

**BREAUX ACT**  
**Coastal Wetlands Planning, Protection and Restoration Act**

**TASK FORCE MEETING**  
**January 16, 2002**

**Minutes**

**I. INTRODUCTION**

Colonel Thomas Julich convened the forty-fifth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Act Task Force Meeting. The meeting began at 9:37 a.m. on January 16, 2002 at the Louisiana Department of Wildlife and Fisheries Building, 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 into law (PL 101-646, Title III) by President George Bush on November 29, 1990.

**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. Rollie Schmitten, U.S. Department of Commerce  
Col. Thomas Julich, U.S. Army Corps of Engineers  
All of the Task Force members were in attendance.

Col. Julich introduced and welcomed Mr. Rollie Schmitten to the Task Force. Mr. Schmitten was glad to be part of the Task Force and stated that it was his choice to be there.

**III. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Mr. Tom Podany requested that a revision be added to the minutes to reflect a name change for the (MR-10) Dustpan/Cutterhead project.

Motion by Dr. Len Bahr to approve the minutes from the October 25, 2001, Task Force meeting with the following revision:

Replace Section E with the following:

**E. Change to Dustpan/Cutterhead Demonstration Project**

Mr. Saia presented the recommendation of the Technical Committee to approve the use of funds previously approved for the construction of the Dustpan/Cutterhead Marsh Creation demonstration project for a "Flexible Dustpan" demonstration project designed by the Waterways Experiment Station.

Mr. Fruge' motioned to approve & Mr. Becker Seconded.  
Motion passed unanimously.

Therefore, the minutes of this discussion shall reflect the following:

By Resolution of the Task Force dated April 24, 1997, the Task Force authorized the use of specified funds for use on a PPL 6 Dustpan/Cutterhead Marsh Creation Demonstration project. Mr. Podany has requested a change to the above authorized use of funds, in that it is requested that the previously approved funds instead, now be used for a "Flexible Dustpan" demonstration project as described in the attached documents of the briefing book for the Task Force Meeting of October 25, 2001. As the project no longer involves the use of a cutterhead dredge, the PPL 6 project name will be changed to "Flexible Dustpan Demo at Head of Passes".

Mr. Rollie Schmitten seconded the motion.  
The motion passed unanimously.

#### **IV. TASK FORCE DECISIONS**

##### **A. Selection of the 11<sup>th</sup> Priority Project List**

Mr. Saia presented a Technical Committee recommendation to the Task Force for ten projects to be selected for Phase I funding on the 11<sup>th</sup> priority list. The list contained at least one project in each Coast 2050 region. Dr. Len Bahr said he expected substantial comments from the public. Col. Julich then opened the meeting to public comment on the 11<sup>th</sup> Priority Project List.

Mr. Dan Arceneaux presented three letters addressed to Col. Julich. Col. Julich briefly described the three letters from U.S. Congressman Tauzin, Representative Odinet, and Mr. Hunter. All three letters supported the Barataria Landbridge Shoreline Protection project at Bayou Rigolets in the Barataria Basin, Lake Borgne, South Chandeleur and Lake Lery projects.

Mr. Skip Haller representing Madison Land Co. presented photographs of the Bayou Rigolets area, which he believes will probably breach into adjacent ponds

within two years. He stated this was the number one project for Jefferson Parish. He also supports BA-24-4 in this area.

Mr. Randy Moertle (CEI) representing the Fur and Alligator Council and the M. O. Miller Estate, stated that there was complete landowner support of the South Grand Chenier project. Also, he gave support to the statewide nutria control program; he believes the nutria price is the key to success. Landowners also support the Little Lake Project. The South White Lake project is important to the M. O. Miller Estate.

Mr. Kyle Marks, representing the Lafitte Marsh Club, which has leased land in the area of Rigolets since 1973, strongly supports BA24-4.

Mr. Alan Ensminger, representing the Louisiana Landowners Group, supports the Statewide Nutria program.

Mr. O'Neil Malbro, representing Jefferson Parish, described the history of projects around Bayous Rigolets and Perot. He said there is tremendous support for the project there.

Mr. Eric Morgan, also representing Lafitte Marsh Club, supported the BA-24-4 project.

Mr. Ken Ragus, a member of the Plaquemines Parish group "Common Ground" faxed a letter of support to the Colonel yesterday on BA-21-2.

Mr. Ken Daigle stated that the area around Rigolets is losing land every year and he recommends approval of the land bridge project.

Ms. Marnie Winter (Jefferson Parish) presented a letter from Jefferson Parish President Tim Coulon stating his support for the land bridge project (attached). In the letter, he points out that the project scored well in the 2050 process.

Col. Julich opened the floor for discussion from the Task Force. The Col. noted public support for two projects not included in the Tech. Committee recommendation for PPL11. Mr. Randy Hanchey said that DNR did not vote for the landbridge project (BA24-4) because there were other ongoing projects in the area and that soil tests initially were not encouraging. However, new soil tests are encouraging and they [DNR] now believe the project should be integrated with others. DNR recommends including the landbridge BA24-4 on the PPL11 list.

Mr. Don Gohmert recognized the importance of public participation and that they [NRCS] support adding BA24-4 to PPL 11. He stated that the NRCS was willing to be the lead agency. Col. Julich suggested the Task Force look at projects ranked 11-14 before adding a project ranked 15<sup>th</sup> to the PPL11 list.

Mr. Caldwell asked what the Phase 1 cost was.

Mr. Quinn Kinler stated that it was estimated at \$2.1 million. Mr. Sam Becker questioned the level of certainty of success of the project. Mr. Britt Paul stated that new data indicated it would probably work.

Mr. Randy Hanchey backed Mr. Paul's statement.

Mr. Gohmert stated the project received a high 2050 criterion score of 66. Mr. Dave Frugé stated his support for the landbridge concept and approval of Phase 1 funding for the project.

Dr. Len Bahr asked if the (BA24-4) Baratavia Landbridge Shoreline Protection Project should replace the Dedicated Dredging on the Baratavia Landbridge project?

Ms. Marnie Winter expressed the sentiment of Jefferson Parish that they would rather add the project.

Mr. Rollie Schmitten offered support for Phase 1 and asked if the project could be combined with others for efficiency. He recommended adding the project without dropping a project.

Mr. Frugé added his support for that recommendation.

Mr. Sam Becker asked if design costs were similar to other projects.

Mr. Hanchey asked if all of the previously approved Barataria Landbridge projects could be pulled together and prioritized.

Mr. Gohmert assured the Task Force that the NRCS would schedule construction of the entire landbridge project in a cost effective manner.

Motion by Col. Julich to approve the recommended PPL11 list for Phase 1 Engineering and Design funding with the Northeast Extension component of the (BA-24-4) project added.

Mr. Don Gohmert seconded the motion.

The motion passed unanimously.

An updated spreadsheet with all 11 approved PPL11 projects listed is enclosure 3. BA24-4 was added to the list. In addition, Phase I and II costs were modified on the BA-CW-3 project. The Phase I and Phase II costs in the original spreadsheet were in error, however, the total of Phase I and Phase II was correct. An additional column was added showing Total Fully Funded costs.

Mr. Rollie Schmitten requested a change of Federal sponsorship for the (PO-11-1) Lake Borgne Shoreline Protection project from the NMFS to the EPA. Mr. Sam Becker agreed to accept lead Federal agency responsibility on behalf of the EPA. Colonel Julich stated that no vote was required for the action.

### **B. Barrier Island Complex Project Phase 1 Funding Request**

Mr. Saia presented the recommendation of the Technical Committee that the Task Force approve funds in the amount of \$3,083,934 for Phase 1 Engineering and Design of the Pass La Mer to Chaland Pass and Pelican Island Sub-reaches of the Barataria Barrier Island Complex Project.

Mr. Rollie Schmitten commented that the project compliments Coast 2050 efforts to restore barrier islands and he is very supportive.

Motion by Mr. Don Gohmert to approve the complex project recommendation.

The motion was seconded.

The motion passed unanimously.

### **C. Phase II Funding Request For Barataria Landbridge Shoreline Protection Project Construction Phase 3**

Mr. Saia presented the recommendation of the Technical Committee that the Task Force approve funding in the amount of \$4,386,590 for Phase II construction of the third unit of this project. The NRCS broke the previously approved project into three construction units to resolve geotechnical problems on a reach-by-reach basis. Construction of units 1 and 2 has already been approved.

Mr. Britt Paul reported that two pipelines had been found and that the 95% design stage will be completed after re-design for the pipelines.

Mr. Don Gohmert motioned to approve the recommendation.

Mr. Rollie Schmitten seconded the motion.

The motion passed unanimously.

#### **D. Breaux Act Planning Budget Support of Coast 2050 Studies**

Mr. Podany presented options for reprogramming CWPPRA planning funds to support new Coast 2050 study initiatives. The Technical Committee recommended funding for each agency in an amount between \$50,000 - \$75,000 to support the new initiatives. Mr. Podany stated there is \$1.2 million unallocated in the CWPPRA planning budget and that funds can be reprogrammed for new initiatives.

Mr. Dave Frugé stated that he supports the request for such funding for the comprehensive study and requested participation of CWPPRA agencies in the study.

Mr. Rollie Schmitten stated that he supports CWPPRA participation in the study, also. He suggested that \$85,000 per agency may be a more appropriate funding level.

Mr. Don Gohmert supports the new initiatives, especially the comprehensive study, since it is a systemic approach to coastal restoration and encourages appropriate sequencing of projects. He too requested participation of Breaux Act agencies.

Dr. Len Bahr motioned to approve \$85,000 for each agency, exclusive of USACE, to participate in the two proposed Coast 2050 feasibility studies. Appropriate amounts will be added to the original amounts shown under SPE 12600, so that each agency has a total of \$85,000.

Mr. Rollie Schmitten seconded the motion.

The motion passed unanimously.

#### **E. Deauthorization of the Compost Demo Project**

Mr. Podany stated that the EPA is proposing to deauthorize this project because of technical problems associated with the original proposal. The Technical Committee recommended that the Task Force deauthorize this project.

Dr. Len Bahr motioned to approve.  
Mr. Dave Frugé seconded the motion.  
The motion passed unanimously

#### **F. Deauthorization of the Bayou Bienvenue Pumping Station and Terracing Project**

Mr. Tom Podany reported that based upon information supplied by the NMFS, the Technical Committee has recommended that this project be deauthorized. Poor sediments preclude the cost effective construction of the project as originally proposed. The recommendation is to begin the deauthorization procedure with formal notification to all State and Federal legislators concerned with this project seeking consideration of the proposed deauthorization. St. Bernard Parish has already been contacted and they accept the necessity of deauthorization.

Mr. Rollie Schmitten motioned to approve starting the deauthorization process.  
Mr. Sam Becker seconded the motion.  
The motion passed unanimously

### **V. INFORMATION**

#### **A. Holly Beach Sand management Complex Project (CS-01) Funding**

Mr. Hanchey presented options for CWPPRA funding of a portion of Phase II of this project. The Technical Committee has not made a recommendation concerning this issue. Mr. Hanchey informed the Task Force that the Holly Beach cost presented to the Technical Committee was \$19 million, including a 15 percent construction contingency. The Technical Committee, on the recommendation of the Engineering Workgroup, suggested using a 25 percent contingency. Mr. Hanchey stated that DNR could go along with increasing the contingency but would not support the cost of monitoring for 20 years at a 50/50 cost share between the CWPPRA program and state-only funds. Mr. Frugé offered some support for monitoring for a period of less than 20 years since CWPPRA was not the only sponsor. Mr. Gohmert made a case for monitoring for the full 20 year CWPPRA project life. Mr. Hanchey argued that inspections would discover if the project was failing and pointed out that CWPPRA was only cost-sharing the initial construction. The state will take responsibility for Operation and Maintenance. Col. Julich asked if there was a consensus for allowing just three years of monitoring and the use of a 15 percent construction cost contingency. The Task Force agreed that there was. Colonel Julich also asked about the \$600,000 needed to cover Phase 1 costs. Mr. Hanchey thought that the \$600,000 should be covered. Mr. Gohmert requested a monitoring

proposal be composed by DNR and NRCS and be submitted to the Task Force. He also inquired about land rights issues. Mr. Hanchey said that they were getting servitudes. The Task Force took no action.

#### **B. Update on New Louisiana Coastal Area -- Coast 2050 Feasibility Studies**

Dr. Bill Good presented the status of the two ongoing 2050 Feasibility Studies. About 90 percent of the comments on the wetland creation study have been addressed. The EIS is scheduled to go to the public in February. On the Barrier Island study, alternatives are being finalized and the EIS should be ready for agency review in the late spring. The hydrologic model of Barataria is gathering elevation data by LIDAR. The existing conditions model should be ready in December 2002.

Dr. Good, also, provided an update on new feasibility studies under joint development by the Corps of Engineers and the State of Louisiana. The first study is designed to develop a Comprehensive Coastwide Restoration Plan. A project study plan is being finalized. A second effort, the Mississippi River Delta Management Study, is tiered off of the comprehensive study and will investigate methods of harnessing the river to restore wetlands in southeast Louisiana and to reduce hypoxia. Dr. Bahr took the opportunity to report on the efforts to begin an Atchafalaya Bay Delta Management study. He made reference to a specific proposal to study the feasibility of oyster reef restoration in western Atchafalaya Bay.

#### **C. Oyster Reef Restoration In Western Atchafalaya Bay**

See above.

#### **D. Coastwide Reference Monitoring Program (Steyer) 11:45 a.m. to noon.**

Mr. Greg Steyer reported on a proposal recommended by the Technical Committee in December to establish a coastwide reference monitoring system for the CWPPRA program. Mr. Frugé stated that the information presented indicated a \$20 million dollar increase in monitoring costs. Mr. Steyer acknowledged that \$20+ million would be required from program funds to implement CRMS. He also stated that cost savings on some individual project monitoring plans would be realized when the entire coastwide monitoring plan was fully implemented. Quantification of those cost savings was not possible at this time. The Task Force took no action.

#### **E. Outreach Quarterly Report**

Ms. Gabrielle Bodin reported on the Breaux Act outreach program. She stated that we had missed the opportunity with President Bush in New Orleans to link navigation to marsh loss. Mr. Gohmert informed Gabrielle about the Police Jury association meeting in Monroe. Ms. Bodin responded to a query that the Superbowl effort had been greatly scaled back. Dr. Good told the committee about an American Water Resources Association (AWRA) meeting in May 2002. Dr. Bahr and Mike Dunne of the Baton Rouge *Advocate* provided information about a National Society of Environmental Journalists meeting in September 2003.

#### **F. Comments from the Regional Director of the U.S. Fish and Wildlife Service.**

Col. Julich had recognized SE Regional Director Sam Hamilton of the US Fish and Wildlife Service earlier in the meeting. Mr. Hamilton talked about his involvement with the Everglades restoration program. He stated that the issues in Louisiana dwarf those in the Everglades and that so far there is no national recognition of the problem of wetlands loss in Louisiana. He stated further, that he thinks that the Federal importance of the matter will become evident. He cited an example of Senator Gramm asking him about the hypoxia issue. Dr. Bahr asked if the connection between hypoxia and wetlands was known in Washington. Mr. Hamilton responded, "Not yet."

#### **VI. Additional Agenda Items**

The Task Force chairman offered the other Task Force members an opportunity to comment on issues of concern. There were no comments.

#### **VII. Request for Public Comments**

The Task Force chairman offered members of the public an opportunity to comment on issues of concern.

A. Mr. Ken Ragas asked about The Mississippi River Delta Study and the Sediment Trap CWPPRA project. Dr Bill Good explained the purposed of the study, which is to look at ways to redirect river sediments for nearshore marsh restoration while balancing the flood control and navigation needs. He pointed out that navigation would need to be separated from the river by making a new channel to either the east or west. Mr. Ragas wanted to know if the study had delayed the Sediment Trap and Fort Jackson projects. Dr. Good responded that it had but would be considered in the Complex Study. Mr. Ragas also wanted to know about the Millennium Port.

B. Dr. Jenneke Visser voiced her support for the coastwide monitoring program.

C. Dr. Jimmy Johnston presented the Task Force with CD's of the brown marsh dieback photography and vegetation survey transects. Dr. Bahr congratulated everybody involved with brown marsh effort.

#### **VIII. Date and Location of the Next Task Force Meeting**

The next Task Force meeting is tentatively scheduled for April 16, 2002, in Lafayette, Louisiana at the Estuarine Habitat and Coastal Fisheries Center. Final details will be provided via public notice and the CWPPRA Internet Web Page.

The meeting was adjourned at 12:26 p.m.

PPL11 Project List, selected by the CWPPRA Task Force on 16 Jan 02

Project No.	Project Name	TOTAL	Rank	# of proj's	Phase I	Phase I cumulative	Phase II	Phase II Cumulative	Total Fully Funded	Total Fully Funded Cumulative
ME-8-1	South Grand Channel Hydrologic Restoration	35	1	1	\$2,358,420	\$2,358,420	\$18,639,547	\$18,639,547	\$20,997,967	\$20,997,967
LA-CW-1	Coastwide Nutrient Control Program	30	2	2	\$269,211	\$269,211	\$76,654,878	\$95,294,425	\$76,924,089	\$97,922,056
BA-21-2	Pass Channel Bayou Pass Bayou Pass Bayou Shoreline Restoration	26	3	3	\$1,880,700	\$4,508,331	\$17,120,735	\$112,415,160	\$19,007,435	\$116,923,491
TE-CW-2	West Lake Bayou Bayou Shoreline Restoration	26	3	4	\$1,322,354	\$5,830,685	\$13,243,528	\$125,658,688	\$14,565,882	\$131,489,373
ME-16-2	Grand Lake Shoreline Protection	26	3	5	\$1,049,029	\$6,879,714	\$12,513,457	\$138,172,145	\$13,562,486	\$145,051,859
PO-11-1	Little Bayou Shoreline Protection	22	6	6	\$891,720	\$7,771,434	\$11,036,380	\$149,208,525	\$11,928,100	\$166,979,959
BA-CW-3	Dredged Material Placement in Bayou Pass Bayou	21	7	7	\$2,294,410	\$10,065,844	\$27,398,366	\$176,606,991	\$29,692,776	\$186,672,735
TE-14-1	Shoal Shoal Bayou Restoration	21	7	8	\$2,998,960	\$13,064,804	\$36,303,963	\$212,910,854	\$39,302,923	\$225,975,658
TE-14-2	Recovery Area Shoreline Protection	19	9	9	\$1,016,758	\$14,081,562	\$9,338,894	\$222,249,748	\$10,355,652	\$236,331,310
BA-24-1	Little Lake Shoreline Protection	18	10	10	\$2,639,536	\$16,721,098	\$34,535,343	\$256,785,091	\$37,174,879	\$273,506,189
BA-24-4	Bayou Pass Bayou Shoreline Protection	9	15	11	\$2,191,807	\$18,912,905	\$34,349,604	\$291,134,695	\$36,541,411	\$310,047,600
PO-9-2	South Grand Channel Hydrologic Restoration	15	11	12						
BA-24-3b	South Shore of the Bayou Dredging	14	12	13						
TV-10-2	Southwest Bayou Shoreline Stabilization	14	12	14						
ME-16-1	South White Lake Shoreline Protection	11	14	15						
BA-24-4	Bayou Pass Bayou Shoreline Protection	9	15	16						
TE-10-5	Bayou Pass Bayou Shoreline Protection	8	16	17						
TE-10-6	Bayou Pass Bayou Shoreline Protection	8	16	18						
CS-6-1	Bayou Pass Bayou Shoreline Protection	7	18	19						
BS-CW-1	Little Bayou Dredging	0	19	20						

NOTES:

1. BA-CW-3 Phase I and Phase II costs have been revised because amounts originally shown were in error. The sum of Phase I and Phase II costs for the project remain the same.
2. BA-24-4 was added to the list during the TF meeting on 16 Jan 02.
3. Projects in the upper portion of the spreadsheet (top 11 projects) make up PPL11.