

COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT

TASK FORCE MEETING

February 20, 1992

MINUTES

I. INTRODUCTION

Colonel Michael Diffley, representing the Secretary of the Army, convened the fifth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force at 9:30 a.m., February 20, 1992, in the District Assembly Room of the New Orleans District, U.S. Army Corps of Engineers. The Agenda is attached as Enclosure 1. 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 Bush on November 29, 1990.

II. ATTENDEES

The Attendance Records for the Task Force meeting are attached as Enclosure 2. Listed below are the six Task Force members, all of whom were in attendance, with the exception of Dr. Lewsey, who was represented by Mr. Rickey Ruebsamen.

Mr. David Chambers, State of Louisiana
Mr. Russell Rhoades, Environmental Protection Agency
Mr. S. Scott Sewell, U.S. Department of the Interior
Mr. Horace Austin, U.S. Department of Agriculture
Dr. Clement Lewsey, U.S. Department of Commerce
Col. Michael Diffley, U.S. Department of the Army, Chairman

III. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the fourth Task Force meeting, held on October 31, 1991, (Enclosure 3) were unanimously approved by the Task Force members. [1/160] *

IV. TASK FORCE DECISIONS

The Task Force voted and passed the following motions:

A. Adopt the recommendations of the Technical Committee as to "Development of Local Cooperation Agreements" (enclosure 4), with the changes to bullet 4 as moved by Mr. Chambers. These changes consisted of the inclusion of Dr. William Good as a State Co-Chair of the LCA Work Group and the substitution of the words "used as a basis for developing" in place of "incorporate into." The Task Force unanimously approved this motion. [1/597]

B. Adopt the recommendations of the Technical Committee on "Task Force Review and Approval Process for Priority List and Restoration Projects' Final Design" (enclosure 5) with the following changes under the subheading "Project Construction Approval Process":

Bullet 5: Substitute the words "Economic Work Group" for "Corps of Engineers"

Bullet 6: Insert missing bullet to read: "Planning and Evaluation Sub-committee reviews project for NEPA compliance, Cultural resource clearances, Real Estate rights and assurances, Benefit and Cost verification and LCA documentation and makes a recommendation to the Technical Committee."

Bullet 9: Strike the words "75% of."

The Task Force members unanimously approved this motion. [1/706, 2/558-573]

C. Authorization for the Technical Committee to negotiate and enter into a contract for the services of EPA's on-board consultant to continue to provide support data for the remaining basin planning meetings. The proposed services will also include retaining Dr. James Gosselink as an intermediary with the scientific community. Mr. Chambers and members of both the Technical and the Planning and Evaluation Committees expressed their appreciation for the quality of the presentation at the first basin planning meeting. Execution of the contract is contingent on Technical Committee approval of a scope of contract services not to exceed \$212,000, plus 25% contingency. The Task Force members unanimously approved this motion. [3/719]

V. TASKS REQUIRING FURTHER ACTION

- A. Colonel Diffley asked Dr. Stewart to provide at least a draft of the Project Monitoring Program to the Task Force by the end of March. [1/316]
- B. The Task Force voted that the Planning and Evaluation Subcommittee would form an LCA Work Group at their next meeting and task this group with developing "boiler plate" LCA language prior to State Legislative approval of funding for the first priority list projects. [1/644]
- C. Col. Diffley requested Mr. Schroeder to see to the revision of the critical path schedule as soon as possible, keeping in mind the possible need to approach Congress for relief from the November 1993 deadline. Mr. Chambers stated that he would be willing to discuss the issue of relief with the Louisiana congressional delegation should it be deemed necessary. He also stated, however, that he would only be available to undertake this task for a limited time. [3/90]
- D. The Task Force delegated the Technical Committee the responsibility of reviewing and approving EPA contractor Lee Wilson's and Dr. James Gosselink's scopes of work for their services in support of the remaining basin planning meetings. Subsequent to this approval the Technical Committee was authorized to expend funds not to exceed \$212,000 plus 25% contingencies for the contracting of these services. This task was to be completed prior to the next basin planning meeting on March 17. [3/723]
- E. Col. Diffley requested that all Task Force member agencies and the State of Louisiana submit nominations of individuals to be Basin Captains by March 2nd. The Technical Committee will then select Basin Captains from these nominations and submit a final list of names to the Task Force, which will confirm the list by a telephone vote. This task is to be completed prior to the next basin planning meeting on March 17. [4/468,518]
- F. Col. Diffley asked the Task Force members to explore their schedules for open dates between the 18th and the 29th of May for a time to hold the next Task Force meeting. [4/653]

VI. STATUS OF FISCAL MATTERS

A. Ms. Brenda Weber, Chief of the Finance and Accounting Branch at the New Orleans District, stated that the district had received the funding allocation on the 22nd of January and that five million of the 33 million dollars allocated had been designated for planning efforts. Prior to the Task Force meeting 11, inter-agency agreements (MIPR's) were issued, committing a total of 3.2 million dollars. Ms. Weber noted that at the time of the meeting only 5 signed acceptance copies had been returned and that return of the signed copies is required for obligation and expenditure of funds. Ms. Weber also stated that in addition to the signed MIPR's a completed signature card would be required from the State of Louisiana. She also confirmed that a separate set of MIPR's would be issued for disbursement of the Engineering design and Construction funds and that these documents would have to be responded to in the same manner by the recipient agencies. When asked by Mr. Thomas what the procedure for increasing or adding to agency funding was, Ms. Weber responded that the current MIPR's could be amended and resent for signature. [3/750-800]

VII. ADDITIONAL AGENDA ITEMS

There were no additional business items placed on the agenda. [4/586]

VIII. DATE/LOCATION OF THE NEXT TASK FORCE MEETING

The tentative date for the next Task Force meeting is in the 3rd or 4th full week of May. (see action item F) [4/563]

IX. QUESTIONS FROM THE PUBLIC

No written questions or comments were received from the public. [4/656]

X. ADJOURNMENT

The Task Force meeting was adjourned at 1:10 p.m. [4/658]

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- * The Task Force meeting was recorded on audio tape. These bracketed figures represent the Tape#/Counter# for the discussion of this item.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
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ENCLOSURE 1

AGENDA

COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT

TASK FORCE MEETING

February 20, 1992

AGENDA

I. Introductions

- A. Task Force Members or Alternates
- B. Other Attendees
- C. Opening Remarks by Task Force Members

II. Adoption of Minutes from the October 31, 1991 Meeting

III. Status of Tasks from October 1991 Meeting Requiring Further Action

- A. Liaison by Corps Real Estate Division with Other Agencies Regarding Real Estate Policies and Procedures (Minutes reference paras. V.A. and V.B., page 2) - Mr. Brown
- B. Report on Project Monitoring Protocol (Minutes reference para. V.C., page 2)- Dr. Stewart
- C. Agency Coordination, Review and Development of Local Cooperation Agreements (Minutes reference para. V.D., page 2) - Mr. Schroeder

IV. Task Force Review and Approval Process for Priority List and Restoration Projects' Final Designs

- A. Technical Committee Recommendations - Mr. Schroeder
- B. Discussion/Action by Task Force

V. National Environmental Policy Act Documentation Requirements for:

- A. 2nd Priority Project List - Mr. Schroeder
- B. Restoration Plan - Mr. Schroeder
- C. Discussion/Action by Task Force

VI. Report on Status of Priority List Projects by Each Lead Agency - Mr. Rowe

- A. COE
- B. USFWS
- C. EPA
- D. SCS
- E. NMFS
- F. LA

- VII. Report on Planning & Construction Budgets and Execution Procedures**
 - A. Finance and Accounting Activities for Planning Funds - Ms. Weber
 - B. Finance and Accounting Activities for Construction Funds - Ms. Weber
 - C. Discussion/Action by Task Force

- VIII. Scientific Community Involvement in Planning Process - Mr. Rowe**
 - A. Discussion/Action by Task Force

- IX. Plan Formulation Planning Process for Developing "Restoration Plan"**
 - A. Pontchartrain Basin and Schedule for Other Basins - Mr. Rowe
 - B. Planning & Evaluation Subcommittee's Request to EPA to Contract for Technical Resource Assistance for Plan Formulation Meetings - - Additional Funding Required for Fiscal Year 1992 - Mr. Thomas
 - C. Discussion/Action by Task Force

- X. Proposal by SCS for Concurrent Basin Plan Development by Separate Study Managers Assigned from the Five Federal Agencies**
 - A. Letter Proposal of 13 Feb 92 to Chairman, Task Force, from SCS Task Force Member - Mr. Austin
 - B. Discussion/Action by Task Force

- XI. Additional Agenda Items**

- XII. Date/Location of Next Task Force Meeting**

- XIII. Request for Written Questions from the Public**

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
February 20, 1992

ENCLOSURE 2
ATTENDANCE RECORDS



ATTENDANCE RECORD



DATE(S) 20 FEB 1992	SPONSORING ORGANIZATION PLANNING DIVISION	LOCATION DISTRICT ASSEMBLY
PURPOSE COASTAL WETLANDS PLANNING, PROTECTION & RESTORATION ACT TASK FORCE MEETING		

PARTICIPANT REGISTER *

NAME	JOB TITLE AND ORGANIZATION	TELEPHONE NUMBER
<i>Justin Kemp</i>	<i>Consultant</i>	<i>(601) 467-9391</i>
MARY KINSEY	CELMN-RE-L	(504) 862-1951
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Rickey Ruebsamen	DOC/NIMFS	504/389-0508
<i>Benny Linderman</i>	USDA-SCS	318 473-7756
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James E. Michalski	Chief Resource National Park Service	(504) 589-3082
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Gerry Bodin	Dept. of Interior FWS	318 264-6630
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WILLIAM T. CAVITT	CELMN-PD	504 862-2511
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Christopher Arvey	St. Bernard Parish CEM	504 279 4303
David Chambers	Gov. Office	(504) 342-6493

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
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ENCLOSURE 4

DEVELOPMENT OF LOCAL COOPERATION AGREEMENTS

DEVELOPMENT OF LOCAL COOPERATION AGREEMENTS

Recommendations of Technical Committee

In its meeting on February 19, 1992, the Technical Committee agreed to the following:

- Approval by State Wetlands Conservation and Restoration Task Force of Priority List Projects Considered Equivalent to Letter of Intent to Cost Share a Project; Therefore, Engineering and Design of a Project May Begin with Federal Funds Prior to Completion of an LCA.
- The Lead Task Force agency for each project will negotiate an LCA and real estate easements with the State.
- In accordance with the CWPPRA, the Corps of Engineers must approve all easement agreements.
- The Planning and Evaluation Subcommittee will form an LCA Work Group, to be Co-chaired by Mr. Dom Elguezabal of the New Orleans District's Project Management office and Dr. William Good of the Louisiana Department of Natural Resources, charged with developing the general "boilerplate" language to be used as a basis for developing all LCA's.
- The LCA Work Group will investigate methods of standardizing the valuation of in-kind services. The Lead Task Force agency for each project will negotiate with the State the appropriateness of such services.
- The Corps of Engineers will accept the State's share of the cost of each project and disburse these funds, along with the Federal share, to the appropriate Lead Task Force members.
- The Lead Task Force members will disburse all project funds for completion of construction.

COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT

TASK FORCE MEETING

February 20, 1992

ENCLOSURE 5

**TASK FORCE REVIEW AND APPROVAL PROCESS FOR
PRIORITY LIST AND RESTORATION PROJECTS
FINAL DESIGN**

Task Force Review and Approval Process for Priority List and Restoration Projects' Final Designs

Priority Project List Approval Process

- **Corps of Engineers Disburses Annual Planning Funds**
- **Lead Agency Prepares Project Proposal and Preliminary Cost Estimate and Submits This Information to Planning and Evaluation Subcommittee**
- **P&E Subcommittee Refers Proposals to Environmental and Engineering Work Groups for Evaluation**
- **Environmental Work Group Estimates Project Benefits**
- **Engineering Work Group Reviews Cost Estimates for Adequacy and Accuracy**
- **Economics Work Group Performs Economic Analysis to Ensure Consistency**
- **P&E Subcommittee Ranks Projects by Cost-Effectiveness and Recommends Draft Priority List to Technical Committee**
- **Technical Committee Reviews Draft Priority List and Modifies as Appropriate**
- **Technical Committee Transmits Draft List to Citizen Participation Group for Review and Comment**
- **Citizen Participation Group Recommends Modifications as Appropriate; Public Meetings Held to Obtain Comments on Draft List**
- **Technical Committee Considers Recommendations of Citizen Participation Group and Public Comments, Modifies List as Appropriate, and Transmits Draft List to Task Force**
- **Task Force Approves Draft List or Modifies as Appropriate, then Transmits Priority Project List to the Congress**

Project Construction Approval Process

- Corps of Engineers Disburses 75% of E&D Funds At Lead Agency Request and Upon Receipt of Project Implementation Schedule and Budget
- Lead Agency Prepares Project Plans and Specifications and Final Cost Estimate, Advises P&E Subcommittee of any Cost Increase Beyond 25 Percent Limit or any Changes in Scope of Project
- Environmental Work Group Estimates Project Benefits in Case of Change in Scope
- Engineering Work Group Reviews Cost Estimates for Adequacy and Accuracy
- Economic Work Group Performs Economic Analysis to Ensure Consistency
- P&E Subcommittee Reviews Projects for NEPA Compliance, Cultural Resource Clearances, Real Estate Rights and Assurances, Benefit and Cost Verification and LCA Documentation and Makes a Recommendation to the Technical Committee
- If Project Remains Viable, Technical Committee Makes Construction Recommendation to Task Force
- Task Force Approves Project for Construction
- Corps of Engineers Disburses Construction Funds to Lead Agency