and Restoration Task Force (Task Force) for construction of the Bayou Sauvage National Wildlife Refuge Wetland Restoration project. The project was approved by the Task Force as part of the 1st Priority Project List. The current construction cost estimate is \$553,000. This figure, combined with the \$65,000 engineering and design costs; \$552,500 monitoring cost, and \$300,000 for operations and maintenance total \$1,470,500. The originally approved first cost included project construction and operation and maintenance totaling \$1,105,000 for the 20-year life of the project (attachment 1). Project costs other than those related to monitoring now total \$918,000. This is significantly less than the original estimate, with no reduction in project benefits.

The National Environmental Policy Act compliance for this project has been accomplished. An Environmental Action Memorandum was completed by the Fish and Wildlife Service in April, 1992. The Environmental Action Memorandum states that this project "does not have significant environmental effects as determined by the Environmental Assessment and Finding of No Significant Impact."

Regulatory Project Manager Julie Dorcey Vignes is completing the Environmental Assessment and draft Department of the Army permit. The documents are being reviewed by the Chief, Eastern Evaluation Section. The Fish and Wildlife Service is optimistic that the Department of the Army Permit will be issued in the near future. Water Quality Certification was received from the Louisiana Department of Environmental Quality by letter dated December 3, 1993. A cultural resource clearance was provided in a letter dated

Page -2-
July 5, 1994
Mr. Stan Green

April 30, 1992. The Louisiana Department of Natural Resources provided a letter signed by Terry Howey dated November 22, 1993, that stated that this project was found to be consistent with the Coastal Zone Management Act of 1972. The Cost Sharing Agreement between the State of Louisiana and the Service was signed on April 17, 1993. All work will be conducted on Bayou Sauvage National Wildlife Refuge (NWR). Copies of the Bayou Sauvage NWR deed and a letter of approval from The Conservation Fund were furnished to the Corps' Real Estate Division on June 16, 1994. Copies of this deed should satisfy the Section 303(e) requirements of the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA).

Therefore, we request that the Task Force approve the expenditure of construction funds for this project. If you have any questions regarding this matter, please call me at (318) 598-2216 Ext 23 or Dan Tabberer at (504) 646-7579.

Sincerely,



Paul M. Yakupzack,
Refuge Manager & CWPPRA Implementation Coordinator

cc: James Burnett, FWS, Atlanta, GA
Dave Fruge, FWS, Lafayette, LA
Bill Goode, LA-DNR, Baton Rouge, LA



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Cameron Prairie National Wildlife Refuge
Route 1 Box 643
Bell City, LA 70630
(318) 598-2216



8
July 8, 1994

Mr. Stan Green, Chairman
CWPPRA Planning and Evaluation Subcommittee
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160

Dear Mr. Green:

My letter of July 5, 1994, requested approval by the Louisiana Coastal Wetlands Conservation and Restoration Task Force for construction funding for the Bayou Sauvage National Wildlife Refuge Wetland Restoration project (1st Priority Project List). The purpose of this letter is to revise the cost figures presented in that letter. These revised figures have been developed in consultation with the Soil Conservation Service; personnel of that agency are performing engineering, design, and construction management for the Fish and Wildlife Service for that project. The reviewed cost figures which were approved by the Technical Committee on July 6, 1994, are: project engineering and design \$65,000; project construction \$594,000; supervision and inspection of the construction \$50,000; and operation and maintenance \$180,000 for a total of \$889,000. This total is substantially less than the originally approved cost of \$930,000.

Monitoring costs for this project are currently estimated at \$552,500. As you know additional monitoring costs for 1st Priority List Project were previously approved by the Task Force.

Page -2-
July 5, 1994
Mr. Stan Green

Thank you and the Technical Committee for recommending approval of the construction funding for of the Bayou Sauvage National Wildlife Refuge Wetland Restoration Project.

If you have any questions regarding this matter, please call me at (318) 598-2216 Ext 23 or Pondexter Dixon at (504) 646-7595.

Sincerely,



Paul M. Yakupzack,
Refuge Manager & CWPPRA Implementation Coordinator

cc: James Burnett, FWS, Atlanta, GA
Dave Fruge, FWS, Lafayette, LA
Bill Goode, LA-DNR, Baton Rouge, LA

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

FY 94 BUDGET AMENDMENT REQUEST

Dr. Bill Good of the Louisiana Department of Natural Resources will request an amendment to that agency's fiscal year 1994 budget. Mr. David Soileau's letter requesting a \$56,000 increase increase is enclosed.

Recommendation of the Technical Committee:

That the Task Force approve a \$56,000 increase in the DNR budget from \$437,000 to \$493,000.

State of Louisiana



EDWIN W. EDWARDS
GOVERNOR

JOHN F. ALES
SECRETARY

DEPARTMENT OF NATURAL RESOURCES

April 29, 1994

U. S. Army Corps of Engineers
New Orleans District
P. O. Box 60267
New Orleans, La. 70160-0267

ATTN: Mr. Stan Green
CELMN-PD-FE

RE: Coastal Wetlands Planning, Protection and Restoration Act
1994 Fiscal Year Budget for Dept. of Natural Resources

Dear Mr. Green:

Mr. Carrol Clark, manager of the Coastal Restoration Division's Federal Assistance Program Section, has informed me of an anticipated shortfall in our 1993-94 fiscal year planning budget of \$55,423. This is due to the large amount of unanticipated work associated with the completion of the Restoration Plan, the intensive field trips to candidate project sites from the "Fourth Priority List," our environmental compliance work on CWPPRA projects, and our involvement in feasibility studies. If our role in feasibility studies increases this fiscal year, then our shortfall will increase accordingly.

Your assistance in bringing this to the attention of the Task Force, and/or other committees for the necessary review and approval would be greatly appreciated.

Should you need any additional information, please contact Mr. Carrol Clark at (504) 342-7308.

Sincerely,

A handwritten signature in cursive script, appearing to read "David M. Soileau".

David M. Soileau
Assistant Secretary

attachment: Revised 1993/94 Budget

cc: Bill Good, DNR
Carrol Clark, DNR

DEPARTMENT OF NATURAL RESOURCES/COASTAL RESTORATION DIVISION EXPENDITURES
FISCAL YEAR 1993/94

BUDGET CODE DESCRIPTION	ANNUAL BUDGET	OCT/93	NOV/93	DEC/93	JAN/94	FEB/94	MAR/94	APR/94	MAY/94	JUNE/94	JULY/94	AUG/94	SEPT/94	TOTAL	YTD BALANCE
SALARY	\$272,039.00	\$35,367.66	\$24,747.44	\$20,841.47	\$27,124.52	\$22,066.85	\$33,553.58							\$163,671.54	\$108,366.46
TRAVEL	\$6,700.00	\$339.40	\$388.70	\$107.10	\$225.00	\$121.18	\$904.83							\$2,086.31	\$4,613.69
CONTRACTS	\$40,554.00	\$1,580.30	\$5,209.25	\$3,475.55	\$2,546.39	\$3,508.16	\$3,568.96							\$19,888.61	\$20,665.39
OTHER ACQUISITIONS	\$8,400.00													\$0.00	\$8,400.00
INDIRECT COSTS	\$97,308.00			\$20,986.48	\$7,389.79	\$8,702.44	\$7,853.32							\$45,972.03	\$51,335.97
STATE CONSISTENCY	\$12,000.00	\$300.00		\$600.00			\$900.00							\$1,800.00	\$10,200.00
TOTAL	\$437,000.00	\$37,587.36	\$30,345.39	\$46,010.60	\$37,285.70	\$35,398.63	\$46,790.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$233,418.49	\$203,581.51

DESCRIPTION OF BUDGET CATEGORIES:
SALARY = NO. OF HOURS MULTIPLIED BY COST PER HOUR
CONTRACTS = CONSULTANT SERVICES, HELICOPTER & AIRBOAT SERVICES, SUPPLIES, OPERATING SERVICES
OTHER ACQUISITIONS = MAJOR CAPITAL PURCHASES, SUCH AS BOATS, CARS
INDIRECT COST = 35.7% OF TOTAL PERSONNEL SALARIES
STATE CONSISTENCY - CMD CHARGES

BUDGET PROJECTIONS FY '94

	6 MONTH ACTUAL	6 MONTH PROJECTION (APR. - SEPT. '94)	TOTAL
SALARY	163,671.00	160,000.00	323,671.00
TRAVEL	2,086.31	2,000.00	4,086.31
CONTRACTS	19,888.61	12,000.00	31,888.61
OTHER ACQUISITIONS	-0-	5,000.00	5,000.00
INDIRECT COSTS	45,972.03	69,805.00	115,777.03
STATE CONSISTENCY	1,800.00	10,200.00	12,000.00
TOTAL	233,418.49	237,005.00	470,423.49

PROJECTED FY '94 492,422.95
BUDGETED FY '94 437,000.00
VARIANCE 55,422.95

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

ADDITIONAL AGENDA ITEMS

Each Task Force member has the opportunity at this point to propose additional items or issues for the consideration of the Task Force.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

DATE AND LOCATION OF THE NEXT TASK FORCE MEETING

Recommendation for Task Force Approval:

DATE: September 1994

TIME: 9:30 a.m.

LOCATION: District Assembly Room
New Orleans District, U.S. Army Corps of Engineers
Foot of Prytania Street
New Orleans, Louisiana

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

July 14, 1994

REQUEST FOR WRITTEN QUESTIONS FROM THE PUBLIC

All Task Force meetings are open to the public. Interested parties may submit a completed "Question Submittal Card" to the Task Force Chairman at this time. Questions and comments will be addressed at the next regularly scheduled Task Force meeting.

COASTAL WETLANDS PLANNING, PROTECTION, & RESTORATION ACT
(Public Law 101-646, Title III)

SECTION 303. Priority Louisiana Coastal Wetlands Restoration Projects.

- Section 303a. Priority Project List.
 - NLT 13 Jan 91, Sec. of the Army (Secretary) will convene a Task Force.
 - Secretary
 - Administrator, EPA
 - Governor, Louisiana
 - Secretary, Interior
 - Secretary, Agriculture
 - Secretary, Commerce
 - NLT 28 Nov 91, Task Force will prepare and transmit to Congress a Priority List of wetland restoration projects based on cost effectiveness and wetland quality.
 - Priority List is revised and submitted annually as part of President's budget.
- Section 303b. Federal and State Project Planning.
 - NLT 28 Nov 93, Task Force will prepare a comprehensive coastal wetlands Restoration Plan for Louisiana.
 - Restoration Plan will consist of a list of wetland projects, ranked by cost effectiveness and wetland quality.
 - Completed Restoration Plan will become Priority List.
 - Secretary will ensure that navigation and flood control projects are consistent with the purpose of the Restoration Plan.
 - Upon submission of the Restoration Plan to Congress, the Task Force will conduct a scientific evaluation of the completed wetland restoration projects every 3 years and report the findings to Congress.

SECTION 304. Louisiana Coastal Wetlands Conservation Planning.

- Secretary; Administrator, EPA; and Director, USFWS will:
 - Sign an agreement with the Governor specifying how Louisiana will develop and implement the Conservation Plan.
 - Approve the Conservation Plan.
 - Provide Congress with periodic status reports on Plan implementation.
- NLT 3 years after agreement is signed, Louisiana will develop a Wetland Conservation Plan to achieve no net loss of wetlands resulting from development.

SECTION 305. National Coastal Wetlands Conservation Grants.

- Director, USFWS, will make matching grants to any coastal state to implement Wetland Conservation Projects (projects to acquire, restore, manage, and enhance real property interest in coastal lands and waters).
- Cost sharing is 50% Federal / 50% State *

SECTION 306. Distribution of Appropriations.

- 70% of annual appropriations not to exceed (NTE) \$70 million used as follows:
 - NTE \$15 million to fund Task Force completion of Priority List and Restoration Plan -- Secretary disburses funds.
 - NTE \$10 million to fund 75% of Louisiana's cost to complete Conservation Plan -- Administrator disburses funds.
 - Balance to fund wetland restoration projects at 75% Federal/ 25% Louisiana ** -- Secretary disburses funds.
- 15% of annual appropriations, NTE \$15 million for Wetland Conservation Grants - Director, USFWS disburses funds.
- 15% of annual appropriations, NTE \$15 million for projects authorized by the North American Wetlands Conservation Act - Secretary, Interior disburses funds.

SECTION 307. Additional Authority for the Corps of Engineers.

- Section 307a. Secretary authorized to:
 - Carry out projects to protect, restore, and enhance wetlands and aquatic/coastal ecosystems.
- Section 307b. Secretary authorized and directed to study feasibility of modifying the MR&T to increase flows and sediment to the Atchafalaya River for land building and wetland nourishment.

* 25% if the state has dedicated trust fund from which principal is not spent.

** 15% when Louisiana's Conservation Plan is approved.

activities, where appropriate, that would contribute to the restoration or improvement of one or more fish stocks of the Great Lakes Basin; and

"(2) activities undertaken to accomplish the goals stated in section 2006.

16 USC 941g.

SEC. 2009. AUTHORIZATION OF APPROPRIATIONS.

"(a) There are authorized to be appropriated to the Director—

"(1) for conducting a study under section 2005 not more than \$4,000,000 for each of fiscal years 1991 through 1994;

"(2) to establish and operate the Great Lakes Coordination Office under section 2008(a) and Upper Great Lakes Fishery Resources Offices under section 2008(c), not more than \$4,000,000 for each of fiscal years 1991 through 1995; and

"(3) to establish and operate the Lower Great Lakes Fishery Resources Offices under section 2008(b), not more than \$2,000,000 for each of fiscal years 1991 through 1995.

"(b) There are authorized to be appropriated to the Secretary to carry out this Act, not more than \$1,500,000 for each of fiscal years 1991 through 1995."

Coastal
Wetlands
Planning,
Protection and
Restoration Act.
16 USC 3961
note.

TITLE III—WETLANDS**SEC. 391. SHORT TITLE.**

This title may be cited as the "Coastal Wetlands Planning, Protection and Restoration Act".

16 USC 3961.

SEC. 392. DEFINITIONS.

As used in this title, the term—

(1) "Secretary" means the Secretary of the Army;

(2) "Administrator" means the Administrator of the Environmental Protection Agency;

(3) "development activities" means any activity, including the discharge of dredged or fill material, which results directly in a more than de minimus change in the hydrologic regime, bottom contour, or the type, distribution or diversity of hydrophytic vegetation, or which impairs the flow, reach, or circulation of surface water within wetlands or other waters;

(4) "State" means the State of Louisiana;

(5) "coastal State" means a State of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes; for the purposes of this title, the term also includes Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territories of the Pacific Islands, and American Samoa;

(6) "coastal wetlands restoration project" means any technically feasible activity to create, restore, protect, or enhance coastal wetlands through sediment and freshwater diversion, water management, or other measures that the Task Force finds will significantly contribute to the long-term restoration or protection of the physical, chemical and biological integrity of coastal wetlands in the State of Louisiana, and includes any such activity authorized under this title or under any other provision of law, including, but not limited to, new projects, completion or expansion of existing or on-going projects, individ-

ual phases, portions, or components of projects and operation, maintenance and rehabilitation of completed projects; the primary purpose of a "coastal wetlands restoration project" shall not be to provide navigation, irrigation or flood control benefits;

(7) "coastal wetlands conservation project" means—

(A) the obtaining of a real property interest in coastal lands or waters, if the obtaining of such interest is subject to terms and conditions that will ensure that the real property will be administered for the long-term conservation of such lands and waters and the hydrology, water quality and fish and wildlife dependent thereon; and

(B) the restoration, management, or enhancement of coastal wetlands ecosystems if such restoration, management, or enhancement is conducted on coastal lands and waters that are administered for the long-term conservation of such lands and waters and the hydrology, water quality and fish and wildlife dependent thereon;

(8) "Governor" means the Governor of Louisiana;

(9) "Task Force" means the Louisiana Coastal Wetlands Conservation and Restoration Task Force which shall consist of the Secretary, who shall serve as chairman, the Administrator, the Governor, the Secretary of the Interior, the Secretary of Agriculture and the Secretary of Commerce; and

(10) "Director" means the Director of the United States Fish and Wildlife Service.

SEC. 303. PRIORITY LOUISIANA COASTAL WETLANDS RESTORATION PROJECTS. 16 USC 3962.

(a) PRIORITY PROJECT LIST.—

(1) **PREPARATION OF LIST.**—Within forty-five days after the date of enactment of this title, the Secretary shall convene the Task Force to initiate a process to identify and prepare a list of coastal wetlands restoration projects in Louisiana to provide for the long-term conservation of such wetlands and dependent fish and wildlife populations in order of priority, based on the cost-effectiveness of such projects in creating, restoring, protecting, or enhancing coastal wetlands, taking into account the quality of such coastal wetlands, with due allowance for small-scale projects necessary to demonstrate the use of new techniques or materials for coastal wetlands restoration.

(2) **TASK FORCE PROCEDURES.**—The Secretary shall convene meetings of the Task Force as appropriate to ensure that the list is produced and transmitted annually to the Congress as required by this subsection. If necessary to ensure transmittal of the list on a timely basis, the Task Force shall produce the list by a majority vote of those Task Force members who are present and voting; except that no coastal wetlands restoration project shall be placed on the list without the concurrence of the lead Task Force member that the project is cost effective and sound from an engineering perspective. Those projects which potentially impact navigation or flood control on the lower Mississippi River System shall be constructed consistent with section 304 of this Act.

(3) **TRANSMITTAL OF LIST.**—No later than one year after the date of enactment of this title, the Secretary shall transmit to the Congress the list of priority coastal wetlands restoration projects required by paragraph (1) of this subsection. Thereafter,

Reports.

the list shall be updated annually by the Task Force members and transmitted by the Secretary to the Congress as part of the President's annual budget submission. Annual transmittals of the list to the Congress shall include a status report on each project and a statement from the Secretary of the Treasury indicating the amounts available for expenditure to carry out this title.

(4) LIST OF CONTENTS.—

(A) AREA IDENTIFICATION; PROJECT DESCRIPTION.—The list of priority coastal wetlands restoration projects shall include, but not be limited to—

(i) identification, by map or other means, of the coastal area to be covered by the coastal wetlands restoration project; and

(ii) a detailed description of each proposed coastal wetlands restoration project including a justification for including such project on the list, the proposed activities to be carried out pursuant to each coastal wetlands restoration project, the benefits to be realized by such project, the identification of the lead Task Force member to undertake each proposed coastal wetlands restoration project and the responsibilities of each other participating Task Force member, an estimated timetable for the completion of each coastal wetlands restoration project, and the estimated cost of each project.

(B) PRE-PLAN.—Prior to the date on which the plan required by subsection (b) of this section becomes effective, such list shall include only those coastal wetlands restoration projects that can be substantially completed during a five-year period commencing on the date the project is placed on the list.

(C) Subsequent to the date on which the plan required by subsection (b) of this section becomes effective, such list shall include only those coastal wetlands restoration projects that have been identified in such plan.

(5) FUNDING.—The Secretary shall, with the funds made available in accordance with section 306 of this title, allocate funds among the members of the Task Force based on the need for such funds and such other factors as the Task Force deems appropriate to carry out the purposes of this subsection.

(b) FEDERAL AND STATE PROJECT PLANNING.—

(1) PLAN PREPARATION.—The Task Force shall prepare a plan to identify coastal wetlands restoration projects, in order of priority, based on the cost-effectiveness of such projects in creating, restoring, protecting, or enhancing the long-term conservation of coastal wetlands, taking into account the quality of such coastal wetlands, with due allowance for small-scale projects necessary to demonstrate the use of new techniques or materials for coastal wetlands restoration. Such restoration plan shall be completed within three years from the date of enactment of this title.

(2) PURPOSE OF THE PLAN.—The purpose of the restoration plan is to develop a comprehensive approach to restore and prevent the loss of, coastal wetlands in Louisiana. Such plan shall coordinate and integrate coastal wetlands restoration

projects in a manner that will ensure the long-term conservation of the coastal wetlands of Louisiana.

(3) **INTEGRATION OF EXISTING PLANS.**—In developing the restoration plan, the Task Force shall seek to integrate the “Louisiana Comprehensive Coastal Wetlands Feasibility Study” conducted by the Secretary of the Army and the “Coastal Wetlands Conservation and Restoration Plan” prepared by the State of Louisiana’s Wetlands Conservation and Restoration Task Force.

(4) **ELEMENTS OF THE PLAN.**—The restoration plan developed pursuant to this subsection shall include—

(A) identification of the entire area in the State that contains coastal wetlands;

(B) identification, by map or other means, of coastal areas in Louisiana in need of coastal wetlands restoration projects;

(C) identification of high priority coastal wetlands restoration projects in Louisiana needed to address the areas identified in subparagraph (B) and that would provide for the long-term conservation of restored wetlands and dependent fish and wildlife populations;

(D) a listing of such coastal wetlands restoration projects, in order of priority, to be submitted annually, incorporating any project identified previously in lists produced and submitted under subsection (a) of this section;

(E) a detailed description of each proposed coastal wetlands restoration project, including a justification for including such project on the list;

(F) the proposed activities to be carried out pursuant to each coastal wetlands restoration project;

(G) the benefits to be realized by each such project;

(H) an estimated timetable for completion of each coastal wetlands restoration project;

(I) an estimate of the cost of each coastal wetlands restoration project;

(J) identification of a lead Task Force member to undertake each proposed coastal wetlands restoration project listed in the plan;

(K) consultation with the public and provision for public review during development of the plan; and

(L) evaluation of the effectiveness of each coastal wetlands restoration project in achieving long-term solutions to arresting coastal wetlands loss in Louisiana.

(5) **PLAN MODIFICATION.**—The Task Force may modify the restoration plan from time to time as necessary to carry out the purposes of this section.

(6) **PLAN SUBMISSION.**—Upon completion of the restoration plan, the Secretary shall submit the plan to the Congress. The restoration plan shall become effective ninety days after the date of its submission to the Congress.

(7) **PLAN EVALUATION.**—Not less than three years after the completion and submission of the restoration plan required by this subsection and at least every three years thereafter, the Task Force shall provide a report to the Congress containing a scientific evaluation of the effectiveness of the coastal wetlands restoration projects carried out under the plan in crea-

Reports.

ting, restoring, protecting and enhancing coastal wetlands in Louisiana.

(c) **COASTAL WETLANDS RESTORATION PROJECT BENEFITS.**—Where such a determination is required under applicable law, the net ecological, aesthetic, and cultural benefits, together with the economic benefits, shall be deemed to exceed the costs of any coastal wetlands restoration project within the State which the Task Force finds to contribute significantly to wetlands restoration.

(d) **CONSISTENCY.**—(1) In implementing, maintaining, modifying, or rehabilitating navigation, flood control or irrigation projects, other than emergency actions, under other authorities, the Secretary, in consultation with the Director and the Administrator, shall ensure that such actions are consistent with the purposes of the restoration plan submitted pursuant to this section.

(2) At the request of the Governor of the State of Louisiana, the Secretary of Commerce shall approve the plan as an amendment to the State's coastal zone management program approved under section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1455).

(e) **FUNDING OF WETLANDS RESTORATION PROJECTS.**—The Secretary shall, with the funds made available in accordance with this title, allocate such funds among the members of the Task Force to carry out coastal wetlands restoration projects in accordance with the priorities set forth in the list transmitted in accordance with this section. The Secretary shall not fund a coastal wetlands restoration project unless that project is subject to such terms and conditions as necessary to ensure that wetlands restored, enhanced or managed through that project will be administered for the long-term conservation of such lands and waters and dependent fish and wildlife populations.

(f) **COST-SHARING.**—

(1) **FEDERAL SHARE.**—Amounts made available in accordance with section 306 of this title to carry out coastal wetlands restoration projects under this title shall provide 75 percent of the cost of such projects.

(2) **FEDERAL SHARE UPON CONSERVATION PLAN APPROVAL.**—Notwithstanding the previous paragraph, if the State develops a Coastal Wetlands Conservation Plan pursuant to this title, and such conservation plan is approved pursuant to section 304 of this title, amounts made available in accordance with section 306 of this title for any coastal wetlands restoration project under this section shall be 85 percent of the cost of the project. In the event that the Secretary, the Director, and the Administrator jointly determine that the State is not taking reasonable steps to implement and administer a conservation plan developed and approved pursuant to this title, amounts made available in accordance with section 306 of this title for any coastal wetlands restoration project shall revert to 75 percent of the cost of the project: *Provided, however*, that such reversion to the lower cost share level shall not occur until the Governor has been provided notice of, and opportunity for hearing on, any such determination by the Secretary, the Director, and Administrator, and the State has been given ninety days from such notice or hearing to take corrective action.

(3) **FORM OF STATE SHARE.**—The share of the cost required of the State shall be from a non-Federal source. Such State share shall consist of a cash contribution of not less than 5 percent of

the cost of the project. The balance of such State share may take the form of lands, easements, or right-of-way, or any other form of in-kind contribution determined to be appropriate by the lead Task Force member.

(4) Paragraphs (1), (2), and (3) of this subsection shall not affect the existing cost-sharing agreements for the following projects: Caernarvon Freshwater Diversion, Davis Pond Freshwater Diversion, and Bonnet Carre Freshwater Diversion.

SEC. 304. LOUISIANA COASTAL WETLANDS CONSERVATION PLANNING.

16 USC 3953.

(a) DEVELOPMENT OF CONSERVATION PLAN.—

(1) **AGREEMENT.**—The Secretary, the Director, and the Administrator are directed to enter into an agreement with the Governor, as set forth in paragraph (2) of this subsection, upon notification of the Governor's willingness to enter into such agreement.

(2) TERMS OF AGREEMENT.—

(A) Upon receiving notification pursuant to paragraph (1) of this subsection, the Secretary, the Director, and the Administrator shall promptly enter into an agreement (hereafter in this section referred to as the "agreement") with the State under the terms set forth in subparagraph (B) of this paragraph.

(B) The agreement shall—

(i) set forth a process by which the State agrees to develop, in accordance with this section, a coastal wetlands conservation plan (hereafter in this section referred to as the "conservation plan");

(ii) designate a single agency of the State to develop the conservation plan;

(iii) assure an opportunity for participation in the development of the conservation plan, during the planning period, by the public and by Federal and State agencies;

(iv) obligate the State, not later than three years after the date of signing the agreement, unless extended by the parties thereto, to submit the conservation plan to the Secretary, the Director, and the Administrator for their approval; and

(v) upon approval of the conservation plan, obligate the State to implement the conservation plan.

(3) GRANTS AND ASSISTANCE.—Upon the date of signing the agreement—

(A) the Administrator shall, in consultation with the Director, with the funds made available in accordance with section 306 of this title, make grants during the development of the conservation plan to assist the designated State agency in developing such plan. Such grants shall not exceed 75 percent of the cost of developing the plan; and

(B) the Secretary, the Director, and the Administrator shall provide technical assistance to the State to assist it in the development of the plan.

(b) CONSERVATION PLAN GOAL.—If a conservation plan is developed pursuant to this section, it shall have a goal of achieving no net loss of wetlands in the coastal areas of Louisiana as a result of development activities initiated subsequent to approval of the plan.

exclusive of any wetlands gains achieved through implementation of the preceding section of this title.

(c) **ELEMENTS OF CONSERVATION PLAN.**—The conservation plan authorized by this section shall include—

(1) identification of the entire coastal area in the State that contains coastal wetlands;

(2) designation of a single State agency with the responsibility for implementing and enforcing the plan;

(3) identification of measures that the State shall take in addition to existing Federal authority to achieve a goal of no net loss of wetlands as a result of development activities, exclusive of any wetlands gains achieved through implementation of the preceding section of this title;

(4) a system that the State shall implement to account for gains and losses of coastal wetlands within coastal areas for purposes of evaluating the degree to which the goal of no net loss of wetlands as a result of development activities in such wetlands or other waters has been attained;

(5) satisfactory assurances that the State will have adequate personnel, funding, and authority to implement the plan;

(6) a program to be carried out by the State for the purpose of educating the public concerning the necessity to conserve wetlands;

(7) a program to encourage the use of technology by persons engaged in development activities that will result in negligible impact on wetlands; and

(8) a program for the review, evaluation, and identification of regulatory and nonregulatory options that will be adopted by the State to encourage and assist private owners of wetlands to continue to maintain those lands as wetlands.

(d) **APPROVAL OF CONSERVATION PLAN.**—

(1) **IN GENERAL.**—If the Governor submits a conservation plan to the Secretary, the Director, and the Administrator for their approval, the Secretary, the Director, and the Administrator shall, within one hundred and eighty days following receipt of such plan, approve or disapprove it.

(2) **APPROVAL CRITERIA.**—The Secretary, the Director, and the Administrator shall approve a conservation plan submitted by the Governor, if they determine that—

(A) the State has adequate authority to fully implement all provisions of such a plan;

(B) such a plan is adequate to attain the goal of no net loss of coastal wetlands as a result of development activities and complies with the other requirements of this section; and

(C) the plan was developed in accordance with terms of the agreement set forth in subsection (a) of this section.

(e) **MODIFICATION OF CONSERVATION PLAN.**—

(1) **NONCOMPLIANCE.**—If the Secretary, the Director, and the Administrator determine that a conservation plan submitted by the Governor does not comply with the requirements of subsection (d) of this section, they shall submit to the Governor a statement explaining why the plan is not in compliance and how the plan should be changed to be in compliance.

(2) **RECONSIDERATION.**—If the Governor submits a modified conservation plan to the Secretary, the Director, and the Administrator for their reconsideration, the Secretary, the

Director, and Administrator shall have ninety days to determine whether the modifications are sufficient to bring the plan into compliance with requirements of subsection (d) of this section.

(3) **APPROVAL OF MODIFIED PLAN.**—If the Secretary, the Director, and the Administrator fail to approve or disapprove the conservation plan, as modified, within the ninety-day period following the date on which it was submitted to them by the Governor, such plan, as modified, shall be deemed to be approved effective upon the expiration of such ninety-day period.

(f) **AMENDMENTS TO CONSERVATION PLAN.**—If the Governor amends the conservation plan approved under this section, any such amended plan shall be considered a new plan and shall be subject to the requirements of this section; except that minor changes to such plan shall not be subject to the requirements of this section.

(g) **IMPLEMENTATION OF CONSERVATION PLAN.**—A conservation plan approved under this section shall be implemented as provided therein.

(h) **FEDERAL OVERSIGHT.**—

(1) **INITIAL REPORT TO CONGRESS.**—Within one hundred and eighty days after entering into the agreement required under subsection (a) of this section, the Secretary, the Director, and the Administrator shall report to the Congress as to the status of a conservation plan approved under this section and the progress of the State in carrying out such a plan, including and accounting, as required under subsection (c) of this section, of the gains and losses of coastal wetlands as a result of development activities.

(2) **REPORT TO CONGRESS.**—Twenty-four months after the initial one hundred and eighty day period set forth in paragraph (1), and at the end of each twenty-four-month period thereafter, the Secretary, the Director, and the Administrator shall, report to the Congress on the status of the conservation plan and provide an evaluation of the effectiveness of the plan in meeting the goal of this section.

SEC. 305 NATIONAL COASTAL WETLANDS CONSERVATION GRANTS.

16 USC 3954.

(a) **MATCHING GRANTS.**—The Director shall, with the funds made available in accordance with the next following section of this title, make matching grants to any coastal State to carry out coastal wetlands conservation projects from funds made available for that purpose.

(b) **PRIORITY.**—Subject to the cost-sharing requirements of this section, the Director may grant or otherwise provide any matching moneys to any coastal State which submits a proposal substantial in character and design to carry out a coastal wetlands conservation project. In awarding such matching grants, the Director shall give priority to coastal wetlands conservation projects that are—

(1) consistent with the National Wetlands Priority Conservation Plan developed under section 301 of the Emergency Wetlands Resources Act (16 U.S.C. 3921); and

(2) in coastal States that have established dedicated funding for programs to acquire coastal wetlands, natural areas and open spaces. In addition, priority consideration shall be given to coastal wetlands conservation projects in maritime forests on coastal barrier islands.

(c) **CONDITIONS.**—The Director may only grant or otherwise provide matching moneys to a coastal State for purposes of carrying out a coastal wetlands conservation project if the grant or provision is subject to terms and conditions that will ensure that any real property interest acquired in whole or in part, or enhanced, managed, or restored with such moneys will be administered for the long-term conservation of such lands and waters and the fish and wildlife dependent thereon.

(d) **COST-SHARING.**—

(1) **FEDERAL SHARE.**—Grants to coastal States of matching moneys by the Director for any fiscal year to carry out coastal wetlands conservation projects shall be used for the payment of not to exceed 50 percent of the total costs of such projects; except that such matching moneys may be used for payment of not to exceed 75 percent of the costs of such projects if a coastal State has established a trust fund, from which the principal is not spent, for the purpose of acquiring coastal wetlands, other natural area or open spaces.

(2) **FORM OF STATE SHARE.**—The matching moneys required of a coastal State to carry out a coastal wetlands conservation project shall be derived from a non-Federal source.

(3) **IN-KIND CONTRIBUTIONS.**—In addition to cash outlays and payments, in-kind contributions of property or personnel services by non-Federal interests for activities under this section may be used for the non-Federal share of the cost of those activities.

(e) **PARTIAL PAYMENTS.**—

(1) The Director may from time to time make matching payments to carry out coastal wetlands conservation projects as such projects progress, but such payments, including previous payments, if any, shall not be more than the Federal pro rata share of any such project in conformity with subsection (d) of this section.

(2) The Director may enter into agreements to make matching payments on an initial portion of a coastal wetlands conservation project and to agree to make payments on the remaining Federal share of the costs of such project from subsequent moneys if and when they become available. The liability of the United States under such an agreement is contingent upon the continued availability of funds for the purpose of this section.

Texas.

(f) **WETLANDS ASSESSMENT.**—The Director shall, with the funds made available in accordance with the next following section of this title, direct the U.S. Fish and Wildlife Service's National Wetland Inventory to update and digitize wetlands maps in the State of Texas and to conduct an assessment of the status, condition, and trends of wetlands in that State.

16 USC 3965.

SEC. 396. DISTRIBUTION OF APPROPRIATIONS.

(a) **PRIORITY PROJECT AND CONSERVATION PLANNING EXPENDITURES.**—Of the total amount appropriated during a given fiscal year to carry out this title, 70 percent, not to exceed \$70,000,000, shall be available, and shall remain available until expended, for the purposes of making expenditures—

(1) not to exceed the aggregate amount of \$5,000,000 annually to assist the Task Force in the preparation of the list required under this title and the plan required under this title, including preparation of—

- (A) preliminary assessments;
- (B) general or site-specific inventories;
- (C) reconnaissance, engineering or other studies;
- (D) preliminary design work; and
- (E) such other studies as may be necessary to identify and evaluate the feasibility of coastal wetland restoration projects;

(2) to carry out coastal wetlands restoration projects in accordance with the priorities set forth on the list prepared under this title;

(3) to carry out wetlands restoration projects in accordance with the priorities set forth in the restoration plan prepared under this title;

(4) to make grants not to exceed \$2,500,000 annually or \$10,000,000 in total, to assist the agency designated by the State in development of the Coastal Wetlands Conservation Plan pursuant to this title.

(b) **COASTAL WETLANDS CONSERVATION GRANTS.**—Of the total amount appropriated during a given fiscal year to carry out this title, 15 percent, not to exceed \$15,000,000 shall be available, and shall remain available to the Director, for purposes of making grants—

(1) to any coastal State, except States eligible to receive funding under section 306(a), to carry out coastal wetlands conservation projects in accordance with section 305 of this title; and

(2) in the amount of \$2,500,000 in total for an assessment of the status, condition, and trends of wetlands in the State of Texas.

(c) **NORTH AMERICAN WETLANDS CONSERVATION.**—Of the total amount appropriated during a given fiscal year to carry out this title, 15 percent, not to exceed \$15,000,000, shall be available to, and shall remain available until expended by, the Secretary of the Interior for allocation to carry out wetlands conservation projects in any coastal State under section 8 of the North American Wetlands Conservation Act (Public Law 101-233, 103 Stat. 1968, December 13, 1989).

SEC. 307. GENERAL PROVISIONS.

16 USC 3956.

(a) **ADDITIONAL AUTHORITY FOR THE CORPS OF ENGINEERS.**—The Secretary is authorized to carry out projects for the protection, restoration, or enhancement of aquatic and associated ecosystems, including projects for the protection, restoration, or creation of wetlands and coastal ecosystems. In carrying out such projects, the Secretary shall give such projects equal consideration with projects relating to irrigation, navigation, or flood control.

Irrigation.
Navigation.
Flood control.

(b) **STUDY.**—The Secretary is hereby authorized and directed to study the feasibility of modifying the operation of existing navigation and flood control projects to allow for an increase in the share of the Mississippi River flows and sediment sent down the Atchafalaya River for purposes of land building and wetlands nourishment.

SEC. 308. CONFORMING AMENDMENT.

16 U.S.C. 777c is amended by adding the following after the first sentence: "The Secretary shall distribute 18 per centum of each annual appropriation made in accordance with the provisions of

section 777b of this title as provided in the Coastal Wetlands Planning, Protection and Restoration Act: *Provided*, That, notwithstanding the provisions of section 777b, such sums shall remain available to carry out such Act through fiscal year 1999."

Great Lakes
Oil Pollution
Research and
Development
Act.

33 USC 2701
note.

Ante, p. 559.

"TITLE IV—GREAT LAKES OIL POLLUTION RESEARCH AND DEVELOPMENT

"SEC. 4001. SHORT TITLE.

"This title may be cited as the "Great Lakes Oil Pollution Research and Development Act".

"SEC. 4002. GREAT LAKES OIL POLLUTION RESEARCH AND DEVELOPMENT.

"Section 7001 of the Oil Pollution Act of 1990 (Public Law 101-380) is amended as follows:

"(1) GREAT LAKES DEMONSTRATION PROJECT.—In subsection (c)(6), strike "3" and insert "4", strike "and" after "California," and insert "and (D) ports on the Great Lakes," after "Louisiana,".

"(2) FUNDING.—In subsection (f) strike "21,250,000" and insert "22,000,000" and in subsection (f)(2) strike "2,250,000" and insert "3,000,000".

Approved November 29, 1990.

LEGISLATIVE HISTORY—H.R. 5390 (S. 2244):

SENATE REPORTS: No. 101-523 accompanying S. 2244 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Oct. 1, considered and passed House.

Oct. 26, considered and passed Senate, amended, in lieu of S. 2244.

Oct. 27, House concurred in Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 25 (1990):

Nov. 29, Presidential statement.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

July
TASK FORCE MEETING
14 April 1994
9:30 a.m.

AGENDA

Tab

- I. **Introductions**
 - A. Task Force members or alternates
 - B. Opening remarks by Task Force members
- II. **Adoption of Minutes from the 14 April 1994 Meeting**.....(Approve).....D
- III. **Status of Tasks from the February 1994 Meeting Requiring Further Action**
 - A. Problems concerning USACE approval of real estate agreements—Mr. Sellers (N/A) E
 - B. Technical Committee evaluation of feasibility study proposals—Mr. Schroeder *..F
 - C. Early submission of status reports for priority list projects—Mr. Elguezabal ..(N/A)...G
- IV. **Status of Development of the State Conservation Plan—Mr. Thomas**.....(N/A)...H
- V. **Status of Priority List Projects—Lead Agencies**.....(*Frugé can mention highlights*).....I
- VI. **Linking of Navigation and Marsh Creation Interests on the Mississippi River—Mr. Morehiser**.....(N/A).....J
- VII. **Presentation of a Draft Standard Operating Procedure—Mr. Elguezabal**.....(Support).....K
- VIII. **Request for Approval of the Boston Canal Project—Mr. Landreneau**.....(Support).....L
- IX. **Request for Approval of the Bayou Sauvage NWR Project—Mr. Frugé**.....(Support).....M
- X. **Request for FY 94 Budget Amendment—Dr. Good**.....(Support).....N
- XI. **Additional Agenda Items**.....(N/A).....O
- XII. **Date and Location of the Next Task Force Meeting**.....(?).....P
- XIII. **Request for Written Questions from the Public**.....(N/A).....Q

N/A = No Task Force Action Anticipated

* - Recommend Support for Tech. Committee Recommendation to approve:

- 1) Corps' proposal for Miss. River Diversion Study, subject to detailed plan of works to be developed by Tech Committee.
- 2) State study management role for barrier island feasibility study, in accord w/ ~~July~~ *July 13* proposal to Tech Committee and subject to detailed plan of work to be developed by Tech. Committee.

Request for Approval of Construc. Funding
for Bayou Sauvage National Wildlife Refuge
Wetland Restoration Project - USFWS

- Project approved by Tech Force in Oct. 1991 (1st Priority list)

- Project involves installation of pumps to
remove excess water from Units 3 and 4 of
Bayou Sauvage NWR, ^{3,800 acres} which are impounded
by Hurricane protection levees. The high water
levels have caused extensive deterioration of
the affected wetlands.

- Project will result in a net savings of 1,313
acres of emergent wetlands, primarily freshwater
marsh. ~~Protect~~ ^{Maintain} existing bird nesting sites.
Enhance overall value of 3,800-acre area.

- ~~NEPA~~ NEPA Compliance was completed in April 1992.

- Water Quality Certification was issued by LA DEQ
Dec. 3, 1993.

- Cultural resources clearance was obtained April 30
1992.

- Obtained a consistency finding from
LA DNR in Nov. 1993.

- Section 404 permit is ~~awaiting final~~ ^{now issued thru}
~~signature as we speak~~, ~~we~~
~~been issued by NODDC personnel~~
~~that they see no problems with permit~~
~~issuance~~

- Required deeds were provided to
 Corps on June 16, 1994; should satisfy
Section 303(e) requirements.

Eastern
New Orleans

~~Project~~ The original project costs, ~~including~~ excluding monitoring
~~Project~~ costs, were \$930,000
 Engineering and design has been completed.

~~Revised~~

Revised estimates ~~of~~ of project costs,
 including monitoring, are \$889,000.

	<u>Current</u>	Orig
Here include E + D	\$65,000	36,000
Construction	\$594,000	715,000
S + I Const	\$50,000	0
O + M	\$180,000	179,000
	<u>\$889,000</u>	<u>\$930,000</u>

689
 552
 137
 141

~~Monitoring~~

Excluding monitoring costs, the project will
 cost \$41,000 less than originally estimated.

The monitoring ~~cost~~ cost ~~is~~ is currently estimated
 at \$552,500. That cost is expected to
 be substantially reduced, according to
 Greg Steyer. As you may know,
 additional monitoring costs for 1st Priority
 host projects were previously approved by
 the Task Force.

Project was recommended for Task Force
 approval by ~~the~~ unanimous vote
 of Tech. Committee on June 6, 1994.