

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

**TASK FORCE MEETING**  
**January 16, 2003**

**Minutes**

**I. INTRODUCTION**

Colonel Peter J. Rowan convened the forty-ninth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Act Task Force. The meeting began at 9:40 a.m. on January 16, 2003 in the District Assembly Room of the Corps of Engineers, New Orleans District, New Orleans, 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:

Ms. Karen Gautreaux, State of Louisiana  
Mr. Miguel Flores, Environmental Protection Agency  
Mr. David Frugé, U.S. Department of the Interior  
Mr. Don Gohmert, U.S. Department of Agriculture  
Mr. Rollie Schmitt, U.S. Department of Commerce  
Colonel Peter J. Rowan, U.S. Army Corps of Engineers  
All of the Task Force members were in attendance.

**III. ADOPTION OF MINUTES FROM OCTOBER 2002 TASK FORCE MEETING**

Colonel Rowan called for comments on the minutes from the previous Task Force meeting. There were none.

A motion was made to approve the minutes from the October 9, 2002, Task Force meeting.

The motion passed unanimously.

#### IV. TASK FORCE DECISIONS

##### A. Request: Selection of the 12<sup>th</sup> Priority Project List

Mr. John Saia reported on the PPL12 process. During the spring of 2002, the public, academic community, and agency staff nominated twelve projects for consideration. The Technical Committee selected seven projects as candidates for detailed evaluation by the environmental, engineering, and economic working groups. Mr. Chris Monnerjahn, Engineering Work Group Chairman, presented all seven PPL12 candidate projects and the three candidate demonstration projects to the Task Force.

Mr. Saia then presented the Technical Committee recommendation to select four projects and one demonstration project for PPL12:

<u>FULL-SCALE PROJECT NAME</u>	<u>PHASE I COST</u>
South White Lake Shoreline Protection	\$1,588,085
Bayou Dupont Marsh Creation	\$2,192,735
Avoca Island Diversion and Land Building	\$2,229,876
Lake Borgne and MRGO Shoreline Protection	\$1,348,345
Subtotal:	\$7,359,041
<u>DEMONSTRATION PROJECT NAME DEMO</u>	<u>TOTAL COST</u>
Freshwater Floating Marsh Demonstration Project	\$1,080,900
TOTAL:	\$8,439,941

Colonel Rowan called for comments from the Task Force on the South White Lake Shoreline Protection project. There were none. He then asked if there were any comments from the public.

Mr. Randy Moertle, representing M.O. Miller Estate and the Vermilion Parish Police Jury, told the Task Force that the project meets the coastwide strategy and mapping unit strategy of 2050. He stated that it is important because it is the only project protecting the Pecan Island community. "If White Lake breaches the levee system, a good portion of the area would turn to water all the way to Hwy 82". Hwy 82 is the only evacuation route for Pecan Island. He stated that the project has the highest net acres out of the projects proposed, and it has low risk. It ranks number three overall. The South White Lake project ranked highest in the Technical Committee vote. He thanked the Corps' Mssr.'s. Greg Miller, John Lopez, and Richard Boe. He thanked the Environmental Work Group, as well.

Mr. Jack Caldwell, Secretary of the Louisiana Department of Natural Resources (DNR), stated that DNR supports this project for the same reasons that Mr. Moertle stated.

Mr. M.O. Miller stated that he supports the South White Lake Shoreline protection project. He thanked Greg Miller for his work.

Colonel Rowan asked if there were any Task Force comments on the Bayou Dupont Sediment Delivery Project. There were no comments. He then asked if there were any comments from the public.

Woody Cruse, Jefferson Parish Fisheries Advisory Board, told the Task Force that he is looking at this project to do something that other freshwater diversion projects have not been able to do, use the sediment in the river. He stated that using a slurry mix to create land should be possible. Land issues are not a problem with the project. The Jefferson Parish Fisheries Advisory Board supports the project. Landowners in the area support the project.

Mr. Caldwell stated that for many years DNR has been searching for ways to improve sediment delivery from the Mississippi River. This project gives us an excellent opportunity to test the use of a pipeline to deliver sediment. It is a large-scale demonstration project.

Kerry St Pe, Director of Barataria Terrebonne Estuary Program, reported that the estuary program is very supportive of the project. It is strategic in the placement of sediment.

Ms. Gautreaux stated that the state of Louisiana and DNR are very supportive of developing this technique, and have been advocating it for a while.

Colonel Rowan asked if there were any Task Force comments on the Avoca Island Diversion and Land Building project. There were no comments. He then asked if there were any comments from the public.

Wade Walk, URS, Inc representing Avoca Inc, stated that Avoca Inc. is fully supportive of the project and there will be no landowner issues. The project will benefit St. Mary and Terrebonne Parishes. In addition, St. Mary Parish is fully supportive of the project. He also thanked Mr. Greg Miller and Mr. Gary Rauber with the Corps.

Carol Vinning, Director of Planning for St. Mary's Parish Government, expressed the parish's support of the project.

Colonel Rowan asked if there were any Task Force comments on the Lake Borgne and MRGO Shoreline Protection project. Ms. Gautreaux had two questions: She noted that on the chart there is a low uncertainty. "Is there a fair degree of confidence in the O&M?" She also wondered how this fits into the Corps' O&M program. Mr. Monnerjahn commented on the low risk and uncertainty rating. During the project development, the Engineering Work Group included adequate O&M in the project cost, based upon similar projects constructed in the area. Mr. Frugé commented that there is

an ongoing feasibility study on MRGO. He stated that we don't have enough funding to take care of projects under CWPPRA, therefore, he would propose that we not look at the MRGO portion of the project under CWPPRA. Mr. Saia indicated that the Corps does, at times, include rock work along the MRGO when there are available funds under the Corps O&M program. "This year no money was available." He suggested that with an erosion rate of 25-30 ft along the MRGO, it may not be a good idea to wait for the results of the feasibility study. "The MRGO closure study is in progress and includes bank protection along the MRGO. The study will require congressional authorization. The study is currently in the review of alternatives. It may be until WRDA 06 before a project is authorized and we are unsure if this protection will be included in the authorized project. Anything that would be done under the CWPPRA program, could, if appropriate, be moved to the MRGO project and speed up the process." Mr. Frugé stated that at a minimum, he would like to have the costs separated for Lake Borgne and MRGO in Phase I of the CWPPRA project. Mr. Jack Caldwell stated that DNR has expressed a sense of urgency with respect to the Lake Borgne part of the project but DNR has reservations with the MRGO portion. He suggested that Phase I include only the Lake Borgne portion with the MRGO left out at this time. Ms. Karen Gautreaux stated that she understood Mr. Frugé to say that we separate and look at Phase II costs separately under Phase I. Dr Bill Good stated that at the Technical Committee meeting, there was a lot of hesitation about the MRGO portion of the project, expressed by the public as well. He would like to see at least a separation of the two in Phase I. If Phase I on the MRGO were deferred, it would likely be fine with the Technical Committee. Mr. Frugé asked if there was a possibility that the Phase I cost for the MRGO portion could be reduced due to the ongoing feasibility study? John Saia stated that it could not likely be, since the level of detail in a feasibility study isn't as high as that in CWPPRA Phase I. Mr. Caldwell stated that this just clarifies in his mind that we separate the two and go forward with Phase I on Lake Borgne only. Mr. Schmitten stated that he thought that the Technical Committee recommendation was to go forward with both and separate the cost and benefits of each but he could go with either route. Mr. Saia stated that the issue is with erosion from both sides. Mr. Flores asked if CWPPRA should bear the cost and suggested pursuing other funding for the MRGO work. Karen stated that she couldn't vote, but had a suggestion. She is concerned that CWPPRA is bearing the cost where there are other resources. She is also concerned with the timeline. Her preference is to go forward with both under Phase I and discuss it at a later time. Mr. Gohmert indicated that we could separate the two out into two parts and then make the decision when it comes time for Phase II funding. Mr. Frugé added the provision that the CWPPRA Task Force ask the Corps to look at the available resources under the feasibility study to determine any cost savings that could accrue to CWPPRA Phase I is.

Colonel Rowan asked for comments from the audience.

Mr. Dan Arceneaux, Coastal Advisory Committee for St. Bernard Parish, passed photos that he took yesterday from an airboat around to the Task Force members. "The photos show the need on the lake side and the channel side, with both sides being just as great. Mother nature destroys us on the north side, the MRGO destroys us on the channel

side. Both parts of the project are needed now." He expressed his understanding that, the Corps wants to have the IHNC Lock in place before reducing the MRGO channel. The schedule for completion of the IHNC Lock is in 2013

Mr. Henry Rodriguez, St Bernard Parish Councilman, stated that Mr. Arcenau explained it well. He further stated that the project as originally proposed, did not include the MRGO stabilization. The priority (of St Bernard Parish) is Lake Borgne. "The MRGO is going to go at some point in time. Lake Borgne is going quicker than the MRGO. St Bernard is interested in the Lake Borgne part of the project, however, we need both projects.

Colonel Rowan asked if there were any Task Force comments on the recommended demonstration project: Freshwater Floating Marsh. There were no comments. He then asked if there were any comments from the public. There were no comments.

Colonel Rowan asked if there was a motion to select the recommended projects, with the provision that the Lake Borgne and MRGO portions of the project be separated in Phase I. Dave Frugé added an additional provision: that any savings that can be achieved during Phase I due to the ongoing work on the feasibility study be considered.

Mr. Frugé moved to approve the Technical Committee recommended list with the above provisions.

Mr. Schmitten seconded the motion.

The motion passed unanimously

#### **B. Request: Phase II Funding Approval for Four Mile Canal Terracing and Sediment Trapping Project**

Mr. Saia presented the recommendation of the Technical Committee that the Task Force approve funds in the amount of \$4,939,011 for Phase II Construction of the Four Mile Canal Terracing and Sediment Trapping Project.

Mr. Gohmert moved to approve the Technical Committee recommendation.

Mr. Frugé seconded the motion.

The motion passed unanimously.

#### **C. Request: Phase II Funding Approval for Timbalier Island Dune and Marsh Creation Project**

Mr. Saia presented the recommendation of the Technical Committee that the Task Force approve funds in the amount of \$18,549,374 for Phase II Construction of the Timbalier Island Dune and Marsh Creation Project contingent upon the completion of an

expert review of barrier island restoration templates and a re-survey of site conditions since Tropical Storm Isidore and Hurricane Lili. Mr. Troy Hill, EPA, reported that the two items had been done. The area was re-surveyed on Jan 11<sup>th</sup> and six cross sections were taken. The cross sections showed that there was more material than before the storms. A review of the project was done by the Louisiana Gulf Shoreline Advisory Board (Dr. Shea Penland headed). The group made two recommendations: (1) move forward so as not to miss the construction window, and (2) for new projects, they would like to look at the template and consider the lessons learned from Hurricane Lili and Isidore. Mr. Saia stated that the Technical Committee recommended approval without contingencies.

Mr. Schmitten moved to approve the Technical Committee recommendation.  
Mr. Frugé seconded the motion.  
The motion passed unanimously.

**D. Request: Phase II Funding Approval Barataria Landbridge Phase 3, a portion of Construction Unit 4 and Construction Approval for Barataria Landbridge Phase 1 and 2, a portion of Construction Unit 4.**

Construction Unit 4 is comprised of portions of work from two separately approved PPL projects, both of which are sponsored by the NRCS. Mr. Saia stated that two separate motions would be needed. The first project considered was the Phase II approval of funds for Barataria Basin Landbridge Shoreline Protection Project Phase 3, Construction Unit 4 in the amount of \$4,825,871. Mr. Saia stated that the Technical Committee recommended that the Task Force approve Phase II funding, contingent upon a 95% design review by April 2003.

Mr. Flores moved to approve the Technical Committee recommendation to approve Phase II funding for the Barataria Basin Landbridge Shoreline Protection Project Phase 3, Construction Unit 4, in the amount of \$4,825,871 contingent upon a 95% design review by April 2003.  
Mr. Frugé seconded the motion.  
The motion passed unanimously.

The second project considered was the Barataria Basin Landbridge Shoreline Protection Project Phases 1 and 2, Construction Unit 4 construction approval (non-cashflow).

Mr. Frugé moved to approve the Technical Committee recommendation to approve construction of the Barataria Basin Landbridge Shoreline Protection Project Phases 1 and 2, Construction Unit 4 at a cost of \$8,777,430.  
Mr. Flores seconded the motion.  
The motion passed unanimously.

**E. Request: Upper Oak River Freshwater Introduction Siphon Project De-authorization**

Mr. Saia reported that in August 2002, the Task Force authorized proceeding with the de-authorization process for the Upper Oak River Freshwater Introduction Siphon project. The process has been completed, and there were no objections. Therefore, the Technical Committee recommends de-authorization. The NRCS is the lead agency. Mr. Gohmert stated that this is an example of coming to a barrier that we cannot get around. "This may be a good project but it is not doable at this time." Mr. Flores asked what amount of funds would be de-obligated? Ms. Gay Browning, Corps, stated that approximately \$2.3 million would be de-obligated.

Mr. Flores moved to approve the Technical Committee recommendation to de-authorize the project.

Mr. Gohmert seconded the motion.

The motion passed unanimously.

**F. Request: De-authorization of the Bayou L'Ours Ridge Hydrologic Restoration Project**

Mr. Saia presented the recommendation of the Technical Committee that the Task Force initiate project de-authorization procedures for the Bayou L'Ours Ridge Hydrologic Restoration project. He stated that NRCS requested the initiation of the process because of problems obtaining rights of entry. Mr. Gohmert further explained the difficulties with obtaining rights of entry for surveys.

Mr. Frugé moved to approve the Technical Committee recommendation.

Mr. Schmitten seconded the motion.

The motion passed unanimously

**G. Request: Louisiana Department of Wildlife and Fisheries FY 2003 CWPPRA Participation Budget**

Mr. Saia presented the recommendation of the Technical Committee that the Task Force approve funds in the amount of \$71,529 for the Louisiana Department of Wildlife and Fisheries for their participation in FY 2003 CWPPRA planning activities. Mr. Frugé supported the request. Mr. Schmitten concurred.

Mr. Frugé moved to approve the Technical Committee recommendation.

Mr. Schmitten seconded the motion.

The motion passed unanimously

## **H. Options to Prioritize Future Phase II Funding Decisions**

Colonel Rowan called for a discussion of options for setting future funding priorities for approval of project construction requests. Mr. Schmitten stated that the discussion at the offsite meeting focused on better money management and the need to prioritize the projects. The Colonel acknowledged the use of the UNO facilities for the offsite meeting and thanked Dr. Shea Penland.

Mr. Schmitten offered the following motion:

The Task Force directs the Technical Committee to develop a process, for action at the next Task Force meeting, to prioritize those projects on Priority Project Lists 1-12 for which construction has not been authorized. The process should take into consideration, among other issues, the quality of projects in terms of support and fulfillment of the goals of the LCA study and readiness to be constructed. The process recommended should identify the purpose of the effort, describe the criteria to be used, and recommend how implementation should proceed.

Mr. Frugé indicated that he thought that it was high time that we improve the way that we do business. "We need to pick the best possible projects that we can." Ms. Gautreaux stressed the need to maximize the work that CWPPRA does within the framework of the Louisiana Coastal Areas study. Mr. Flores thought that the discussions at the off-site meeting were good. "The money that we have for CWPPRA will fall considerably short in what we need to restore the coast. We need to look at how the projects fit together synergistically." Mr. Gohmert indicated that this process will be done in the public light. Hopefully, the public will make the same decisions to buy the best projects first. The Task Force will use good judgment in funding projects and construction. If there is a good project that is down the road, we will not just sit on the funds and wait for that project. There will be flexibility for the Task Force to exercise good judgment.

Mr. Frugé seconded the motion.  
The motion passed unanimously.

Mr. Schmitten then offered another motion:

The Task Force directs the five Federal agencies to initiate discussions with the Louisiana Department of Natural Resources to determine the methodology, by agency, to place operations, maintenance and monitoring (om&m) for projects on Priority Project Lists 1-8 into the cash flow process being used for Priority Project Lists 9-12. Those agencies will report the results of this discussion to the Technical Committee, which will prepare a recommendation to the Task Force, for action at the next meeting, on a process to implement the cash flow approach on om&m for projects on Priority Project Lists 1-8.

Secretary Caldwell added a statement for the benefit of the public: It is not a change in procedures, but a change in emphasis. Moving to the cash flow method allows

us to spend money now, while planning for the future. We can see that many of the projects that we are approving will not have funds under CWPPRA to fund construction (without renewal of CWPPRA).

Mr. Frugé seconded the motion.  
The motion passed unanimously.

## **V. INFORMATION**

### **A. Status of Breaux Act Program Funds and Projects**

Ms. Gay Browning reported on the status of Breaux Act funds, referencing handouts included in the binder. The Task Force approved the FY03 Planning Program budget of \$5,413,450 on October 9, 2002. Taking into consideration approved current estimates, project expenditures through present, Federal and non-Federal cost sharing responsibilities, an estimated \$45,265,885 in Federal funds should be available, based on Task Force approvals to date. If all potential future construction program cost increases and decreases are realized, \$56,955,140 in Federal funds will be available for FY03 (inclusive of FY03 work allowance). Mr. Saia thanked Ms. Browning for her work.

### **B. Report: The Final Draft of the Hydrologic Investigation of the Louisiana Chenier Plain**

Dr Good provided copies of a report on the Hydrologic Investigation of the Louisiana Chenier Plain to the Task Force. The report can be accessed on the [www.savela.org](http://www.savela.org) website. Mr. Frugé asked if there would be a link on the [lacoast.gov](http://lacoast.gov) website? Mr. Kyle Balkum, LDNR, indicated that they will do that. Mr. Flores asked that they provide a little information on the report. Mr. Balkum provided a brief overview of the report. Dr. Good indicated that the report contains an area-by-area documentation of the testimony of experts in each area on the causes of land loss. Dr. Good stated that in many cases, land management practices are to blame for land loss and that changes our previous assumptions and presents challenges on how to save the coast. Mr. Gohmert stated that the report provides baseline information that can be used to analyze the possibility of moving water in the state, a vital component of a state-wide water policy.

### **C. Report: Outreach Committee**

Ms. Gabrielle Bodin reported that a dedication was held at Avery Island, with 146 attendees on Nov 14<sup>th</sup>. Six projects were dedicated. Also, the nutria control program has attracted attention, and there has been reporting of results of the tail collection. Fact sheets have been completed for the constructed projects (provided at the meeting). Ms.

Bodin distributed copies of *New Orleans, the Natural History* on DVD, created and produced by Mr. Walter Williams. It includes wetland loss and threats that the city faces. The outreach report is in the Task Force book. Mr. Schmitten thanked the committee for the press releases and information that it sent out.

#### **D. Report: Planning Efforts for the 13<sup>th</sup> Priority Project List**

Mr. Miller stated that at the April 2002 Task Force meeting, the CWPPRA committees were directed to begin planning for the 13<sup>th</sup> list. He reported that four regional planning team meetings (RPTs) are scheduled to be held in February. The public will be asked to nominate projects (two per basin). The Technical Committee will select eight candidate projects for detailed evaluation (Environmental, Engineering, and Economic Work Groups). The Technical Committee may recommend up to four projects for Phase I funding. It is important to note that the Task Force is challenged with funding, and reserves the right to not fund any projects for Phase I. Colonel Rowan asked Mr. Miller to describe the first steps of the process. Mr. Miller indicated that the RPTs (public, interested local government, agencies, academics, etc.) would meet to come up with projects. He stated that we need to make sure that we don't hold public meetings in conflict with the LCA public meetings that will be held in February.

#### **E. Update: Louisiana Coastal Area Comprehensive Restoration Feasibility Study**

Mr. Troy Constance provide an update on the status of the Louisiana Coastal Area Comprehensive Restoration Feasibility Study (LCA). The LCA study is an outgrowth of the Coast 2050 report in 1998. It is looking at large-scale projects that address the strategies outlined in Coast 2050. He described the make-up of the Framework Development Team (FDT) that keeps the study on track. The study has determined keystone strategies (biggest bang for buck) so far. A model designed by Dr. Robert Twilly is being used to evaluate the hydrodynamic and ecological responses and review preliminary alternatives. The goal of the study is to recommend a plan as a "blue-print". The study will be used to seek approval of a program but not particular construction items. A preliminary draft report is scheduled for internal review in June 03. Water Resources Development Act 04 authorization is the goal. A Principles Group has been formed at Washington level. A series of public participation meetings has been scheduled: Feb 4<sup>th</sup> in Belle Chase, Feb 6<sup>th</sup> in Larose, Feb 10<sup>th</sup> in Morgan City, Feb 12<sup>th</sup> in Lake Charles.

#### **F. Presentation: The US Maritime Administration's Vessel Retirement Program – the Potential for Partnership in Louisiana**

Mr. John Carnes, Central Region Director for the Maritime Administration (MARAD), provided an overview of the national vessel retirement program. The

Maritime Administration is overseeing the disposal of obsolete and retired military transport vessels. These vessels range in size from small barges to large ocean going ships (~500 ft). The MARAD is working to provide retired vessels for use in environmental projects such as artificial reefs and shoreline breakwaters. A series of federal best management protocols has been developed to ensure the environmental suitability of vessels for use in environmental enhancement and protection efforts. An opportunity exists for a partnership between MARAD and the Breaux Act Task Force for the demonstration of environmentally friendly ship disposal efforts. Mr. Carnes stated that his agency is 100% behind the proposal to use retired vessels for coastal restoration. MARAD is a promotional and operational agency. They have three reserve fleets that are maintained by the agency. In the past they would scrap the ship and sell it. Congress no longer allows them to scrap ships. They have a number of ships (100+) available for recycling. There is an interagency group that is developing methods for recycling. The USS Spiegel has been used as a reef in Florida. They would like to propose a demonstration project under CWPPRA. They would clean and tow the boat (*SS Catawba Victory*) to St. Bernard Parish and sink it for shoreline protection. Ms. Gautreaux asked what the time frame is for implementation of the proposed demonstration. Mr. Carnes answered that they could have the ship available in a matter of months. Secretary Caldwell stated that one of the main things that needed to be considered is the utility of using this as a shoreline protection method. "Studies have shown that sinking a ship would have no impact on storm surge". He was somewhat "underwhelmed" by the idea. Mr. Schmitt told Mr. Carnes that a formal proposal with NEPA compliance, and a review by the CWPPRA Technical Committee would be necessary for Task Force to formally consider it. The proposed area will likely need some maintenance dredging because of land loss. The idea consists of a ship with dredged material behind it. Part of the hull would be above water. The lower hull would have holes cut into it. Mr. Frugé stated that he would like to see a proposal before we can give them an informed answer. Mr. Hartman stated that he has heard about the status of the ghost fleets and there are environmental contaminants. "NEPA compliance requires looking at alternatives". Mr. Gohmert stated that another concern is aesthetics. "We don't want a demolition derby on our coast. There is lead in paint, petroleum products, and asbestos in ships. There may be some use for deep-water habitat. It may address MARADs problems, but it may not address ours". Mr. Frugé stated that if this is a demonstration project, it would have to be applicable on a larger scale which would multiply the aesthetics issue. Mr. Carnes indicated that they are aware of the environmental issues, and understand the aesthetics, as well. He suggested that there might be some sites where aesthetics are not as big of a concern or perhaps, plants could be used as camouflage.

## **VI. Additional Agenda Items**

Colonel Rowan announced the awarding of certificates of appreciation to Dr. Len Bahr for his efforts as a member of the Task Force and Mr. Bruce Lehto for his work as a member of the Technical Committee. Ms. Gautreaux accepted for Dr. Bahr and Mr. Gohmert accepted for Mr. Lehto.

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

There were no comments from the public.

Karen Gautreaux made a comment on behalf of Governor about CWPPRA being our only Federally authorized program.

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

The next meeting of the Task Force will be held on April 16, 2003, in Lafayette, Louisiana, beginning at 9:30 a.m. Mr. Scott Wilson, USGS, invited the Task Force to a crawfish boil the night before the meeting.

**IX. The meeting was adjourned at 11:40 a.m.**