

## MEMORANDUM FOR RECORD

SUBJECT: Minutes from the 14 June 2006 CWPPRA Technical Committee Meeting

1. Mr. Tom Podany opened the meeting at 9:40 a.m. Mr. Podany welcomed everyone and previewed the agenda items. The following Technical Committee members were in attendance:

Mr. Darryl Clark, U.S. Fish and Wildlife Service (FWS)  
Mr. Rick Hartman, National Marine Fisheries Service (NMFS)  
Ms. Sharon Parrish, Environmental Protection Agency (EPA)  
Mr. Britt Paul, Natural Resources Conservation Service (NRCS)  
Mr. Tom Podany, Corps of Engineers (COE)  
Mr. Kirk Rhinehart, substituting for Mr. Gerry Duszynski, Louisiana Department of Natural Resources (LDNR)

A copy of the agenda is included as **Encl 1**. A copy of the sign-in sheet is included as **Encl 2**.

2. Agenda Item 1: Decision: FY07 Planning Budget Development (Podany). Mr. Tom Podany announced that the Technical Committee must decide on a process to develop the FY07 planning budget. The budget will be approved by the Task Force at the October meeting. It is recommended that the FY07 budget be similar to the budget from the previous year.

Mr. Tom Podany opened the floor for comments/discussion from the Technical Committee.

Mr. Darryl Clark commented that traditionally the Planning and Evaluation (P&E) Subcommittee has prepared the draft budget. He believes the budget for FY07 should be similar to FY06 except that the cost to review PPL17 candidates may increase due to the higher number of candidate projects.

Mr. Rick Hartman added that a cost of living raise for P&E Subcommittee members would also increase costs. Since 1991, the law has limited planning activities to \$5 million each year. This limit is becoming more difficult to maintain with the rising costs of inflation.

Mr. Tom Podany advised that although additional candidate projects require more effort, the objective should still be to keep the overall planning budget within \$5 million.

**DECISION: The Technical Committee instructed the P&E Subcommittee to develop a draft FY07 planning budget within \$5 million for the next Technical Committee meeting.**

3. Agenda Item 2: Decision: PPL 5 Mississippi River Reintroduction into Bayou Lafourche – BA-25b (Parrish). Mr. Brad Crawford, EPA, said that the Mississippi River Reintroduction into Bayou Lafourche Project recently reached the 30% design level. The EPA and LDNR are in concurrence that this project is still viable and recommend continuing to the final design. Mr. Crawford requested approval to proceed and a \$5 million increase in Phase I funding to complete

engineering and design to the 95% level. The original cost estimate from 2001 did not include contingencies or administrative costs. Mr. Crawford believes that if this project were transferred to the LCA program right now, there would be some loss of engineering and design and institutional knowledge, resulting in additional costs and delays. Upon approval, an additional 18-24 months is required to complete the design.

Mr. Tom Podany opened the floor for comments/discussion from the Technical Committee.

Mr. Tom Podany asked Mr. Brad Crawford to describe the EPA and LDNR's plan to transfer the Bayou Lafourche Project to the LCA. Mr. Crawford said that there is no expectation that this project will be constructed under CWPPRA. Once there is a transfer to LCA, the project will be subject to COE formats and planning level guidance. Mr. Crawford believes that some project management should be maintained to help with the transition.

Mr. Tom Podany asked if the cost share was 50/50, making the Federal share \$2.5 million. Mr. Kirk Rhinehart believed that the Task Force proceeded with a 50/50 cost share in October 2001 with the understanding that the cost share would be re-evaluated based on the municipal versus environmental benefits of the project. Mr. Rhinehart said that it was best for the State to continue with an 85/15 cost share if the Technical Committee agreed. Mr. Darryl Clark noted that the October 2001 Task Force language did not say there would be an 85/15 cost share. Mr. Rhinehart said that the State was willing to move forward with the 50/50 cost share.

Mr. Darryl Clark pointed out that, as of the April Task Force meeting, there was only \$135,000 available in the construction budget. Ms. Gay Browning added that this amount is even less now. Ms. Julie LeBlanc stated that there are no available FY06 funds in the program.

Mr. Rick Hartman expressed concern about waiting to move the project to the LCA; it would be better to transition the project to LCA early on in the process. Mr. Hartman is also concerned about the coordination between COE and CWPPRA. Mr. Kirk Rhinehart responded that LDNR is coordinating with the COE and the project is lined up to be ready for transition at the 95% design level. He believes it would be detrimental to move the project to LCA now. Mr. Bob Roberts, LDNR, agreed with Mr. Rhinehart and added that LDNR did not want to introduce inefficiency during the design process.

Mr. Britt Paul said that it would make sense to transfer the project since the LCA program has the money and the project is part of the LCA near-term strategy. He feels the transition should take place sooner rather than later. Mr. Darryl Clark agreed that the Bayou Lafourche Project is at a logical point for transfer to LCA.

Mr. Bob Roberts added that the State may be able to front the money until CWPPRA FY07 funding is available so there would not be any lag time in the project. Mr. Kirk Rhinehart clarified that the State would be willing to bridge the funding gap contingent upon FY07 allocation of funds.

Mr. Tom Podany said the LCA has \$20 million budgeted this fiscal year and has the funds to take over the Bayou Lafourche Project. Mr. Podany asked Mr. Tim Axtman if the LCA had a

timeframe for transitioning this project. Mr. Axtman replied that he was not aware of any timeline. The issue will be getting cost share agreements in place under LCA.

Mr. Kirk Rhinehart said that the State feels comfortable that when the project reaches the 95% level, it will not have to be revamped. He feels the inefficiencies associated with decommissioning the team and transferring the project to LCA will be much greater now and a disservice to the project. Mr. Bob Roberts added that the Myrtle Grove Project should be used as the model for transferring projects to the LCA.

Mr. Brad Crawford noted that Mr. Troy Constance has volunteered to continue participation in the project management team at no cost to CWPPRA to make sure the project maintains COE guidelines.

Mr. Tom Podany asked if the project had enough money to answer comments from the 30% design review. Mr. Brad Crawford said that the 30% comments are usually addressed between the 30% and 95% design and additional funding is needed to continue.

Mr. Tom Podany said that the LCA and CWPPRA teams need to agree on a tentative transition schedule to see the rationale before moving the projects from one program to another. Mr. Darryl Clark agreed and added that three of the five projects in the LCA near-term plan (Bayou Lafourche, Lake Maurepas, and Myrtle Grove) are existing CWPPRA projects.

Mr. Bob Roberts asked if the COE has the manpower to continue engineering and design. The Myrtle Grove Project has been stagnant for some time and the Bayou Lafourche Project is bigger. Mr. Tom Podany said that the LCA will use the \$20 million in funding this year and anticipated funding to make sure that resources are in place.

Mr. Britt Paul does not see why the State cannot continue working on the project with the money coming from the other source.

Mr. Tom Podany asked if the State concurred with the recommendation to move the Bayou Lafourche Project to the LCA. Mr. Kirk Rhinehart answered that the State does not concur.

Mr. Rick Hartman said that he would not vote to approve a \$2.5 million cost increase. If the State and EPA are not willing to follow standard operating procedures (SOP) and recommend the project be moved, then the project will get caught in bureaucracy.

Mr. Ken Duffy, LDNR, pointed out that the transition into LCA would not be seamless because there is no project management plan. No funds can be expended under LCA until a cost share agreement is signed. Negotiations would not be complete for at least a month. A project management plan is in negotiations for Myrtle Grove. A temporary cost share agreement can be used making transfer of Myrtle Grove to the LCA more seamless.

Mr. Britt Paul said that it should be easier to get a project management plan in place for Bayou Lafourche because of some of the work that has already been done.

Mr. Kirk Rhinehart said that there is a fundamental difference in the way the project is approached by LDNR and COE. The COE has a completely different setup in terms of the cost share agreements and work-in-kind. The current momentum for this project will be derailed because of operations within the LCA environment. It may be beneficial for the project team to go back and do a better job of pointing out potential pitfalls of transition. This project should not be compared to Myrtle Grove; the Myrtle Grove Project is in a much less advanced stage and had been languishing. He asked for the opportunity to go to the Task Force to clarify before the Technical Committee voted to de-authorize or transfer the project.

Mr. Brad Crawford added that EPA has a \$500,000 contract with an EIS contractor, and it would cost the project money to cancel the contract. Mr. Rick Hartman said that even if LCA took over the project, the COE should be able to transfer some funds to the EPA to complete the NEPA process.

Mr. Tom Podany opened the floor for comments from the public concerning the Bayou Lafourche Project.

Mr. Oneil Malbrough, representing Jefferson Parish, said that the parish is in full support of the Bayou Lafourche Project and would like for the project to be moved forward as fast as possible. He questioned why the Technical Committee was looking at keeping the Bayou Lafourche Project in CWPPRA and moving the Myrtle Grove Project to the LCA. Even though LCA has funding in place, there is no authorization and there are still questions on the status of WRDA. In Jefferson Parish's first comprehensive plan in 1990, the Myrtle Grove Project was identified as their number one priority. He asked why there had not been any discussion for moving the Blind River project to the LCA. He said that Jefferson Parish opposes moving the projects from CWPPRA to another program that has not yet fully matured.

Ms. Leslie Suazo, Director of Coastal Restoration and Preservation for Terrebonne Parish, said that the Coastal Zone Management and Restoration Advisory Committee passed a resolution that whole heartedly supports moving the Bayou Lafourche Project forward with a 50/50 cost share. She commended the Task Force for proceeding with the project thus far and asked that the project not be abandoned at this stage. She agreed with Mr. Crawford that the loss of time and institutional memory could devastate the project's momentum. She reiterated Mr. Malbrough's comment about transferring the authorization at a point in time when none of the other programs are fully matured yet. She said that there has been concern about the wetland versus the water quality benefits for the project. A recent LDNR presentation to the Special Legislative Committee showed her that the wetland benefits to Terrebonne Parish were beyond her expectations and the Committee felt that the benefits were significant enough to justify the 85/15 cost share. It is important to everyone in the Barataria and Terrebonne Basins that the project moves forward and the State has consistently demonstrated its commitment to this. A considerable amount of community support has been generated by the outreach efforts of LDNR and the Barataria-Terrebonne National Estuary Program. The Coastal Zone Management and Restoration Advisory Committee also have resolutions in support of a project from the South Central Industrial Association.

Mr. Robert Thibodaux, resident living on Bayou Lafourche, said that the bayou had 13 feet of water in 1970 and presently has a five foot depth. He presented pictures of Bayou Lafourche from 1970 and present day to the Technical Committee. He said that the two major problems with Bayou Lafourche are the weir and sedimentation. Sedimentation is choking the life out of Bayou Lafourche and the bayou is dying a slow death. Removal of the weir will remove the sedimentation and increase the volume of water into the bayou. This will help replenish the marshes and fight saltwater intrusion. He asked the Technical Committee to support this project as doing nothing will be a disaster for Bayou Lafourche and generations to come.

**DECISION: Mr. Kirk Rhinehart made a motion to recommend the Task Force advance the Bayou Lafourche Project to 95% design with a budget increase of \$5 million in the next fiscal year allocation and LDNR bridging the gap to keep the project going in the interim with a 50/50 cost share. Ms. Sharon Parrish seconded. After further discussion from the Technical Committee, Mr. Rhinehart withdrew the motion.**

**DECISION: Mr. Darryl Clark made a motion to recommend the Task Force transfer the Bayou Lafourche Project to the LCA for completion of engineering and design and ultimate construction. Mr. Rick Hartman seconded. Mr. Rick Hartman, Mr. Darryl Clark, and Mr. Britt Paul voted in favor of the motion while Mr. Kirk Rhinehart and Ms. Sharon Parrish voted against it. The motion was passed by the Technical Committee.**

4. Agenda Item 6: Discussion: Transitioning Projects from CWPPRA to Other Authorities (Podany). Mr. Tom Podany said that the Task Force had directed the Technical Committee to look at the process for transitioning projects between programs, rather than use the existing project de-authorization procedure. The Technical Committee proposes amending the de-authorization process to include language that would allow for transfers. The Federal or local sponsor would submit a letter to the Technical Committee before requesting de-authorization or transfer. The sponsors may also make the recommendation directly to the Task Force.

Mr. Tom Podany opened the floor for discussion/comments from the Technical Committee.

Mr. Darryl Clark said that a further amendment is needed that states that the Technical Committee can forward it on to the Task Force in case the Federal and local sponsor do not bring the transfer or de-authorization up to the Technical Committee.

Mr. Tom Podany said that the P&E Subcommittee could develop some language for transitioning projects from CWPPRA to other authorities. Mr. Rick Hartman agreed.

Ms. Sharon Parrish asked if this related specifically to when the Federal and local sponsor are not in agreement about the transfer. Mr. Darryl Clark replied that they are talking about inserting language to allow the Technical Committee to recommend to the Task Force that a particular project be de-authorized or transferred, if the Federal and local sponsor were not in agreement. Ms. Parrish expressed concern about the phrase “all parties shall suspend” in the language. Mr. Tom Podany answered that this does not apply because the Bayou Lafourche Project is still under CWPPRA until such time as the Task Force approves transfer. Mr. Britt Paul said that this

will be an issue or concern for future projects. Mr. Rick Hartman said that until the Task Force approves a transfer, an agency can still spend funds and agencies should be conscious of this.

Mr. Tom Podany said that the issue of what happens to expenditure of CWPPRA funds from the point of transfer needs to be clarified as well as the actual transfer date. At this point, the Technical Committee is just looking at developing the language; it has had no impact on any project at this time.

Mr. Kirk Rhinehart said that when the Federal and local sponsors do not agree with the Technical Committee and Task Force's transfer or de-authorization of a project, the sponsor should take it upon themselves to move the project to a more favorable environment. The intent was to develop a process to get a project to other agencies or programs. Mr. Tom Podany agreed. Mr. Rhinehart added that the presented language is sufficient to answer what the Task Force directed the Technical Committee to do. Mr. Rick Hartman agreed with Mr. Rhinehart that projects should not be held in limbo when there is a disagreement. Funding could be withheld and the project would essentially be de-authorized. The language should be approved as written; the Technical Committee does not have to legislate for every case that may come up.

**DECISION: Mr. Britt Paul made a motion to approve the language as written for transferring CWPPRA projects to other authorities. Mr. Darryl Clark seconded. All Technical Committee members voted in favor and the motion passed.**

Mr. Bill Hicks, COE, presented the process for transferring projects from CWPPRA to other authorities using the transfer to the LCA as an example. The goal was to develop a process to ensure a smooth transfer that maintains the project and to continue CWPPRA's commitment to keep the public informed. The COE has a six step planning process for feasibility studies:

1. Identify problems and opportunities,
2. Inventorying and forecasting conditions,
3. Formulating alternative plans,
4. Evaluating alternative plans,
5. Comparing alternative plans, and
6. Selecting a plan.

The biggest concern about losing project momentum is whether the requirements of the LCA process have been met by the CWPPRA process. A flow diagram was developed for the CWPPRA to LCA transfer process, and the steps are as follows:

1. Authority to transfer,
2. Prepare for Task Force-Project Management Team (TF-PMT) conference,
3. Gap analysis (comparative checklist),
4. TF-PMT conference and decision,
5. TF-PMT define transfer approach,
6. TF-PMT endorse outcome, and
7. TF-PMT complete the transfer.

Mr. Tom Podany opened the floor for comments/discussion from the Technical Committee.

Mr. Darryl Clark said that he did not have a problem with the project teams for CWPPRA and LCA meeting to fill out the checklist. He does not believe it is expected that CWPPRA bring every project up to Step 5 or 6. Mr. Bill Hicks said that the process takes projects at various levels of completion. Mr. Clark added that in cases like Myrtle Grove that is being managed by the COE, the transfer process should not be that difficult.

Mr. Tom Podany said that the process should be easy to follow and that common sense should prevail that the CWPPRA agencies will help document the elements of work.

Mr. Britt Paul asked if the lead agency could continue with the NEPA documentation as the transition is made. Mr. Bill Hicks said that this was a question for the legal department because there may be a problem with two authorities working on the same project. Ms. Sharon Parrish asked about the timeframe for the legal questions to be answered. Mr. Bill Hicks stated that the questions have been submitted to the legal department.

Mr. Podany opened the floor for comments from the public.

Mr. Oneil Malbrough, representing Jefferson Parish, contended that the steps presented are exactly the problem. In order to complete a project, it has to go through the District, Division, Headquarters and back. From the parish's perspective, this is going back to the older process, and the local sponsor will lose control of the project. The parish has a better chance of influencing CWPPRA than influencing the COE and the whole bureaucratic process that is encumbered in the construction principal and guidelines procedure. It is in everyone's best interest to move these projects quickly through CWPPRA and give them over when they are ready to be built. The Bayou Lafourche Project has been discussed for over ten years. Even if construction money is tight, if CWPPRA was really interested in building the project, the \$2.5 million is a better investment than to throw the project into purgatory. He does not believe the process of transferring Myrtle Grove and Lake Maurepas in a beneficial time frame is going to work. The same reasons why Davis Pond and Caernarvon took 25 years to complete will be in that process. He asked the Technical Committee to take a careful look to make sure the process has accountability to completing the project to CWPPRA's schedule before switching projects over to a program that, in some cases, is almost out of control.

Ms. Cynthia Duet, ARCADIS, asked if the time schedules were compared based on CWPPRA meetings. De-authorizations take a long time and can be held up. Mr. Bill Hicks did not believe that the timelines had been looked at.

Mr. Tom Podany said that because the work process is difficult, it is important to start the six-step process early to advance these projects. CWPPRA does not have the funds for the big projects. We need to take advantage of the funding opportunities under the LCA. Mr. Rick Hartman agreed and understands that the COE can be slow but believes the Myrtle Grove Project will be in a better place by being moved to the LCA because that program has dedicated funding to start moving the project forward.

5. Agenda Item 3: Decision: Transfer of PPL 10 Delta Building Diversion at Myrtle Grove Project – BA-33 (Podany). Mr. Tim Axtman, COE, provided a status report on the Myrtle Grove

Project. The initial \$3 million funding brought the project through the 30% design. An environmental impact statement and alternatives analysis was completed. All alternatives were submitted through the LCA formulation process. The comprehensive assessment showed that a 5,000 cfs diversion with combinations of dedicated dredging was optimal. The Task Force directed the COE to proceed with a methodology that would help the transfer and possibly address storm surge reduction. Since the COE is already the lead on the Federal side, the sponsorship will not change. The hydrologic models are ready to go and the engineering and design on the 12 alternative plans are complete. About 40% of the channel right-of-way has been acquired as part of the levee reconstruction in Plaquemines Parish.

Mr. Tom Podany opened the floor for comments/discussion from the Technical Committee.

Mr. Kirk Rhinehart said that Myrtle Grove was a completely different project than Bayou Lafourche. He believes this project would be better housed in LCA and hopes that the move to LCA will help jump-start the project.

**DECISION: Mr. Rick Hartman made a motion to move the Delta Building Diversion at Myrtle Grove Project to the LCA program. Mr. Darryl Clark seconded. All Technical Committee members voted in favor and the motion passed.**

6. Agenda Item 4: Discussion/Decision: Establishment of a Coastal Wetland Re-vegetation Contingency Fund (Clark, Paul). Mr. Robert Dubois, FWS, said that the purpose of the contingency fund is to prevent thousands of acres of marsh negatively affected by regional events (i.e., hurricane, brown marsh, and drought) from converting to open water areas by re-vegetating those areas with smooth cordgrass. The recent hurricanes converted thousands of acres of marsh into shallow open water areas. The contingency fund would be used to quickly assess the damaged areas and implement a planting program before the areas deepen to greater than 1.5 feet. A small dredge project (approximately 60 acres) would cost about \$24,000 per acre compared to the \$3,500 per acre it would cost to re-vegetate the area. An established \$1-2 million contingency fund would allow for an expedited process by already having cost share agreements and other processes in place.

Mr. Tom Podany opened the floor for comments/discussion from the Technical Committee.

Mr. Rick Hartman said that \$1-2 million is not available for the program. The Technical Committee should not take any action right now. He suggested that the contingency fund details should be worked out and compete for funding with other projects in January.

Mr. Darryl Clark agreed that was a possibility. The issue was raised because of the hurricane damage in St. Bernard Parish and the Chenier Plain. The areas will come back if plantings occur within a year and half from the time of damage. If nothing is done, then the area could be lost and get even deeper due to erosion. If the contingency fund were submitted as a candidate project, it would not be approved until October 2007.

Ms. Sharon Parrish asked if this project would be similar to a demonstration project in terms of the SOP. Mr. Darryl Clark replied that it would be similar to the SOP process for monitoring of



contingency funds. A full-fledged dredge project may take three years to construct and by that time, the areas may be too deep.

Mr. Britt Paul said that the mechanics of the fund need to be worked out. If such a fund existed, we could react quickly and get some of these areas back before being totally lost and costing more money.

Mr. Tom Podany asked if this fund was exclusively limited to CWPPRA projects. Mr. Robert Dubois replied that it was not. Mr. Podany said that real-estate issues and not having the proper easements may be a problem. Mr. Dubois said that these issues would be dealt with as the fund moves forward.

Mr. Kirk Rhinehart thought it was an interesting idea to develop a contingency fund given the current difficulties to find \$2 million for the Bayou Lafourche Project. He feels it would be better to put the contingency fund into a demonstration project. There is some question of exactly where to apply this approach and how successful it would be. Mr. Tom Podany agreed. It would be more difficult to prioritize and there is a big area of need versus the amount of money.

Mr. Tom Podany said that he would be more comfortable treating this contingency fund the same as the Coast-wide Nutria Control Program because of the undefined project area. CWPPRA is currently not in a position to consider funding the program.

Mr. Rick Hartman agreed with Mr. Kirk Rhinehart that it may be best to develop the contingency fund as a demonstration project. Mr. Robert Dubois said that it has been demonstrated that the plantings work. Mr. Hartman said that it was not a program that could be easily worked out. The demonstration part might be developing a program that is efficient and works.

Mr. Tom Podany opened the floor for comments from the public.

Mr. John Lopez, Lake Pontchartrain Basin Foundation, applauded the responsiveness of the agencies with this concept. There is massive damage in the Pontchartrain Basin. One of the hallmark's of CWPPRA is that it can respond to situations, and he encouraged the Technical Committee to find a way to do it before the opportunities slip away. He suggested using the left over \$135,000 as a start.

Mr. Oneil Malbrough, Jefferson Parish, said that the State does not have a group to respond to environmental damage after a hurricane. Elmer's Island was breached after Hurricane Katrina; the breach was 150-foot wide after the hurricane, but is now 500-600 feet wide. Besides plantings, the program needs to be such that someone can respond in a timely manner. What happened after Hurricane Hilda in the Lake Decade area is a good example of where things could have been done in an emergency condition that would have greatly reduced some of the losses. He contended that a program be developed that is not only responsive to plantings, but also to any significant emergency along the coast.

Mr. Junior Rodriguez, St. Bernard Parish President, said that the parish identified Lake Leary as a major problem. The parish will receive CIAP funds of \$13 million over four years in 2007. Part of the money will be used for beneficial use of dredge material and planting of vegetation. He would like to get together with the agencies to see if they can work out a 50/50 cost share. The wetlands in St. Bernard Parish were totally destroyed by Hurricanes Katrina and Rita. He asked the Technical Committee to find some money for the contingency fund because St. Bernard Parish has some money to match it.

7. Agenda Item 5: Discussion: CWPPRA Programmatic Assessment (Podany). Mr. Tom Podany said that the Technical Committee was directed by the Task Force to lay out a plan and schedule to develop a Programmatic Assessment. The Technical Committee has a process to look at the lessons learned and report to Congress on how well the program is doing.

Ms. Julie LeBlanc said that there some discussion of using the vision bullets previously outlined to describe how the program interacts with other programs such as LCA, LACPR, CPRA, and CIAP. She believes that something similar should be prepared to outline the strategic vision of the program.

Mr. Darryl Clark said that they began working on a strategic vision and outline for the Programmatic Assessment in March 2005. The information was published a couple of months ago, but the document did not include the strategic vision. It might be a good idea to include the strategic vision in the report to Congress.

Mr. Tom Podany asked the agencies to provide names of representatives to work on modifying the outline to Ms. Julie LeBlanc. The group should provide a revision to the outline (a four to five page document) to the Technical Committee prior to the Task Force meeting.

Mr. Kirk Rhinehart thought the outline would be incorporated into the Report to Congress. Mr. Tom Podany said that the document could be a stand-alone white paper report or amended to an appendix in the Report to Congress.

Mr. Scott Wilson, USGS, said that a working document with all text and figures would be ready for the Report to Congress Committee by July 13<sup>th</sup>. The current document does not have the strategic vision components. A laid out version of the Report to Congress will be ready by August 5<sup>th</sup>.

Mr. Rick Hartman suggested someone at a level similar to the P&E Subcommittee who knows the entire program write the document for inclusion in the Report to Congress.

Mr. Darryl Clark added that there needs to be some explanation to the Task Force saying that the Technical Committee knows the program has been changing along the way and new things have been learned and incorporated into the program.

**DECISION: Mr. Rick Hartman made a motion to recommend the Task Force incorporate the Programmatic Assessment as the final chapter in the Report to Congress. Mr. Darryl Clark seconded. All Technical Committee members voted in favor and the motion passed.**

8. Agenda Item 7: Discussion: Interactions Between the Coastal Impact Assistance Program (CIAP) and the CWPPRA Program (Podany). Mr. Greg Grandy, LDNR, said that the goals and objectives of the CIAP program have been refined. Five public meetings were held in February 2006 to describe the program and solicit proposals. Approximately 300 proposals were received by May 22<sup>nd</sup> requesting a total of \$3.5 billion. The State has approximately \$315 million to fund those proposals. The official draft plan will be available to the public on August 7<sup>th</sup>. The goal is to submit the final claim to the Minerals Management Service (MMS) on October 16<sup>th</sup>. The first funds will be available April 2007. There was a question about whether CIAP funds can be used as the state cost share for Federally-funded programs. MMS guidelines require a letter from the Federal agency stating if funds can be matched. Another question, brought up by Mr. Judge Edwards at the Task Force meeting, was whether CWPPRA funds can be used to fund operations and maintenance (O&M) on a CWPPRA project constructed with CIAP funds.

Mr. Tom Podany said that the issue was to develop a concept paper about the possibility of the CWPPRA program taking over O&M for CIAP projects and describe the basic process. The Technical Committee needs to discuss further with the Task Force whether or not to handle this like a funding request for Phase I projects or a potential O&M project.

Mr. Darryl Clark said that it makes sense to treat them on a case by case basis. CWPPRA could do the 20 years of O&M and monitoring on a CIAP constructed project in one lump sum similar to the cash flow projects. CWPPRA has ten projects ready to go and we do not know which projects CIAP may be interested in.

Mr. Greg Grandy said there was another question about whether real-estate requirements for CWPPRA would suffice for CIAP. An amendment must be made to the landrights agreement identifying that the funding is not coming from CWPPRA, but from CIAP construction projects. There is another potentially difficult issue if CWPPRA does not want to take on the O&M for a CIAP project.

Mr. Tom Podany recommended that Ms. Melanie Goodman pull together the information and develop a one page concept document looking at alternative process issues such as real-estate and send to the Technical Committee for review.

**DECISION: The Technical Committee agreed in principle to fund O&M on CWPPRA projects that CIAP constructs.**

9. Agenda Item 8: Discussion: Status of FEMA Claims for CWPPRA Projects (Podany). Mr. Kirk Rhinehart said that LDNR is requesting agreement from the Technical Committee to proceed with the design of repairs for projects using existing O&M funds without approval from FEMA to reimburse LDNR for those funds. LDNR wants to be able to recoup that money if FEMA elects not to pay for the design costs.

Mr. Garrett Broussard, LDNR, said that there are no more approved claims from FEMA. Currently two are approved, one being the Sabine Refuge Structures project for up to \$144,000. The FEMA representative has submitted the rest of the claims to the regional office.

Mr. Darryl Clark said that there is still the question if CWPPRA should fund the difference between what FEMA pays and hurricane damages. Mr. Tom Podany replied that if the money is available, this would be a decision that the sponsors would have to make. The sponsors would have to make a specific request if money were not available.

**DECISION: Mr. Rick Hartman made a motion for the Technical Committee to recommend moving forward with O&M activities on the projects that have available funds pending agreement between the Federal and State sponsors of those projects. Mr. Darryl Clark seconded. All Technical Committee members voted in favor and the motion passed.**

10. Agenda Item 9: Additional Agenda Items (Podany).

Mr. Bob Schroedor, C.H. Fenstermaker & Associates, said that he wrote a letter to General Strock asking him to rethink the issue of using Public Law 8499 funds, but has not yet received a reply.

11. Agenda Item 10: Date of Upcoming Task Force Meeting (LeBlanc). Mr. Tom Podany announced that the next Task Force meeting would be held on July 12, 2006 in Baton Rouge.

12. Agenda Item 11: Dates of Future Program Meetings (LeBlanc). Dates and locations of future program meetings can be found in **Encl 1**.

13. Agenda Item 12: Adjourn. Mr. Tom Podany adjourned the meeting at 12:25 pm.