

Coastal Wetlands Planning, Protection and Restoration Act

TASK FORCE MEETING
December 18, 1996

MINUTES

I. INTRODUCTION

Colonel William Conner, representing the Secretary of the Army, convened the twenty-fifth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force at 9:40 a.m. on December 18, 1996, in the District Assembly Room of the Corps headquarters building in New Orleans. The agenda is attached as enclosure 1. The Task Force was created by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA, commonly known as the Breaux Act), which was signed into law (PL 101-646, Title III) by President Bush on November 29, 1990.

II. ATTENDEES

The attendance record for the Task Force meeting is attached as enclosure 2. Listed below are the six Task Force members. All members were in attendance, with the exceptions of Mr. Gohmert, who was represented by Mr. Bennett Landreneau, and Mr. Hathaway, who was represented by Mr. Norm Thomas.

Dr. Len Bahr, State of Louisiana
Mr. William Hathaway, Environmental Protection Agency
Mr. David Frugé, U.S. Department of the Interior
Mr. Donald Gohmert, U.S. Department of Agriculture
Mr. Thomas Bigford, U.S. Department of Commerce
Colonel William Conner, U.S. Department of the Army, Chairman

III. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes of the Task Force meeting held on September 30, 1996 (enclosure 3), were approved unanimously with no discussion. Mr. Landreneau made the motion to approve the minutes, and Dr. Bahr seconded it. [2/420]¹

IV. TASK FORCE DECISIONS

A. Design Change for Isles Dernieres Demonstration Projects.

Secretary Caldwell noted that the final draft of the regulations dealing with separation of mineral rights from surface

¹ The Task Force meeting was recorded on audio tape. The bracketed figures represent the tape no./counter no. for the discussion of this item. Multiple tape/counter numbers are used when an item is discussed more than once during the meeting.

rights is in review. Dr. Good advised the Task Force that land rights work is proceeding and that an agreement in principle has been reached with the landowners. He also noted that the morphology of the islands has changed in the years since the projects were approved, resulting in a smaller island footprint, and that the State and the lead agency (EPA) request that a design change be approved to allow the contractor to construct the best project possible within the limits of available funds (including the 25 percent allowable overrun).

Motion by Mr. Thomas: That the Task Force approve design changes on the **EPA Barrier Island Projects (Isles Dernieres phase 0 and phase 1 (Trinity Island) demonstration projects and Whiskey Island Restoration)** and to permit optimization of construction within the existing project budgets, including the allowable 25 percent cost overrun. [1/535]

Second: Mr. Bigford.
Passed unanimously.

B. Cost Increase and Design Change for the Point au Fer Project.

Mr. Schroeder presented the Technical Committee's recommendation for approval of a design change (deletion of filling of a canal and increasing the shoreline armoring) and cost increase for the Point au Fer Canal Plugs project. He advised the Task Force that an additional \$220,000 is being requested by the lead agency and the State to address permit concerns. Mr. Ruebsamen noted that the project's cost had already increased to the 125 percent limit; the increases requested would raise the project's cost estimate from the original \$1,070,000 to \$1,775,000. He informed the Task Force that NMFS intends to request final approval for construction in late January. A letter from the lead agency requesting approval of the design change and cost increase is enclosed (enclosure 4). [2/200-262]

Motion by Mr. Thomas: That the Task Force approve a design change and cost increase for the Point au Fer Canal Plugs project, with an increase in the cost estimate from the original \$1,070,000 to \$1,775,000. . [2/258]

Second: Mr. Frugé.
Passed unanimously.

C. No-Cost Extension of LUMCON MOA.

Mr. Schroeder presented the Technical Committee's recommendation for approval of a no-cost extension of the fiscal year 1995 memorandum of agreement between LUMCON and the NOD. The extension will permit completion of some tasks associated with the Mississippi River Diversion study. A copy of the extension agreement is enclosed (enclosure 5).

Motion by Mr. Landreneau: That the Task Force approve a no-cost extension of the fiscal year 1995 memorandum of agreement between LUMCON and the NOD. [2/340]

Second: Mr. Thomas.
Passed unanimously.

D. Construction Approval for the Raccoon Island Breakwaters Project.

Mr. Schroeder presented the recommendation of the Technical Committee for final construction approval of the Raccoon Island Breakwaters project. He noted that all requirements for construction have been met. The lead agency's letter requesting Task Force approval is enclosed (enclosure 6).

Motion by Mr. Gohmert: That the Task Force grant final construction approval for the Raccoon Island Breakwaters project as recommended by the Technical Committee.

Second: Mr. Frugé.
Passed unanimously. [2/325]

E. Data Collection on the GIWW.

Mr. Schroeder briefed the Task Force on the Technical Committee's recommendation for partial funding of a multi-agency data collection effort along the Gulf Intracoastal Waterway from the Vermilion Basin to the Barataria. He noted that the request stems from the Atchafalaya Liaison Group and represents exactly the kind of result that was intended when the group was formed. He told the Task Force that the amount requested of the Breaux Act is \$68,000. A copy of the proposal is at enclosure 7; the revised planning budget for fiscal year 1997 is at enclosure 8.

Motion by Dr. Bahr: That the Task Force approve partial funding in the amount of \$68,000 of a data collection effort on the Gulf Intracoastal Waterway as recommended by the Technical Committee.

Second: Mr. Frugé.
Passed unanimously. [2/364]

V. INFORMATIONAL AGENDA ITEMS

A. Report on Outreach Committee.

Mr. Jim Addison, chairman of the Outreach Committee, told the Task Force that the temporary outreach coordinator has been brought on board and has done a good job; he noted that the temporary position is being extended for from 60 to 90 days while a long-term coordinator is being sought. Mr. Frugé advised the

other members that his staff had told him of the fine job being done by Mr. Jay Gamble of EPA and said that he would support a one- to two-year extension in lieu of advertising the position. Col. Conner, in suggesting that continuity in the position would be appreciated, noted that EPA must determine Mr. Gamble's availability. Mr. Thomas reported that Mr. Bill Hathaway had agreed to make Mr. Gamble available for up to two years. Col. Conner charged Mr. Thomas with taking the lead in bringing Mr. Gamble on board.

Mr. Addison informed the Task Force that an article concerning the Breaux Act project at Queen Bess Island had recently appeared in The Times-Picayune. [1/108-230]

B. Status of Development of the State Conservation Plan.

Ms. Beverly Ethridge of the EPA briefed the Task Force on the status of the Conservation Plan authorized by section 304 of the Breaux Act (see enclosure 9). She reported that plan development is moving ahead on schedule. [2/426]

C. Status of Feasibility Studies.

Mr. Podany gave a brief report on the status of the feasibility studies. He told the Task Force that the Barrier Shoreline study will experience a five-month delay; funds for completion of the phase 1 EIS are expected to be available from within the study. Enclosure 10 is a fact sheet on the study.

Mr. Podany reported that the Mississippi River Diversion study is on schedule; he said that it is too early to have any results from the investigations. Enclosure 11 is a fact sheet on the study. [1/233-260]

D. Status of Construction Program.

Mr. Scott Clark of the New Orleans District reported on the status of Breaux Act construction projects. Mr. Mark Davis requested that copies of Mr. Clark's presentation be sent to all members of the Citizen Participation Group. [1/277-538]

E. Bayou Lafourche Project.

Dr. Lee Wilson, EPA's contractor on the Bayou Lafourche project, reported on the results of investigations thus far. He noted that preliminary indications show that the project would raise water levels in the bayou by about two feet at Thibodaux and five to six feet at Donaldsonville, and that the bayou is a dynamic natural channel which would respond to additional flows, which would have to be transported over 50 miles. Dr. Wilson then reported on some results of the phase 1 investigation, authorized on the 5th Priority Project List. He advised the Task Force that water levels in the bayou have increased by about two feet below Thibodaux in the past two years, suggesting that decreased

turbidity levels have allowed vegetation to choke the channel. As a consequence, he said, the Bayou Lafourche Fresh Water District has been unable to pump sufficient water down the bayou to reliably prevent saltwater intrusion. He noted that Dr. Paul Kemp's studies have indicated that even at low flows, the proposed project would provide some sediment, and that the quantity would increase dramatically with an increase in discharge. He informed the Task Force that no additional pumping capacity is required for water supply; an adequate water supply can be attained simply by halting saltwater intrusion. Dr. Wilson reported that as the bayou loses capacity, it is likely that it will be abandoned in favor of a pressurized water distribution system; the result would be that the marshes would lose the fresh water now carried by the bayou. He concluded by saying that several alternatives involving siphons and pumps are being investigated. [1/538-2/200]

F. Cost-Sharing Under the Conservation Plan.

Mr. Schroeder reported that the members of the Technical Committee had considered a mechanism proposed by the NOD for implementing reduced cost-sharing upon approval of the State's Conservation Plan. He noted that the Assistant Secretary of the Army for Civil Works had suggested that the proposed process (applying the reduction to all unexpended funds) would be difficult to implement, and that a more reasonable means would be to apply the reduction to new cost-sharing agreements. Mr. Schroeder advised the Task Force that all Technical Committee members had said that their respective agencies could handle the accounting necessary to apply the reduction to all unspent funds. He said that the procedure would involve setting a cutoff date at the end of the month during which the plan is approved, with all funds spent in succeeding months to be shared at the reduced rate. He told the Task Force that NOD will prepare a response to Secretary Lancaster's letter explaining the proposal in more detail. [2/432-446]

G. 6th Priority Project List.

Mr. Green briefed the Task Force on the status of the 6th Priority Project List. He noted that candidate projects have been selected and the agencies are preparing designs and cost estimates, while the Environmental Work Group is performing the Wetland Value Assessments. He said that selection of the list is expected in March 1997.

Mr. Frugé noted that discussion of the priority list selection process, which had been deferred due to the forecast of severe winter weather, should take place before the next regularly scheduled meeting, as selection of the 6th Priority Project List is to take place at that meeting. Col. Conner agreed to hold an interim meeting on January 15, 1997, to discuss the selection process. [2/490-520]

H. Report on the Louisiana Coastal Wetlands Restoration Plan Evaluation Report.

Mr. Doug Meffert of LDNR reported on the Louisiana Coastal Wetlands Restoration Plan Evaluation report. He noted that agency review (beyond the ad hoc committee) should take place in the next few weeks and that Task Force approval is scheduled for March 1997. [2/523]

VI. ADDITIONAL AGENDA ITEMS

A. Permits for Breaux Act Projects.

Mr. Martin Cancienne, representing Congressman Billy Tauzin, asked that a report on the status of all permits applied for on Breaux Act projects be submitted to his office in January 1997. Col. Conner agreed to his request. [1/30]

B. Terrebonne Basin Workshop.

Dr. Sherwood Gagliano reported on the workshop held at LUMCON on October 29 and 30 to discuss the hydrology of the Terrebonne Basin, particularly the Penchant, Verret, and East Timbalier subbasins. The objective was to assemble the latest information on the region as background for the Corps' Morganza to the Gulf and Lower Atchafalaya studies as well as for authorized Breaux Act projects. He said that the sessions were very useful, and that the workshop was followed by a one-day public meeting at Nicholls State University. He reported that a synopsis is due out in January. [2/450-485]

VII. DATE AND LOCATION OF THE NEXT TASK FORCE MEETING

The next Task Force meeting was tentatively scheduled for 9:30 a.m. on March 26, 1997, at the Corps headquarters building in New Orleans. Task Force members will be contacted to confirm the date and location. [2/540]

As discussed in item V.G. above, an interim meeting was scheduled for January 15, 1997, at a location to be announced.

VIII. QUESTIONS FROM THE PUBLIC

No written questions or comments were received from the public.

IX. ADJOURNMENT

The Task Force meeting was adjourned at 11:30 a.m. on a motion by Dr. Bahr, which was seconded by Mr. Frugé and approved unanimously. [2/579]

AVAILABLE FUNDS FOR 6TH PPL

The FY 1997 Coastal Wetlands Restoration Trust Fund allocation was \$44,134,000. A sum of \$5,000,000 was reserved for planning activities. The amount of FY 1997 Federal funds available for the 6th PPL is \$39,134,000.

Approval of the State Conservation Plan is anticipated in August 97. This will change the percentage of the State's required matching funds to 10 percent for PPL5 and PPL6 and 15 percent for all other PPL projects. Several alternatives have been considered for applying the revised cost share formulas to previously approved PPL's. One likely alternative is for the revised cost share formulas to be applied to all unexpended funds.

The Technical Committee made the assumption that the revised cost share formulas will be applied to all unexpended funds to determine the total amount of funds available for the 6th Priority Project List. The amount of Federal funds available then becomes \$54,336,000. With a 10 percent State match the total amount of funds available for the 6th Priority Project List is \$60,373,000.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT
TASK FORCE MEETING
24 April 1997

**APPROVAL OF REVISION TO THE STANDARD OPERATING PROCEDURES
FOR PROJECT COST INCREASES OF 125% OR MORE ABOVE BASE COSTS**

For Task Force decision.

The Task Force will vote on approval of a Technical Committee recommendation to amend the Standard Operating Procedures Manual to add the following statement at the end of the last sentence: "Once a lead agency has received approval for a cost increase over the original 125% limit, they must request Task Force approval for any additional funds above the revised estimate."

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
18 December 1996

FUNDING OF DATA COLLECTION ON
THE GIWW

For Task Force Decision.

The USFWS has proposed Breaux-Johnston participation in an effort to collect hydrologic data on the Gulf Intracoastal Waterway. A copy of the proposal is enclosed, along with the amended planning program budget. Mr. Schroeder will present the Technical Committee's recommendation.

Recommendation of the Technical Committee:

That the Task Force approve \$68,000 toward collection of hydrologic data on the Gulf Intracoastal Waterway as proposed.

Feasibility Study Funding Summary

(\$000)

STEERING 1

| | <u>FY 95</u> | <u>FY 96</u> | <u>FY 97</u> | <u>FY 98</u> | <u>Total</u> |
|-----------------------------------------|--------------|--------------|--------------|--------------|--------------|
| WRDA Barrier Shoreline Study | 1,007 | 766.6 | 355.4 | 1,646 | 3,775 |
| Project Study, MRSNFR Mississippi River | 919 | 993 | 1,457.6 | 712.9 | 4,082.5 |

WRDA Barrier Shoreline Study

Project Study, MRSNFR

Mississippi River

Sediment Budget

More Large-Scale

Opportunity-Based

Barrier Shoreline

Step G Deliver

Investment

Technical Committee
Louisiana Department of Wildlife and Fisheries Building
Baton Rouge
11 December 1996
9:30 a.m.

Agenda

- Revised Permit application - Sep 96*
1. Consideration of a Cost Increase and Design Change for the Point au Fer Project. *Approved*
The committee will consider whether to recommend Task Force approval of a cost increase and a design change for the Point au Fer project. *Risks need to be stated plus costs to repair risks if any needs to be added to project cost.*
 2. Consideration of a Cost Increase and Design Change for the Isles Dernieres Project.
The committee will consider whether to recommend Task Force approval of a cost increase and a design change for the Isles Dernieres project. *Up to 125% max not over*
 3. Extension of LUMCON Memorandum of Agreement.
The committee will consider a no-cost extension of the FY95 agreement with LUMCON. *Approved*
 4. Cost Sharing Under the Conservation Plan.
The committee will consider the best means of implementing the reduction in the State's share of CWPPRA projects provided for by section 303(f)(2) of the act.
 5. Cash Requirement from State for Conservation Plan Development.
The committee will consider whether development of the Conservation Plan, which calls for a 25 percent State share, requires a minimum 5 percent cash contribution, as is the case with project construction. *No*
 6. Mechanism for Funding of Monitoring Plan Development.
Mr. Scott Clark will present a means of maintaining lead agency oversight in the disbursement of funds for the development of monitoring plans.
 7. Request for Funding of Data Collection Effort.
The committee will consider a request for assistance in funding of a data collection effort in the Terrebonne Basin. *\$68,000*
 8. Other Business.