

Coastal Wetlands Planning, Protection and Restoration Act

TASK FORCE MEETING

October 4, 2000

Minutes

I. INTRODUCTION

Opening comments were made by Colonel Thomas Julich, who convened the fortieth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force at approximately 9:30 a.m. on October 4, 2000, in the Louisiana Room, at the Louisiana Department of Wildlife and Fisheries, in Baton Rouge, Louisiana. The agenda is shown 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 to law (PL 101-646, Title III) by President Bush on November 29, 1990. Colonel Julich reported on the results of the Task Force off-site meeting held on October 3 and 4, 2000 to find ways to improve the implementation of the Breaux Act. He stated that the meeting had been effective and that the first thing that the Task Force would focus on is the committee structure.

II. ATTENDEES

The attendance record for the Task Force meeting is presented as enclosure 2.

Listed below are the six Task Force members:

Dr. Len Bahr, State of Louisiana

Mr. Sam Becker, Environmental Protection Agency

Mr. David Frugé, U.S. Department of the Interior

Mr. Don Gohmert, U.S. Department of Agriculture

Mr. James Burgess, U.S. Department of Commerce

COL Thomas Julich, U.S. Army Corps of Engineers

All of the Task Force members were in attendance.

III. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Mr. Dave Frugé recommended a change to paragraph IV. C, Recommendations on Changes to Demonstration Project Process, Including Potential Project Additions. The words "with the change recommended by Mr. Burgess" in the last sentence should be replaced by the words "to include an evaluation of the conceptual monitoring plan to accompany each proposal."

Motion by Dr. Len Bahr: To approve the minutes from the Task Force meeting held on July 6, 2000 with the change recommended by Mr. Frugé.

Second to motion: Mr. James Burgess

Motion passed unanimously.

IV. TASK FORCE DECISIONS

A. Recommendations for Projects - Cost Increase: Jonathan Davis Project, Unit 2 (Saia)

Mr. John Saia presented the recommendation of the Technical Committee that the Task Force approve funding in the amount of \$82k to complete work on Unit 2 of the Jonathan Davis Project.

Motion by Mr. Dave Frugé: To approve funding in the amount of \$82k to complete work on Unit 2 of the Jonathan Davis Project.

Second to motion: Mr. James Burgess

Motion passed unanimously.

B. Projects Being Considered for Deauthorization (Saia)

Mr. John Saia reported on the status of the deauthorization proceedings for the following projects:

- a. Violet Freshwater Distribution Project
- b. Flotant Marsh Fencing Demonstration Project
- c. Hopper Dredge Demonstration Project

The Task Force had initiated deauthorization proceedings for the projects at previous meetings. Letters expressing the intent of the Task Force to deauthorize these projects had been sent to the state and Federal legislators and parish officials more than 60 days ago. No comments had been received. In accordance with the Breaux Act SOP the Task Force must approve deauthorization to complete the process.

Motion by Mr. James Burgess: To deauthorize the Violet Freshwater Distribution, the Flotant Marsh Fencing Demonstration, and the Hopper Dredge Demonstration projects.

Second to motion: Dr. Len Bahr.

Motion passed unanimously.

C. Finalization of Emergency Fax Vote for Brown Marsh Overflight (Saia)

Mr. John Saia presented the results of two fax votes of the Task Force concerning funding of aerial photography to document the brown marsh problem. The first vote concerned approval of funding in the amount of approximately \$30,000 for aerial photography to document the extent of the brown marsh problem in the Barataria and Terrebonne basins. The proposal had received three favorable votes with the state abstaining from fax votes.

The second vote concerned approval of funding in the amount of approximately \$46,000 for aerial photography to document the extent of the brown marsh problem in Louisiana west of the Atchafalaya River. The proposal had received three favorable votes with the state abstaining from fax votes.

Motion by Mr. Dave Frugé: To approve funding in the amount of approximately \$30,000 for aerial photography to document the extent of the brown marsh problem in the Barataria and Terrebonne basins and in the amount of approximately \$46,000 for aerial photography to document the extent of the brown marsh problem in Louisiana west of the Atchafalaya River

Second to motion: Mr. Don Gohmert.

Motion passed unanimously.

D. Approval of the FY 2001 Planning Budget (Saia)

Mr. John Saia informed the Task Force that funds in the amount of \$996,317 were currently unbudgeted and were available for future planning efforts if the FY01 budget was approved. He, also, delivered the technical committee recommendation that the Task Force approve the FY2001 planning budget of \$4,823,468. See enclosure 3.

Motion by Mr. James Burgess: To approve the FY2001 planning budget of \$4,823,468.

Second to motion: Mr. Dave Frugé.

Motion passed unanimously.

E. Recommended Changes to Project Standard Operating Procedures Manual in Regard to Requirements for Phase II Approval (Podany)

Mr. Tom Podany reported on the Technical Committee's changes to the CWPPRA SOP regarding the requirements for Phase II approval (see enclosure 4). These changes made the requirements more stringent. Mr. Podany asked the Task Force to consider Phase II funding approvals on a semi-annual basis to facilitate construction of projects that meet the requirements for such approval early in the year but after selection of the Priority Project List. Dr. Len Bahr stated that idea of semi-annual approvals of Phase II funding was compatible with the state plan. Mr. James Burgess supported the idea and directed the Technical Committee to report on the status of all projects approved for Phase I funding along with any request for Phase II funding.

Motion by Mr. Don Gohmert: To approve a semi-annual Phase II funding process with the details to be developed by the Technical Committee.

Motion was seconded.

Motion passed unanimously.

F. Recommended Process for Priority Project List 11

Mr. John Saia presented the Technical Committee recommendation that the Task Force approve changes to the project selection process for use in the development of Priority Project List 11 (see enclosure 5). The changes were developed by an ad hoc committee and were focused on achieving consistency across hydrologic basins as to the input of the public through their parish officials and allowing more strategies to be considered when developing projects. Mr. James Burgess instructed the Technical Committee to record any votes that may be taken at the strategy prioritization and project development meetings. He was concerned about any differences of opinion that may surface between the interests of parish officials and those of the Breaux Act agencies. There was a discussion about voting procedures used at the strategy prioritization and project development meetings. Dr. Bill Good explained that the facilitator of the meetings would try to achieve a consensus. Voting would only be done if no consensus were achieved. Mr. O'Neil Malbrough voiced the concern of parish officials about having their vote not count in proportion to the collective votes of the Breaux Act agencies.

Motion by Mr. Dave Frugé: To approve the changes to the project selection process for use in the development of Priority Project List 11 that were developed by an ad hoc committee with the additional requirement added that all votes be recorded.

Second to motion: Mr. Don Gohmert

Motion passed unanimously.

V. INFORMATION

A. Status of Funds and Projects in the Breaux Act Construction Program. (Podany)

Mr. Tom Podany briefed the Task Force on the status of funds in the Breaux Act construction program. See enclosure 5A. The status was as follows:

1. Status of Construction Funds (pg. 1). Taking into consideration approved current estimates, project expenditures through present, Federal and non-Federal cost sharing responsibilities, we estimate that there are **\$28,159,491** federal funds available, based on Task Force approvals to date.
2. Construction Program Potential Cost Changes (pg. 3). This table depicts potential future construction program cost increases and decreases affecting available federal funds, and with FY 2001 reauthorization, an estimated construction program work allowance of **\$49,000,000**. If these increases and decreases are taken into consideration, **\$43,258,480** in Federal funds would be available at present.
3. Projects Returning Excess Funds (pg. 5). A total of **\$4,547,491** may be returned from projects that have completed or almost completed construction. Current project estimates will reflect these decreases when the final accounting of first costs is completed.
4. CWPPRA Project Summary Report by Priority List (pg. 7). A priority list summary of project schedule, available funding, baseline and current estimates, obligations and expenditures, for the construction program as furnished by the lead agencies for the CWPPRA database.

5. Analysis of Status of Construction Funds (pg. 9). This table is an analysis of Federal and non-Federal cost sharing responsibilities as determined by the current approved project estimates.
6. Under PPL9 Phase I, \$32,172 has been expended and \$10,888,994 has been obligated. PPL9 Phase II has \$1,118,443 obligated (Chandeleur Island).

B. Report on Status of Brown Marsh (Bahr)

Dr. Len Bahr reported on the current initiatives to address the brown marsh problem. The governor is about to sign an emergency proclamation requesting \$3.7 million from congress for mitigation, documentation, and identification of causes. Mr. James Burgess commended the governor's office for its effort. See enclosure 6.

C. Recommendation to Include Environmental Design Component for Phase 1 Projects (Podany)

Mr. Tom Podany reported on of the Technical Committee's changes to the CWPPRA SOP that more clearly define environmental design requirements for phase 0 and phase 1 (see enclosure 7). Mr. James Burgess commended the Technical Committee for its effort. Mr Randy Hanchey offered his appreciation, also.

D. Report on Scope of Work Recommended by Technical Committee for Panel Review of the Monitoring Program (Steyer)

Mr. Greg Steyer reported on the scope of work recommended by the technical committee for an expert panel review of the monitoring program (see enclosure 8). Mr. James Burgess stated that he wants the group to evaluate the existing monitoring process. Dr. Len Bahr suggested using the Alton Jones report. Mr. Dave Frugé recommended continuing the present funding stream and instructed Greg to work with Mr. Gerry Bodin of his staff.

E. Report on the Breaux Act Oyster Lease and Land Rights Ad Hoc Committee (Podany)

Mr. Tom Podany reported on the efforts of the CWPPRA Oyster Lease and Land Rights Committees. Mr. James Burgess commended the Louisiana Department of Natural Resources for its effort. Mr. Don Gohmert asked, "What can the Task Force do?" Mr. Dave Frugé commended the state. Mr. Randy Hanchey informed the Task Force that the ad hoc committee would develop proposals by the next meeting. Mr. Don Gohmert commended the committee. A general discussion ensued. Mr. James Burgess wanted the committee to look at Myrtle Grove.

VI. ADDITIONAL AGENDA ITEMS

- A. Dr. Bill Good reported that the Compost Demonstration project was ready to go. The project had been scaled down. Mr. Sam Becker expressed the support of the EPA. A general discussion followed as to the necessary approvals, the reasons for scaling down the project, the nature of the material to be used, and other project particulars.

Motion by Mr. Don Gohmert: To approve the Compost Demonstration project for construction..

Motion was seconded.

Motion passed unanimously.

- B. Mr. Erik Zobrist briefed the Task Force on the status of the East Timbalier project. They are looking for a suitable sand source with which to finish the barrier island restoration.
- C. Mr. Don Gohmert requested a presentation by the Louisiana Departments of Wildlife and Fisheries and Natural Resources on the oyster issue at the next Task Force meeting. He also wants a presentation on soils mapping at the next Task Force meeting.

VII. REQUEST FOR PUBLIC COMMENTS

There were no comments offered by the public at this time..

VIII. DATE AND LOCATION OF NEXT TASK FORCE MEETING

The next Task Force meeting will be held at 9:30 a.m. on April 12, 2001, in the New Orleans District Assembly Room of the Corps of Engineers in New Orleans, Louisiana..

IX. ADJOURNMENT

The Task Force meeting was adjourned at 11:15 a.m.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

AGENDA

Louisiana Department of Wildlife and Fisheries
2000 Quail Drive
Louisiana Room
Baton Rouge, Louisiana

October 4, 2000
9:30 a.m.

TAB

- I. Meeting Initiation
 - a. Introduction of Task Force Members or Alternates
 - b. Opening Remarks by Task Force Members
- II. Adoption of Minutes from the July 6, 2000 MeetingD
- III. Status of Funds and Projects in the Breaux Act Construction Program. (Podany) 9:40 a.m. to 9:55 a.m.E
- IV. Recommendations for Projects (Saia) 9:55 a.m. to 10:05 a.m. Cost Increase: Jonathan Davis Project, Unit 2..... F
- V. Projects Being Considered for Deauthorization (Saia) 10:05 a.m. to 10:15 a.m.
 - a. Violet Freshwater Distribution Project
 - b. Flotant Marsh Fencing Demo
 - c. Hopper Dredge Demonstration Project G
- VI. Finalization of Emergency Fax Vote for Brown Marsh Overflight (Rauber) 10:15 a.m. to 10:30 a.m..... H
- VII. Report on Status of Brown Marsh (Bahr) 10:30 a.m. to 10:50 a.m.I
- VIII. Approval of the FY 2001 Planning Budget (Saia) 10:50 a.m. to 11:40 a.m.....J
- IX. Recommendation to Include Environmental Design Component for Phase 1 Projects (Podany) 11:40 a.m. to 12:10 p.m. K
- X. Recommended Changes to Project Standard Operating Procedures Manual in Regard to Requirements for Phase II Approval (Podany) 12:10 pm. to 12:40 p.m)..... L
- XI. Report on Scope of Work Recommended by Technical Committee for Panel Review of the Monitoring Program (Steyer) 12:40 p.m. to 1:00 p.m.M
- XII. Recommended Process for Priority Project List 11 (Good) 1:00 p.m. to 1:20 p.m.N
- XIII. Report on the Breaux Act Oyster Lease and Land Rights Ad Hoc Committee (Podany) 1:20 p.m. to 1:45 p.m. O

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING AGENDA

(continued)

	<u>Tab</u>
XIV. Additional Agenda Items 1:45 p.m. to 2:00 p.m.....	P
XV. Request for Public Comments 2:00 p.m. to 2:15 p.m.....	Q
XVI. Date and Location of the Next Task Force Meeting 2:15 p.m. to 2:20 p.m.....	R



ATTENDANCE RECORD



DATE(S) October 4, 2000 9:30 a.m.	SPONSORING ORGANIZATION COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT	LOCATION Louisiana Department of Wildlife and Fisheries Louisiana Room 2000 Quail Drive Baton Rouge, Louisiana
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PURPOSE

**MEETING OF THE
TASK FORCE**

PARTICIPANT REGISTER*

NAME	JOB TITLE AND ORGANIZATION	E MAIL ADDRESS	TELEPHONE NUMBER
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PARTICIPANT REGISTER (CONTINUED)

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