

MEMORANDUM FOR RECORD

SUBJECT: Minutes from the 12 September 2012 CWPPRA Technical Committee Meeting

1. Mr. Thomas Holden opened the meeting at 9:35 a.m. The following Technical Committee members were in attendance:

Mr. Darryl Clark, U.S. Fish and Wildlife Service (USFWS)  
Mr. Rick Hartman, National Marine Fisheries Service (NMFS)  
Mr. Thomas Holden, U.S. Army Corps of Engineers (USACE), Chairman  
Ms. Karen McCormick, Environmental Protection Agency (EPA)  
Mr. Britt Paul, Natural Resources Conservation Service (NRCS)  
Mr. Kirk Rhinehart, LA Coastal Protection and Restoration Authority (CPRA)

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

2. Mr. Holden asked the members of the Technical Committee to introduce themselves. Mr. Clark extended the Technical Committee's sympathy to those who experienced hardships during Hurricane Isaac. Mr. Holden stated that the USACE is looking into what happened during Hurricane Isaac to see what can be learned from the storm and whether there was increased flooding in other areas as a result of the work performed in New Orleans. The USACE should have preliminary data in about a month, and the results will go through an independent external review. A report will come out later evaluating the pre- and post- Hurricane and Storm Damage Risk Reduction System information.

Mr. Holden opened the floor to discussion from the Technical Committee regarding the agenda.

Mr. Paul stated that he had a cost estimate to design repairs to the Black Bayou Culverts Hydrologic Restoration Project (CS-29).

**DECISION: Mr. Paul made a motion to add a discussion and decision about the cost to design repairs to the Black Bayou Culverts Hydrologic Restoration Project (CS-29) under Agenda Item No. 18. Ms. McCormick seconded. All Technical Committee members voted in favor and the motion passed.**

Mr. Clark stated that he would like to insert the terms "budget increase" into the last two sentences of Agenda Item No. 5B. The last two sentences in Agenda Item No. 5B should read, "The Technical Committee voted via email to make a recommendation to the Task Force to approve a budget increase and the requested funding... The Task Force subsequently voted to approve the budget increase and funding by fax vote on August 16, 2012."

**DECISION: Mr. Clark made a motion to insert the terms "budget increase" into the last two sentences of Agenda Item No. 5b. Mr. Paul seconded. All Technical Committee members voted in favor and the motion passed.**

**DECISION: Mr. Hartman made a motion to approve the agenda as amended. Mr. Paul seconded. All Technical Committee members voted in favor and the motion passed.**

3. Agenda Item 2. Report: Status of Breaux Act Program Funds and Projects (Susan Mabry, USACE). *Ms. Mabry provided an overview of the status of CWPPRA accounts and available funding in the Planning and Construction Programs.*

Ms. Mabry reported that total project costs for Project Priority List (PPL) 1-21 and Planning through FY 19 are \$2.5 billion. Projected funding through FY 19 is \$2.2 billion. The total approved cost for all projects is \$1.5 billion. With the increases in funding on the agenda today, the total approved cost for all projects is \$1.6 billion. Total Planning Program funding available today is \$429 million. The approved FY 13 Planning Program budget is \$4.6 million with \$452,400 for Outreach. The FY 13 Planning Program budget approved by the Task Force is \$5,070,838. With the carry-forward money, the total Planning Program budget would be \$5.4 million.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Clark pointed out that the Task Force approved a placeholder for the Outreach budget and today's agenda includes a vote for the recommendation to the Task Force for final approval.

Mr. Hartman asked for clarification that CWPPRA expects to have \$86 million available, plus almost \$25 million in returns from the Construction Program, for a total of approximately \$110 million. Mr. Brad Inman, USACE, verified this figure, but caveated that the amount of money from construction returns is an estimate, with a better estimate expected by the end of the year.

Mr. Holden opened the floor to comments from the public. There were no public comments.

4. Agenda Item 3. Status of Unconstructed Projects (Brad Inman, USACE). *Mr. Inman reported on the status of unconstructed CWPPRA projects that have been experiencing project delays and are considered "critical-watch" as well as projects recommended for de-authorization or transfer. As part of this report, the State discussed the evaluation of CWPPRA projects relative to consistency with the Master Plan and resolution of technical issues.*

A. Critical-watch unconstructed projects status and milestone updates:

Mr. Inman stated that the P&E Subcommittee developed a critical-watch list for unconstructed projects and he, John Jurgensen (NRCS), and Ken Teague (EPA) then identified the reasons and issues associated with each unconstructed project.

Weeks Bay Marsh Creation/Shoreline Protection/Commercial Canal/FW Redirection (TV-19) - The Technical Committee recommended that this project be de-authorized last year, but the Task Force did not take action. The P&E Subcommittee will make the same recommendation again this year.

Southwest Louisiana Gulf Shoreline Nourishment and Protection (ME-24) - The USACE is looking for a cost share agreement with the State for this project. General Peabody met with Mr. Garret Graves (CPRA) last month and discussed the cost share agreement. Mr. Inman was unaware if any new developments were made.

Mr. Hartman stated that the cost share agreement between the USACE and the State is a constant issue which the Technical Committee needs to keep tabs on and which will hopefully progress.

Mr. Holden responded that the plan is to discuss the cost share agreements as a group. The USACE had presented its best and final offer to the State, and the State rejected it. There is no discussion going on right now, and the ball is in the State's court.

West Pointe a la Hache Outfall Management (BA-04c) - Mr. Jurgensen reported that the State is the design lead on this project. The design has been sent back to the consultant for additional work, and the 30% review is set for October 3, 2012.

Bayou Sale Shoreline Protection (TV-20) - Mr. Jurgensen reported that the project team asked the Technical Committee for a scope change, which was not approved. Therefore the project team must evaluate other alternatives for the project and is currently focusing on what has been done at the Rockefeller Refuge. The P&E Subcommittee asked for a timeline to develop a new alternative and request a scope change. The project team plans to bring a request for scope change to the Technical Committee at the spring 2013 meeting.

Small Freshwater Diversion to the Northwest Barataria Basin (BA-34) - Mr. Teague reported that this project has been delayed for several reasons, the main reason being the complexity and construction expense of the proposed diversion route. The project team has reviewed the modeling and determined that the project could be constructed, but are not comfortable with the low benefit-cost ratio. Another goal of the project is to perform hydrologic restoration in the impounded areas. Swamp ecologists agree that changing the project scope to remove the diversion and just include the hydrologic restoration with some plantings could be inexpensive and have significant benefits. The project team is planning to request a scope change to modify the project at the April 2013 Technical Committee meeting.

River Reintroduction into Maurepas Swamp (PO-29) - Mr. Teague reported that this project consists of a Mississippi River reintroduction into a cypress swamp. It is very complex due to infrastructure in the area and the large distance between the Mississippi River and the benefit area. The USACE recently finished the gap analysis and the State is continuing the design on this project. Though there have been some delays with the design related to the cofferdam, the 95% design should be completed in February 2013. The project is not planned to be constructed under CWPPRA and the project team has been discussing other options. In February 2013, they will need to discuss transfer to another program.

Mr. Holden opened the floor to comments from the public.

Ms. Albertine Kimble, Plaquemines Parish Government, stated that Plaquemines Parish needs the West Pointe a la Hache Project. There is a siphon and the Parish needs outfall management. Regarding the diversion project, Ms. Kimble stated that the State Master Plan recommends several diversions, and Plaquemines Parish would like to keep them.

Mr. Glenn Ledet, Jr., Shaw Group, is contracted with Iberia and Vermilion Parishes to study the Weeks Bay Project. He strongly supports this project to continue to convey freshwater to Vermilion Parish. Mr. Ledet read a letter from Mr. Marty Trahan, Iberia Parish Councilman from District 13. In this letter, Mr. Trahan strongly opposed de-authorization of the Weeks Bay Project. This project will be instrumental in the protection of Iberia Parish along the Gulf Intracoastal Waterway, where extensive erosion has occurred. This project would also provide protection from hurricanes and tidal surges and assist with mitigation of flooding in the Bayou Jack area and has the potential to save lives and property. Mr. Trahan strongly urged the Technical Committee to reconsider their recommendation to de-authorize this project because it could be cost effective if combined with other projects at the Port of Iberia.

Mr. Jurgensen and Ms. McCormick clarified that the West Pointe a la Hache Project was not up for de-authorization; the Technical Committee just needs an update on the schedule to make sure the project stays on track to meet milestones.

Mr. P.J. Hahn, Plaquemines Parish Government, urged the Technical Committee to reconsider the West Pointe a la Hache Project as it is one of the least expensive CWPPRA projects, and this area has a drastic need for freshwater.

Mr. Paul Naquin, St. Mary Parish President, gave his support to the Bayou Sale Shoreline Protection Project. The Parish has been working with NRCS for ten years on this project, and thinks that they have come up with a solution to bring the price down significantly by using something similar to the Rockefeller Refuge Project. Mr. Naquin urged the Technical Committee to give the Parish and NRCS another year to evaluate the project. Mr. Naquin said that the CPRA may be able to help with the project.

Mr. Kevin Segura, Vermilion Parish Police Jury, gave his support to the Weeks Bay Project and wants to keep this project going. The Police Jury does not want the project de-authorized.

Mr. W.P. Edwards, Vermilion Corporation, stated that he represents the landowner near the distribution area and he feels that the Weeks Bay Project is a river diversion project for southwest Louisiana and not a marsh creation project as it is named. Mr. Edwards requested that the project be re-scoped as an EPA project and changed from a marsh creation project to a sediment diversion project as other sediment diversion projects are working.

- B. Unconstructed projects recommended by the P&E Subcommittee for de-authorization and their milestone updates:

Weeks Bay MC/SP/Commercial Canal/FW Redirection (TV-19) - Mr. Inman reported that CWPPRA and the State agreed to recommend de-authorization of this project last year. They reviewed the project design and determined that the project has several issues which will increase the cost, including pipeline crossings and 20 feet of muck where rock would not be stable.

Bayou Sale Shoreline Protection (TV-20) - Mr. Jurgensen stated that they are still looking at alternatives for this project, and Mr. Paul clarified that he does not want to recommend de-authorization today.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Hartman asked if there was any money left in the Weeks Bay budget for Engineering and Design (E&D). Mr. Holden responded that \$700,000 remains unspent. He added that as a USACE-sponsored project, the project is at a stalemate with no cost share agreement with the State. He explained that there is a process to de-authorize and a process to transfer, and the Technical Committee needs to decide which course to take.

Mr. Rhinehart stated that it is still the State's position to go through de-authorization on the Weeks Bay Project and asked for clarification on the de-authorization process.

Mr. Inman responded that if the Technical Committee voted to recommend de-authorization, it would be up to the Task Force to take that action. The public would be notified and stakeholders would be given a chance to comment. After comments are reviewed and addressed, the Technical Committee would vote to recommend final de-authorization. The Task Force would vote on the final de-authorization at some point between the January 2013 and January 2014 Task Force meetings, depending on the length of the comment period.

Mr. Rhinehart suggested that the Technical Committee could look at voting to recommend de-authorization as starting the discussion in earnest, but not as the final decision.

Mr. Hartman agreed with Mr. Edwards that a large amount of freshwater is flowing into Vermilion Bay and being wasted. The project was probably poorly designed from the start, but perhaps another agency could take a fresh look at the design.

Mr. Clark clarified that the issue is that there is money left in the budget, but no cost share agreement between the USACE and the State. He added that either the USACE or the State would have to initiate a design review.

Mr. Holden replied that the USACE would not opt to revisit the project design because that would continue to falsely lead the landholder to believe that the project could move forward when it cannot move forward as a USACE-sponsored project. He suggested that the project could possibly be re-scoped and transferred to a different agency.

Mr. Clark pointed out that based on the Standard Operating Procedures (SOP), the project would have to be re-scoped by the sponsoring agency or re-nominated as a new project in January 2013 or later.

Mr. Hartman suggested that it could be as simple as doing a transfer, and then the receiving agency could either re-scope or continue with de-authorization since there is \$700,000 available to evaluate the project.

Mr. Paul asked if there has been work performed by local entities, and Mr. Edwards responded affirmatively. Mr. Edwards stated that there has been some work, and if the project were re-scoped to remove the marsh creation component, the panels will work as protection.

Mr. Inman stated that Shaw gave a presentation last year which recommended concrete panels, but that the panels fail if material is placed behind them, eliminating the marsh creation benefits. The P&E Subcommittee's recommendation to de-authorize was based on this flaw.

Mr. Holden stated that if CWPPRA wants to transfer the project, the USACE will not object, but he does not want to revisit design within the USACE if the State will not cost share.

Mr. Rhinehart declared that the State had committed to take the project back to their engineers for reevaluation and had questions about how the project would perform and the cost benefit analysis. It became a difficult project to construct without a good benefit-cost ratio. Therefore, the State still wish to initiate de-authorization at this time. However, if other agencies and local entities wanted to look at new information or alternatives, those discussions could be presented at the Task Force meeting.

Mr. Paul stated that NRCS would not recommend de-authorization of the Bayou Sale Project at this time, as they are investigating other options to see if they can reduce projects cost. They are looking at alternatives used by NOAA at the Rockefeller Refuge Project, including Oysterbreak. Mr. Clark asked if NRCS was looking at using rock with low density aggregate core, which is being used on the Rockefeller Refuge Project. Mr. Paul responded negatively and stated that the Parish asked them to look at Oysterbreak to see if it has potential at the Bayou Sale Shoreline. Mr. Clark asked for a timeline on the alternative investigation and Mr. Paul replied spring.

Mr. Holden opened the floor to comments from the public.

Mr. Randy Moertle, Clovelly Farms/E.A. McIlhenny, asked if the State engineers actually talked to Shaw or if they just analyzed the report. Chris Allen (CPRA) replied that the State just reviewed the report. Mr. Moertle recommended that the project sponsors meet with the Shaw engineers, as terracing projects in nearby locations have been shown to capture sediment. He suggested the concrete panels be used as a cheap alternative to create terraces to capture sediment as well. Mr. Rhinehart agreed to investigate.

**DECISION: Mr. Hartman made a motion to initiate de-authorization on the Weeks Bay MC/SP/Commercial Canal/FW Redirection Project (TV-19). Ms. McCormick seconded, with the caveat that the State review potential options with Shaw as outlined by Mr. Moertle. All Technical Committee members voted in favor and the motion passed.**

- C. Unconstructed projects requested by the State to de-authorize due to inconsistencies with the 2012 State Master Plan and their milestone updates:

- Freshwater Bayou Bank Stabilization (TV-11b)
- Delta Building Diversion North of Fort St. Philip (BS-10)
- Avoca Island Diversion and Land Building (TE-49)
- Spanish Pass Diversion (MR-14)
- White Ditch Resurrection (BS-12)
- Bohemia Mississippi River Reintroduction (BS-15)

Mr. Inman explained that the State looked at the consistency of CWPPRA projects with the State Master Plan. CWPPRA has more projects than funding, so any projects that cannot move forward should be de-authorized so that money can be spent elsewhere and the budget can be balanced.

Mr. Bren Haase, CPRA, explained that since the release of the Master Plan, there has been good discussion about if and how the Master Plan will affect how CWPPRA operates. Mr. Haase stated that the goal of the Master Plan was to focus efforts to protect citizens and restore a sustainable coast, with the knowledge that the State is constrained by its budget. The State recognizes the need for a successful CWPPRA Program and does not intend to use the Master Plan as a vehicle to move projects off the books. However, because the State has limited resources, projects must be prioritized. A draft list of prioritized projects is included in the meeting binder. Projects with known issues, such as landowner demands or constructability problems, and which also do not fit within the goals of the Master Plan, are prioritized low. The State wants to begin a discussion of what to do with those low priority projects.

Mr. Holden opened the floor to discussion from the Technical Committee.

Ms. McCormick stated that natural processes have created the needed diversion at the Bohemian Mississippi River Introduction Project, so she agrees with de-authorization of this project.

Mr. Haase clarified that the State supports projects moving forward if they are already in progress and producing results even if the projects do not fit exactly within the Master Plan. Mr. Clark stated that it would be a travesty to stop work on existing projects on which millions of dollars have been spent just because they are not included in the Master Plan and added that many of the projects on the list that do not fit the Master Plan also have technical issues.

Mr. Paul asked if there has been any discussion with the stakeholders on de-authorizing these projects. Mr. Rhinehart responded negatively and explained that the intent was not to de-authorize the projects today, but to start a dialogue regarding project issues and to use the time between now the next meeting to reach resolutions to try to move these projects forward.

Mr. Inman agreed that the idea was to begin a discussion, not initiate de-authorization and added that the agenda was incorrect. Mr. Holden stated that the record should show that the unconstructed projects identified by the State have been requested to be considered under the de-authorization process. Mr. Holden then added that some of the projects on the list also have cost share issues between the USACE and the State.

Mr. Holden opened the floor to comments from the public.

Mr. Moertle reiterated that he recommends creating a placeholder for projects that are not moving forward. While the money could go back into the CWPPRA Program, the money already spent on research and design should not be wasted. The project should be filed in case an administration change or a hurricane changes priorities and makes the project viable in the future. CWPPRA should put these projects into dormancy, but the projects should not be de-authorized.

Mr. Holden responded that in the USACE process, a project can be de-authorized or the USACE can put the project into an inactive status. Mr. Holden asked Mr. Moertle if that is what he meant. Mr. Moertle stated that the issues surrounding projects may change and there may be a new environment that would make it apropos to move forward with some projects that are currently being considered for de-authorization. Not every project is de-authorized for technical reasons, and he hates to see them thrown away for policy reasons. He reiterated that he does not have a problem with returning the money to the Program, but does not want projects to be thrown out permanently. Mr. Rhinehart clarified that CWPPRA is not de-authorizing projects that are at 95% design based on policy issues. The primary issues with these projects are technical, related to the cost-benefit analysis, or the project has been denied Phase II funding multiple times. The Master Plan is prospective in nature, and projects that are already in the queue should continue. The State will support projects that are already in process, but does not want to start new projects in the PPL process that are not consistent with the Master Plan.

Mr. Hartman asked if any of the USACE-sponsored projects were at the 30% design level. Mr. Inman stated that if there is no cost share agreement, then there has been no activity by the USACE. There may have been some initial planning, but not much money has been spent on design.

Mr. Clark pointed out that Freshwater Bayou Canal (TV-11b) must be at 95% because it has been recommended for Phase II funding. Mr. Inman agreed it has been recommended for Phase II funding multiple times.

Mr. Hahn agreed with Ms. McCormick that some diversion projects are developing on their own, including the diversion north of Fort St. Philips. Plaquemines Parish is putting its own money into the Spanish Pass Project because it is so important for coastal restoration and businesses in the area. Oil and gas companies are considering moving because a strong southwest wind can push water over Tidewater Road. The State will lose money if these companies relocate to Mississippi.

Mr. Hartman asked if Mr. Hahn has talked to the State about Plaquemines Parish becoming the local project sponsor and assuming the cost share responsibilities. Mr. Hahn responded that the Parish was ready to accept liability, but had been informed that the Parish could not be a third party to the cost share agreement. Ms. McCormick disagreed that she thought the Parish could be a local sponsor.

Mr. Hahn stated that Plaquemines Parish is about to issue \$65 million in bonds to jump start projects on their own and are ready to be a cost share partner. Mr. Rhinehart and Ms. McCormick agreed to look at that type of collaboration. Mr. Hartman cautioned that the State may not be amenable to local sponsors because they want the 85% Federal share of CWPPRA funds to go towards projects consistent with the Master Plan. Mr. Hahn pointed out that the State Master Plan is in favor of diversions, and Spanish Pass is a diversion.

Mr. Clark stated that there is precedent where other entities have paid the 15% State match, but a State cost share agreement with the USACE is still required. In the case of Spanish Pass, it may require transfer to another agency. Mr. Hahn pointed out that this is just a culvert, and not a huge project.

Mr. Rhinehart used the Bertrandville Siphon Project as an example and agreed that the State is focusing on freshwater and sediment diversions, but they wish to focus on those that are in the Master Plan for consistency, to be able to manage them in concert to get the most benefits. When looking at some of the smaller projects, the State has concerns about the level of benefits versus the units of effort required. It may be just as difficult to get a small diversion in place as it is to get a larger one. The State wants to be focused so there can be a cohesive effort. Ms. McCormick replied that she also thinks stakeholders should have a voice and Mr. Rhinehart agreed that discussion is needed.

5. Agenda Item 4. Report: Status of the PPL 1 – West Bay Sediment Diversion Project (MR-03) (Josh Carson, USACE). Mr. Carson provided a status update on the West Bay Project and Closure Plan.

Mr. Josh Carson (USACE) gave a status update on the closure plan. The USACE is currently moving forward with the closure design. The Engineering Research and Development Center (ERDC) report updates were completed, and the USACE had discussions with the State. If West Bay is closed, the Pilottown Anchorage Area (PAA) will continue to shoal in completely, taking 20 to 30 years. Dredging plans and specifications are being finalized. Material from recent dredging in the navigation channel was placed in the West Bay receiving area. The closure design is a semicircle rock dike with a cost of about \$13 million; this option is the lowest risk for future operations and maintenance (O&M) requirements. They are still working on a foreshore element at the scourhold, and the timeline is still moving forward. No additional dredging is required for the rock closure. Real estate issues still exist. The cost to dredge will be \$10-20 million and the USACE will be ready to advertise for a dredging contract in October or November 2012. New islands will be built in the West Bay receiving area with dredged material from this dredging cycle. At the November 2008 Task Force meeting, a motion was made that required closure in FY 12 unless alternative funding was found, which has not happened. A motion is needed to reapprove the use of the \$15 million in funding to dredge the PAA. The USACE requested an email or fax vote by the Task Force to get the project out to bid.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Hartman expressed concern that closure will cost \$15 million, dredging \$10-20 million, and they may have to dredge it again for closure, meaning that CWPPRA is looking at spending an additional \$40 million at West Bay when only \$15 million is set aside.

At the last meeting, Mr. Rhinehart had asked Mr. Holden to look at whether CWPPRA could legally pay for 100% of the dredging now that the ERDC report is available and shows that the area was shoaling in before the CWPPRA project started, will continue to shoal if they close the diversion, and that the diversion only contributes 7-30% of the total shoaling.

Mr. Holden referred the question to Ms. Mary Kinsey, USACE attorney. Ms. Kinsey explained that the USACE is bound to act in accordance with decisions of the Task Force. The most recent decision was in 2002, when CWPPRA told the USACE and the State that CWPPRA was responsible for dredging at the PAA based on 1991 findings. Until this is changed by the Task Force, the USACE has to comply. If the Task Force decides to lessen the dredging responsibility to a percentage of dredging, there would have to be a decision document prepared that would lead to this determination. Such a decision would require an amendment to the cost share agreement and would require the same Section 221 provision to which the State has objected in the past. It would also require some additional National Environmental Policy Act analysis. If the State and USACE could not enter a cost share agreement, the USACE may have a Task Force decision that is not implementable.

Mr. Rhinehart asked if the cost share agreement superseded Federal law. Ms. Kinsey responded that the authorization that requires 100% removal of sediment in the anchorage has not changed at this time. Since this is a Water Resources Development Act project, it cannot be implemented and Federal funds cannot be expended without a cost share agreement. Mr. Rhinehart responded that the authorization for CWPPRA is clear that the program cannot spend money on projects solely for navigation. Ms. Kinsey responded that this project is not solely for navigation. Mr. Rhinehart stated that there are many navigation projects where maintenance dredging could go to coastal restoration projects, but there is a precedent for refusal to pay more than what is caused by a particular project. In this case, there seems to be a willingness by the USACE to accept responsibility for this project, which leads to questions of bias. There was an element of good faith with the knowledge that was had at the time of the cost share. They need to be careful now that they have this data on what they spend relative to dredging. The State does not want to spend \$15 million now to dredge given the findings of the ERDC report.

Mr. Holden stated that he understands the reluctance, but they have a binding Federal agreement that any induced impacts by the diversion in the channel would be handled by the USACE, and the anchorage would be handled separately by CWPPRA. Now they have a better understanding, but they are still bound by the agreement until the Task Force gives different direction. There is a sunset clause in the directive from the Task Force unless other funds are found, and other funds are not available. The USACE has a closure plan, but could not get the necessary rights of investigation and real estate from the State to close the diversion during the historic low water levels this year. The USACE is going through the condemnation process to get the real estate, but they will not have it until next year. It is regrettable, but this is a consequence of intransience to move forward as directed by the Task Force.

Mr. Holden opened the floor to comments from the public.

Mr. Sean Duffy, Executive Director of the Big River Coalition, reiterated that this dredged material is being beneficially used. There is more material than ever in the PAA, which equates to more acres that can be built. Mr. Duffy pointed out that this is a CWPPRA project, the location of which was chosen by CWPPRA. Mr. Duffy read the part of the original agreement that outlines how the PAA is supposed to be maintained, and stated that, by failing to maintain the PAA to the agreed-upon standards, CWPPRA has not upheld its side of the agreement. He continued that there are many issues and further discussions are required. He added that this project's cost per acre is one-fourth that of other projects and suggested using the \$100 million being put back into the Program today to honor this agreement. The navigation industry has trouble seeing a diversion closed that is working and building land, especially since it took ten years to get to a signed agreement. Discussions at the beginning of this project indicated that the people who made the agreement knew that shoaling was going to be an issue. He expressed concern that not maintaining this project sets a precedent that when things change, CWPPRA does not honor their agreements. If this is the case, how do the locals know what an agreement is in the future? He added that this project has created 300 to 500 acres of land that Plaquemines Parish can use.

Mr. Hartman asked if the Technical Committee was being asked to reconsider the use of the \$15 million. Ms. Kinsey explained that the USACE cannot get a dredging contract in place before September 30, 2012 and that the authorization to use this money expires on that date. Therefore, the USACE is asking the Technical Committee to recommend that the Task Force vote to extend the authorization to spend the money.

Mr. Hartman stated that he thought the \$15 million was earmarked for the actual closure of the project. Mr. Inman replied that it was authorized for closure and/or dredging. Mr. Clark clarified that the intent was to use the money for dredging to help close the project so as not to spend the money to dredge twice. Ms. Kinsey cautioned that there may be some real estate issues with placing the material in the opening. Also, the USACE is looking for a design that provides the best alternative to avoid future maintenance of the closure and if a lesser closure is put in and it begins to unravel, CWPPRA may have to spend more money over the project's 20-year life.

Mr. Clark suggested that the recommended rock closure could be placed in front of the dredged material, and the dredged material could be used to form a better closure.

Mr. Holden reiterated that unless the real estate issue is resolved, the USACE cannot proceed with installing the rock closure during the next low water cycle. A dredging need exists now, and the material will be used to build land. CWPPRA must maintain the closure for the performance life of the project through 2022; inaction opens CWPPRA and the USACE up to litigation. The total cost of closure is in the range of \$35-40 million, with the real estate issue as the root cause of why the closure cannot move forward at the same time as this dredging.

Mr. Rhinehart declared that the State did allow the USACE to use the State's right of entry for surveys and design work. While there is a real estate issue, there are many other issues that have delayed closure, including a fear of potential litigation. The State is concerned that if CWPPRA

uses the dollars, they are violating Federal law by dredging more than what is caused by the project. Mr. Rhinehart asked to hear the exact motion made by the Task Force in 2008. He understood that those funds were reserved for closure and dredging associated with closure.

Mr. Carson read the Task Force motion, which was made in November 2008 by Mr. Jim Boggs. The motion read: "To approve an O&M budget increase for the West Bay Sediment Diversion Project in the amount of \$28 million and approve incremental funding in FY 11 in the amount of \$11 million. Total revised project budget would then be \$50 million through 2012. Incremental funding would be used to cover costs associated with dredging the PAA in FY 09. The remaining increased budget would be used in FY 12 for possible closure of the diversion channel and/or dredging to restore the anchorage area. This motion includes a sunset clause requiring the closure of the channel in FY 12 unless alternative funding sources for the anchorage maintenance are found."

Mr. Clark stated that a motion is needed to extend the sunset clause from 2012 to 2013 or 2014. Mr. Paul recommended they keep it at 2013.

Mr. Holden stated that the real estate issue must still be resolved, but the timeline is to have condemnation, execute the construction contract, and close the diversion in 2013, subject to additional funding from CWPPRA.

Mr. Paul asked if dredging would be needed again next year if they dredge this year. Mr. Holden responded that it is a possibility, depending on the River. Mr. Inman added that they are going to try to do enough advanced dredging to minimize the amount of material for next year, but that the sediment amount and ERDC report are subject to the condition of the River.

Mr. Rhinehart asked if the 20 to 30 year shoaling timeframe is in the ERDC report. Mr. Carson responded no. Mr. Rhinehart suggested they only discuss facts since the 20 to 30 year figure is uncertain since it depends on the condition of the River.

Mr. Holden pointed out that the PAA has only been monitored since the project was built. The USACE does not agree with the State that CWPPRA cannot spend these monies. The Technical Committee has had the discussion about whether or not the diversion should stay open, but these decisions have to be made by the Task Force. The current matter is that the USACE cannot execute this dredge cycle within the sunset clause and CWPPRA needs to honor their commitment.

Mr. Rhinehart asked what would happen if the Technical Committee took no action here today. Mr. Holden replied that the Task Force can still take up the issue, but if the Task Force does not vote, the USACE cannot spend the money. They are putting lives and safety of people who traverse that channel at risk if the PAA is not dredged.

Mr. Sean Duffy reiterated that the navigation industry wants to see coastal restoration projects work. They have a commitment to the channel. There are shallow draft vessels with captains who are not as familiar with the channel which cannot use the anchorage to travel, and therefore have to go into the main deep draft channel. Deep draft vessels have to go further away from the

PAA to avoid any areas of shoaling which creates safety hazards. This is an emergency anchorage. Tankers that transit the lower River carry 600,000 barrels of oil. Mr. Duffy quoted: “If you think safety is expensive, try having an accident.” The USACE could look at over-dredging, which adds more acreage to Plaquemines Parish. The navigation industry has looked at ways to try to increase funding and have never asked for this diversion to be closed; they just want CWPPRA to uphold its agreement.

Mr. Rhinehart cautioned that this topic was not on the agenda for decision and these issues should be brought up as soon as possible. He does not take this lightly and does not like the implication that the CPRA and the State are not considering life safety. The CPRA and the State work for protection and restoration in an integrated fashion and life safety issues weigh on them when they consider how to use their dollars wisely and in a logical fashion. The State is trying to use all available dollars for the greatest efficacy possible for restoration and protection.

**DECISION: Mr. Hartman made a motion to recommend that the Task Force extend the sunset clause in the original 2008 motion on the availability of the \$15 million to FY 2013. Mr. Clark seconded. All Technical Committee members voted in favor except for Mr. Rhinehart, who abstained. The motion passed.**

6. Agenda Item 5. Report: Task Force Electronic Vote Approvals (Brad Inman, USACE). Mr. Inman reported on the results of electronic votes of the Task Force.

- A. Standard Operating Procedure for Project Transfers between Federal Agencies. At the June 8, 2011 meeting, the Task Force directed the Technical Committee to develop a SOP to address the situation where a project is transferred from one Federal sponsor to another. Draft language was presented to the committees for review and comments; the committees’ comments were then incorporated into an updated draft. The Technical Committee voted via email on July 3, 2012 to approve the language for the SOP for project transfers between Federal agencies. The language was then sent to the Task Force for approval. The Task Force voted via email on July 27, 2012 to approve the SOP for project transfers between Federal agencies.*
- B. O&M Incremental Funding and Budget Increase for the PPL 3 – Brady Canal Hydrologic Restoration (TE-28) Project – 2012 Maintenance Project. NRCS and CPRA requested approval for O&M incremental funding and a budget increase for the Project. CPRA had a low bid on an O&M contract with an expiration date of August 23, 2012 (30 days after the receipt of bids). NRCS and CPRA requested a budget increase in the amount of \$468,731 and an O&M incremental funding request of \$556,636. The Technical Committee voted via email to make a recommendation to the Task Force to approve the budget increase and requested funding. The Task Force subsequently voted to approve the budget increase and funding by fax vote on August 16, 2012.*

Mr. Holden opened the floor to discussion from the Technical Committee. There were no comments from the Technical Committee.

Mr. Holden opened the floor to comments from the public. There were no comments by the public.

7. Agenda Item 6. Decision Structure for Project Reaching 20-Year Life Span (Brad Inman, USACE). At the June 5, 2012 meeting, the Task Force directed the P&E Subcommittee to review current CWPPRA policies and procedures to make recommendations on procedures to evaluate, extend, de-authorize, terminate, or otherwise alter the disposition of projects approaching or meeting the end of their 20-year lifecycle, as well as other issues related to the 20-year lifecycle.

Mr. Inman reported that, under instructions from the Task Force, the P&E Subcommittee looked at the current uniform lifespan of 20 years for all projects and developed a checklist to look at options at the end of each project lifespan. The P&E recommendation is to keep the 20-year life, because this timeframe seems long enough to gather appropriate data and evaluate most projects.

Each agency provided tables with their projects nearing their 20-year lifespan. The P&E tried to standardize these tables by identifying landowners, permit holders, land rights, funds remaining, condition of structures, information regarding monitoring and maintenance from the State, and project effectiveness from the Coastwide Reference Monitoring System (CRMS) reports. For the vast majority of the projects, close outs are recommended. Some projects were identified for transfer of O&M responsibilities to other agencies. It has also been suggested that the Task Force, Technical Committee, and P&E hold a workshop to review project details and each agency must look at all legal issues for close out of their projects.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Clark thanked Mr. Inman and the P&E, and stated that this is a good draft which covers most of the points that Colonel Fleming mentioned in June and will be useful to work from at a possible future workshop. One exception is an issue with the Federal Emergency Management Agency (FEMA), such that under FEMA, if a project is not under an O&M plan, FEMA will not help repair the project in case of storm damage. Mr. Clark recommended that some type of comment be prepared regarding the FEMA issue. He was pleased that some agencies made recommendations on the project tables to indicate what they would like to do with their projects, but asked for recommendations on those that were not provided. The USFWS is recommending that all of their projects reaching the 20-year life be closed out since all are on Federal refuge land and the refuges will continue to maintain the projects that need maintenance.

Mr. Holden asked if the State had reviewed and concurred with the recommendations. Mr. Rhinehart responded that there are several options to consider, depending on the project, but that these tables generally capture the framework of what the State is trying to do. The State has discussed moving forward with individual projects and needs to resolve issues with liability and transfers.

Mr. Inman added that some agencies have met with the State. The USACE has not and needs to do so. The P&E is still filling in some of the blanks, and some agencies have not yet determined what they would like to do. The next step is to determine the cost of removing structures. The P&E would like direction from the Technical Committee and Task Force to make sure they are getting information on the specific areas needed.

Ms. McCormick has recommended a meeting with the Task Force as soon as possible to address this issue. They do not want to put anyone in the position to deal with this at the last minute.

Mr. Paul stated that NRCS is continuing to work on getting recommendations for their projects.

Mr. Holden stated that there are some projects with money available to resolve issues with project closeout, but some projects do not. There is liability associated with some of the structures, and he fully appreciates the State wanting to know what they are getting into if they agree to take over any of these projects. The Task Force will ask for milestones, priorities, and how they plan to get this done as transferring projects to the State is different than closing them out. He suggested looking at projects the State may be interested in taking over first.

Mr. Holden opened the floor to comments from the public. There were no public comments.

8. Agenda Item 7. Report: 2012 Report to Congress (Karen McCormick, EPA). Ms. McCormick presented an update on the 2012 Report to Congress. The U.S. Geological Survey (USGS), USFWS, EPA, and CPRA have been leading the 2012 Report to Congress efforts.

Ms. McCormick thanked the agencies that helped move this forward, especially USGS and Mr. Clark. The Report to Congress is essentially complete and will be available for Task Force review in October. Mr. Scott Wilson (USGS) stated that a final draft of the Report to Congress should be ready by September 25, 2012 with the final version ready for printing in January 2013.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Clark pointed out that everyone has reviewed the Report to Congress twice. The USGS is inserting photographs and working on the layout. By the end of September they should have comments from the agencies so editors have time to incorporate them and have a camera-ready copy available by the October Task Force meeting.

Mr. Holden expressed the USACE's thanks to Ms. McCormick for taking the lead on this project.

Mr. Holden opened the floor to comments from the public. There were no public comments.

9. Agenda Item 8. Report/Decision: Outreach Budget (Brad Inman, USACE). The Task Force approved the FY 13 Planning budget with a placeholder for the 2013 Outreach budget until further discussed. The Technical Committee and P&E Subcommittee held a teleconference on September 5, 2012 and discussed the Outreach budget and work plan. The Technical Committee made a recommendation to the Task Force concerning the Outreach budget and work plan.

Mr. Inman reported that they are asking for the same amount of money as last year.

Ms. Susan Testroet-Bergeron from the Outreach Committee stated that a summary of outreach activities and the budget are provided in the binder and that almost everything is the same as last year.

Mr. Holden opened the floor to comments from the Technical Committee.

Mr. Clark asked for clarification that the amount is \$452,400. Ms. Testroet-Bergeron responded affirmatively.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Clark made a motion to recommend to the Task Force an Outreach budget of \$452,400. Mr. Paul seconded. All Technical Committee members voted in favor and the motion passed.**

10. Agenda Item 9. Report: Coastwide Reference Monitoring System (CRMS) Report (Sarai Piazza, USGS).

Ms. Piazza reported that a summary of CRMS is included in the Report to Congress and that 12 of 13 Operations, Maintenance, and Monitoring (OM&M) reports have been submitted to partners for review. The Environmental Work Group is working on the Wetland Value Assessments for PPL 22 using CRMS data. Helpful feedback was received as a result of the July website training; past training sessions were attended by legislative aides, lawyers, University of New Orleans and Tulane graduate students, and researchers. The National Wetlands Research Center and CPRA have hosted brown bag lunches to introduce CRMS and available data. Since June, CWPPRA agencies have attended four conferences and given nine presentations that included CRMS data. CRMS was also well represented at the State of the Coast Conference. The USGS Hydrologic Index Report has been released, and two publications have been accepted that involve CRMS data. Also, there will be a major roll out for the CRMS website in October. CRMS coastwide area photography flights are scheduled for October and November; the data from these is due as a deliverable in April 2013. The Gulf of Mexico Alliance and the Gulf Coast Ecosystem Restoration Task Force are in the initial stages of developing a Gulf of Mexico monitoring plan and CRMS will be a model for the wetland monitoring portion of that plan. There is potential for this to be a funding source.

Ms. Piazza continued that there are implications for CRMS due to Hurricane Isaac. Coastal Estuary Services (CES) is currently performing damage assessments. These assessments first look at infrastructure, answering the questions: What at the site may need to be repaired/replaced? Is the sonde post still there? The second part of the damage assessment focuses on biological impacts, such as evidence of storm surge, species present, and if there are any obvious signs of salt burning. CES is taking pictures which can also be used to validate information gathered through other sources.

USGS paid for a coastal flight last Tuesday, which was focused on Breton Sound. A salt burned and brown marsh was observed on this flight. Several monitoring sondes are still operating, despite being covered by water during Hurricane Isaac. So far in the damage assessments, CRMS only had two sondes that failed and one out of 60 was missing.

Ms. Piazza presented a map that showed where damage assessments have been performed to date. All sites from the Pontchartrain Basin to the Teche/Vermilion Basin will be assessed, but

CES will only perform damage assessments on a case-by-case basis in the Mermentau and Calcasieu Basins.

Raw data has been given to CPRA in an expedited fashion. In the Biloxi Marsh and the Northshore of Lake Pontchartrain, the peak water level range was 5-9 feet. The Upper Barataria Basin had peak levels of 4-5 feet. All ten gauges that provide real time data survived and recorded data throughout the entire event. She presented the storm surge data at these locations. The Lower Barataria Basin saw 7-7.5 feet, Maurepas had about 5 feet, and Rockefeller had less than 0.5 feet.

Ms. Piazza stated that there will be website updates in October. Since Google maps are no longer free to Federal entities, CRMS developers have done a great job transitioning from Google to another mapping interface. All of the functionality is still there and all future presentations and trainings will use the new the website.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Clark congratulated the CWPPRA Program and CRMS. He asked for clarification about the Gulf of Mexico Alliance possibly putting more money into this program. Ms. Piazza clarified that the Alliance seems to be leaning towards the CRMS model for wetland monitoring, and there may be an opportunity for funding in the future. Mr. Clark suggested that the Alliance is saying they will use this for Louisiana, and if there is any money left over, they will use this model for the other states such as Texas.

Mr. Rhinehart thanked Ms. Piazza and noted that CRMS has received national and international recognition. He asked what happens to monitoring equipment after a hurricane. Ms. Piazza responded that CES is taking equipment with them on their damage assessments and fixing problems as they are found. She added that CRMS wants to continue monitoring and not let this event stop the data collection. She said that there are some land rights issues in gaining access to some areas due to teal season.

Mr. Holden opened the floor to comments from the public. There were no public comments.

11. Agenda Item 10. Decision: PPL 23 Process Approval (Brad Inman, USACE). At the June 5, 2012 meeting, the Task Force approved the PPL 23 Process with the condition of adding that the projects nominated must be consistent with the 2012 State Master Plan. This language was added to the PPL 23 Process and a representative of the State will be present at the Regional Planning Team (RPT) meetings to provide guidance on the consistency of project nominations. Also, the number of project nominees for the basins were redistributed based on the updated land loss rates (1985-2010). The Technical Committee considered and voted to make a recommendation to the Task Force to approve the PPL 23 Process.

Mr. Inman reported that at the June 5 Task Force meeting there was discussion about the PPL 23 process being consistent with the State Master Plan. Appendix A in the meeting binder shows the language changes that resulted from that meeting so that efforts in PPL 23 will be consistent with

State Master Plan goals. There were also changes suggested for the number of projects from individual basins.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Holden asked if the public had a chance to see this language change. Mr. Clark responded no, but the USFWS has seen the language change.

Mr. Kevin Roy, USFWS, reported that, of all the changes that were made to the PPL 22 Process to get ready for PPL 23, the most significant is the redistribution of nominees across basins. CWPPRA wants to select a certain number of nominees in each basin to ensure efforts are spread throughout the coast. Basins with the greatest amount of land loss get more nominees. This has been based on a 1985 – 2006 analysis. A new USGS land change analysis (1985 – 2010) is available for PPL 23 so they want to use the most up-to-date information to determine nominee distribution.

Mr. Roy reported that the Barataria and Terrebonne Basins have the most land loss with over four square miles lost per year between 1985 and 2010. With these extremely high loss rates, the number of nominees from these basins has increased from three to four. Breton Sound and Pontchartrain Basins each get three nominees, while Mermentau, Calcasieu-Sabine and Teche-Vermilion Basins each get two. The Mississippi River Delta Basin does not get any nominees because projects within that basin are not included in the State Master Plan. PPL 23 will maintain one nominee in the Atchafalaya Basin even though this area is gaining land, and there is one coastwide nominee. The total number of nominees increased from 21 to 22.

Mr. Holden opened the floor to comments from the public.

Mr. James Harris, USFWS, proposed that the following language be added: “That projects which may be located outside Master Plan Project boundaries, but which protect and/or sustain significant wetland, wildlife, cultural, and public use values, may be proposed and considered for funding until such time that construction of State Master Plan projects designed to replace and compensate for such values is complete.” Mr. Harris stated that this language is not meant to subvert or bypass the Master Plan, but would help the Technical Committee define consistency. He would like to allow the Task Force to evaluate projects that do not fit the Master Plan parameters or boundaries exactly, but are close. This language is also meant to moderate what may be an overzealous interpretation of “consistency” at RPT meetings. It allows the Task Force to evaluate the progress that is being made and how money is being spent on Master Plan projects. Even if the State were to receive \$50 billion next year, the State would not be in a position to start implementing all of the projects in the Master Plan. Some larger projects are 10 to 20 years away from being implementable, and the Technical Committee and Task Force should have the flexibility to consider smaller projects to protect and sustain significant coastal resources while large scale projects are brought online. Even if the Task Force approved a \$25 million project each year for 20 years that was not quite consistent with the Master Plan, but met requirements as a significant resource, those projects would be 1% of the State Master plan total budget.

Mr. Clark expressed his appreciation for Mr. Harris' suggested modification, but regretted presenting this to the Technical Committee at the last minute. He proposed keeping the language as is and including Mr. Harris' suggestion in future discussions about what consistency means. Mr. Clark does not recommend making a motion to include it in the PPL 23 Process at this meeting because the Technical Committee has not had enough time to review, but recommended deferring it to the planned workshop discussing projects at their 20-year life.

Mr. Holden asked Mr. Inman if they needed to take action on this today, or if they could delay to the December meeting. Mr. Inman responded that they need to be ready for the January RPT meetings.

Mr. Rhinehart stated that this is completely unacceptable to the State and expressed his disappointment that they keep rehashing this issue. While there are good intentions, this reintroduces little projects on which the State does not want to focus. The State unequivocally will not cost share on projects that are not consistent with the Master Plan. The State is willing to talk to people about how projects fit into the Master Plan. The P&E developed a good PPL 23 process. CWPPRA needs to focus on advancing projects in the Master Plan and looking at other projects will take time and money away from that goal.

Mr. Hartman stated that he was not prepared to defer this issue.

Mr. P.J. Hahn, Plaquemines Parish Government, expressed his opposition, adding that this is basically writing off the lower end of Plaquemines Parish, which the State has already done.

**DECISION: Mr. Clark moved to recommend Task Force approval of the PPL 23 process as it is currently written. Mr. Hartman seconded. All Technical Committee members voted in favor and the motion passed.**

12. Agenda Item 11. Report/Discussion: Status of the PPL 10 – Rockefeller Refuge Gulf Stabilization Project (ME-18) (Dr. John Foret, NMFS). The NMFS and CPRA made a presentation on the project status. The presentation included two construction alternatives of the original project, and then solicited input from the Technical Committee on both alternatives. After the project was transferred to the Coastal Impact Assistance Program (CIAP) in November 2007, NMFS returned all unspent Phase I funds, \$877,000, to the CWPPRA program in 2008. Depending upon the construction alternative selected, the next steps for this project are to request a project scope change and conclude Phase I. This will also require a request for funds at the time of change in scope.

Dr. Foret reported that this is a PPL 10 project located between Cameron and Vermilion Parishes. The project is focused on Joseph Harbor Canal, where a lot of erosion has occurred, and the original intent was to protect 9.2 miles. The project team had to look at a variety of alternatives because of the poor load-bearing capacities of the soil. CWPPRA did not fund this project in 2005 or 2006. In 2007, CIAP chose the project for construction and monitoring and constructed three design alternatives: (1) a reef breakwater constructed low and wide due to the poor loadbearing capabilities of the soil; (2) a reef breakwater with a lightweight aggregate core (LWAC) that was built a little higher than the first option; and (3) use of crushed aggregate

stone. The result of these tests is that the geotechnical investigation was correct – the soil is soft. Timing is very important to this project because the Gulf is unpredictable. This has been monitored for a year. There were very low settlement rates, about six inches, and the demonstrations are well on track to meet goals. Settlement was very quick, within a day and a half, and then slowed. The lightweight aggregate alternative slowed the land loss the most, and at some points has produced a land gain. The Gulf currents moved the crushed aggregate stone down towards Galveston as soon as it was placed. The project team is moving forward with the more expensive lightweight aggregate alternative. The program cannot afford 9.2 miles of lightweight aggregate, so they are looking at two subsets: one is a two mile section and another is a five mile section. The shoreline on either side of these breakwaters is still eroding at a minimum rate of 38 feet per year, and there is now an exchange occurring between the Gulf and Price Lake. About 490 acres are threatened by the water coming in and changing the habitat too quickly.

The project team will ask for a scope change, which involves reducing the project length and spending the remaining money for design, at the end of the year. There will need to be a new Military Interdepartmental Purchase Request (MIPR) with the USACE. The 30% design review is scheduled for May/June 2013 with the 95% review in July 2013. They will ask for Phase II funding at the end of next year.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Clark asked for clarification on the heights of the LWAC and non-LWAC. Dr. Foret responded that the LWAC was built at four feet, and settled to three. The non-LWAC was built at three feet, and settled to 1.5 feet.

Mr. Holden asked for clarification on the height of wave action the LWAC can survive. Dr. Foret responded that they are studying 10-foot waves, which the LWAC could survive.

Mr. Clark stated that this project still has money in its Phase I E&D budget. Dr. Foret responded that the project team wanted to be transparent in how they are spending the money since they will be requesting a scope change.

Mr. Rhinehart asked if the estimates include O&M. Dr. Foret responded negatively; the estimates are for construction plus 15%. Mr. Rhinehart asked for maintenance cost estimates. Dr. Foret stated that he did not know, but they are not looking at doing any maintenance. The engineers are comfortable with that as it is designed.

Mr. Hartman clarified that they are asking permission to use the remaining budget to complete design to 95% now that they have the results of the CIAP project. The project is consistent with the State Master Plan.

Ms. McCormick stated that she was okay with approving the scope change today. Dr. Foret stated that he wanted to bring the issue up today so that no one is blindsided by the request later.

Mr. Holden opened the floor to comments from the public. There were no public comments.

13. Agenda Item 12. Decision: Annual Request for Incremental Funding for FY 15 Administrative Costs for Cash Flow Projects (Susan Mabry, USACE). *The USACE requested funding approval in the amount of \$18,996 for administrative costs for cash flow projects beyond Increment 1. The Technical Committee considered and voted to make a recommendation to the Task Force on the request for funds.*

Mr. Inman corrected that the requested amount is \$20,331.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Paul asked for clarification that this money will come out of Agenda Item 15. Mr. Inman responded affirmatively.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Holden moved to recommend Task Force approval for total FY 15 incremental funding in the amount of \$20,331 for administrative costs for cash flow projects beyond Increment 1. Mr. Clark seconded. All Technical Committee members voted in favor and the motion passed.**

14. Agenda Item 13. Decision: Request for funding for the CWPPRA Program's Technical Services (Scott Wilson, USGS). *The USGS and CPRA requested funding for technical services for the CWPPRA program in the amount of \$186,018. The Technical Committee considered and voted to make a recommendation to the Task Force to approve the request for funding.*

Mr. Inman reported that this is the same amount that was requested last year. Mr. Wilson added that this is for ongoing services which the State and USGS perform for the Task Force.

Mr. Holden opened the floor to discussion from the Technical Committee. There were no Technical Committee comments.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Ms. McCormick moved to recommend Task Force approval for funding for CWPPRA's technical services in the total amount of \$186,018. Mr. Clark seconded. All Technical Committee members voted in favor and the motion passed.**

15. Agenda Item 14. Decision: Request for Monitoring Incremental Funding and Budget Increases (Chris Allen, CPRA). *The Technical Committee considered and voted to make a recommendation to the Task Force to approve requests for total FY 15 incremental funding in the amount of \$9,862,186 and Monitoring budget increases totaling \$271,679.*

The list of PPL 9+ projects requesting approval for FY 15 incremental funding in the total amount of \$271,254 include:

- Coastwide Plantings Phase II (LA-39), PPL 20, NRCS  
Incremental funding amount (FY 13-15) (Vegetation Assessment, Mapping): \$57,143
- Coastwide Nutria Control Program (LA-03b), PPL 11, NRCS  
Incremental funding amount (FY 13-15): \$99,582
- Whiskey Island Back Barrier Marsh Creation (TE-50), PPL 13 EPA (Habitat Mapping 2014)  
Incremental funding amount (FY 13-15): \$13,179
- Mississippi River Sediment Delivery Bayou Dupont, (BA-39), PPL 12, EPA  
Incremental funding amount (FY 13 - 15): \$85,133
- Delta Management at Fort St. Philip (BS-11), PPL 10, USFWS  
Incremental funding amount (FY 15): \$16,217

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Clark stated that he has no problems with the list of PPL9+ projects presented.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Clark moved to recommend Task Force approval for FY 15 incremental funding in the total amount of \$271,254.00 for the projects listed. Mr. Paul seconded. All Technical Committee members voted in favor and the motion passed.**

Mr. Inman presented the Naomi Outfall Project (BA-03c), PPL 5, as the PPL 1-8 project requesting approval for FY 15 incremental funding in the total amount of \$5,292.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Clark stated that this project just needs the additional year incremental funding.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Clark moved to recommend Task Force approval for FY 15 incremental funding in the total amount of \$5,292 for the Naomi Outfall Project (BA-03c). Ms. McCormick seconded. All Technical Committee members voted in favor and the motion passed.**

Mr. Inman presented the PPL 1-8 projects requesting approval for a monitoring budget increase of \$271,679 and FY 15 incremental funding in the total amount of \$116,610. The projects are:

- Boston Canal/Vermilion Bay Bank Protection (TV-09), PPL 2, NRCS (shoreline mapping and 1 OM&M report)  
Budget increase amount: \$31,099  
Incremental funding amount (FY 13 – FY 15): \$31,099
- Sabine Refuge Marsh Creation Increment 3 (CS-28) PPL 8, USACE (topographic surveys years 6 and 10, and 2 reports)  
Budget increase amount: \$240,580  
Incremental funding amount (FY 13 – FY 15): \$85,511

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Hartman asked for the purpose of the increase for the Sabine Refuge Marsh Creation Project. Mr. Allen responded that the increase is for two elevation surveys in cycle three, which was recently added. The project originally only had vegetative monitoring.

Mr. Clark stated that USFWS is a cosponsor of this project and the amount of money seems high. He suggested the survey lines be placed further apart to reduce cost. Mr. Allen responded that Mr. Clark may be correct.

Ms. Leigh Ann Sharp, CPRA, stated that the original monitoring plan included optional surveys, if the money was available, but the surveys were not included in the original budget. The plan suggested surveys every two years because they will be building more cycles. This will be the first survey performed. The survey lines are close together because they are the same survey lines that were used for the as-built surveys. The USACE did look at doing the surveys themselves, but it cost about the same as using a contractor.

Mr. Clark stated that he thought the survey lines are too close. Ms. Sharp responded that he may be correct. There is now a CRMS site within the project area, and the elevation data from that site is somewhat representative of the project area. Mr. Hartman pointed out that just because the as-built surveys had a certain number of points, does not mean that the same number of points is necessary to be able to compare the two surveys.

Mr. Holden noted that the as-built surveys are used to control contractor performance. The USACE is not going to change their standards, but the standards are probably higher than what is necessary to monitor settlement rates of the project.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Clark moved to recommend Task Force approval for a monitoring budget increase of \$271,679 and FY 15 incremental funding in the total amount of \$116,610 for the listed projects. Ms. McCormick seconded. All Technical Committee members voted in favor and the motion passed.**

Mr. Allen said that the CRMS Wetlands Project is requesting approval for FY 15 incremental funding in the total amount of \$9,469,030.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Holden asked Ms. Piazza if she had an estimate of costs to repair damage from Hurricane Isaac. Ms. Piazza responded that she does not have an estimate at this time. She added that the OM&M for this year was less than the estimate, so they do have some carry-forward money.

Mr. Rhinehart asked if this effort was FEMA reimbursable. Ms. Piazza responded that they have gotten some items reimbursed in the past. Mr. Holden added that they should at least try to be reimbursed by FEMA.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Rhinehart moved to recommend Task Force approval for FY 15 incremental funding in the total amount of \$9,469,030 for CRMS. Mr. Clark seconded. All Technical Committee members voted in favor and the motion passed.**

16. Agenda Item 15. Decision: Request for O&M Incremental Funding and Budget Increases (Chris Allen, CPRA). The Technical Committee considered and voted to make a recommendation to the Task Force to approve requests for total FY 15 incremental funding in the amount of \$10,970,620 and O&M budget increases totaling \$5,422,018.

Mr. Inman presented the following projects for FY 15 incremental funding and O&M budget increase approvals:

- A. PPL 9+ Projects requesting approval for the FY 15 incremental funding in the total amount of \$4,066,549 for the following projects:
- Lake Borgne Shoreline Protection (PO-30), PPL 10, EPA  
Incremental funding amount (FY 15) (O&M and State Insp.): \$4,790  
Incremental funding amount (Federal S&A): \$1,132
  - Delta Management at Fort St. Phillip (BS-11), PPL 10, USFWS  
Incremental funding amount (FY 15) (O&M and State Insp.): \$442,392  
Incremental funding amount (Federal S&A): \$18,433
  - Pass Chalant to Grand Bayou Pass Barrier Shoreline Restoration (BA-35), PPL 11, NMFS  
Incremental funding amount (FY 15) (O&M and State Insp.): \$4,556  
Incremental funding amount (Federal S&A): \$1,245
  - Pelican Island and Pass La Mer to Chalant Pass (BA-38), PPL 11, NMFS  
Incremental funding amount (FY 15) (O&M and State Insp.): \$33,399  
Incremental funding amount (Federal S&A): \$17,158
  - Mississippi River Sediment Delivery System – Bayou Dupont (BA-39), PPL 12, EPA  
Incremental funding amount (FY 15) (O&M and State Insp.): \$8,593  
Incremental funding amount (Federal S&A): \$8,593
  - Goose Point, Point Platte Marsh Creation (PO-33), PPL 13, USFWS  
Incremental funding amount (FY 15) (O&M and State Insp.): \$258,602  
Incremental funding amount (Federal S&A): \$10,775
  - Coastwide Nutria Control Program (LA-03b), PPL 11, NRCS  
Incremental funding amount: \$2,133,168
  - Coastwide Planting Program (LA-39), PPL 20, NRCS  
Incremental funding amount (FY 15) (O&M and State Insp.): \$1,124,582  
Incremental funding amount (Federal S&A): \$1,335
  - Little Lake Shoreline Protection/Dedicated Dredging near Round Lake (BA-37), PPL 11, NMFS  
Incremental funding amount (Federal S&A): \$1,554
  - Four Mile Canal Terracing and Sediment Trapping (TV-18), PPL 9, NMFS  
Incremental funding amount (Federal S&A): \$1,000
  - Whiskey Island Back Barrier Marsh Creation (TE-50), PPL 13, EPA  
Incremental funding amount (Federal S&A): \$10,360

- New Cut Dune/Marsh Restoration (TE-37), PPL 9, EPA  
Incremental funding amount (Federal S&A): \$4,782
- B. PPL 1-8 Projects requesting approval for FY 15 incremental funding in the amount of \$1,508,066 for the following projects:
  - Cote Blanche Hydrologic Restoration (TV-04), PPL 3, NRCS  
Incremental funding amount (FY 15) (O&M and State Insp.): \$1,500,000  
Incremental funding amount (Federal S&A): \$1,325
  - Black Bayou Hydrologic Restoration (CS-27), PPL 6, NMFS  
Incremental funding amount (Federal S&A): \$2,000
  - Point au Fer Canal Plugs (TE-22), PPL 2, NMFS  
Incremental funding amount (Federal S&A): \$2,353
  - Lake Chapeau Sediment Input and Hydrologic Restoration (TE-26), PPL 3, NMFS  
Incremental funding amount (Federal S&A): \$2,388

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Paul stated that they needed to subtract \$1,335 from Group A for the Coastwide Planting Program, which was included in Agenda Item 12.

Mr. Clark stated that he has no problems with the incremental funding requests for Groups A and B.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Clark moved to recommend Task Force approval for FY 15 incremental funding for the listed PPL 9+ projects in the total amount of \$4,065,214 and FY 15 incremental funding for the PPL 1-8 projects in the total amount of \$1,508,066. Mr. Paul seconded. All Technical Committee members voted in favor and the motion passed.**

The PPL 1-8 Projects requesting FY 15 incremental funding and O&M budget increase approvals are:

- C. PPL 1-8 Projects requesting approval for an O&M budget increase of \$5,422,018 and FY 15 incremental funding in the amount of \$5,396,005 for the following projects:
  - Freshwater Bayou Wetland Protection (ME-04), PPL 2, NRCS  
Budget Increase amount: \$2,450,664  
Incremental Funding amount: \$2,450,664
  - Freshwater Bayou Bank Stabilization (ME-13) PPL 5, NRCS  
Budget Increase amount: \$2,971,354  
Incremental Funding amount: \$2,945,341

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Hartman asked why a \$5 million budget increase was needed for Freshwater Bayou. Mr. Allen responded that much of the rock has fallen below grade and they want to do one last O&M before the end of the project life. There are breaches in some places that need to be repaired and

once those breaches are repaired, the structure may be effective for up to 30 years. The original constructed height was four feet and they want to bring the elevation up to 3.5 feet.

Mr. Paul stated that they used rock from Wax Lake on the Freshwater Bayou Project and some of the rock has rolled over due to traffic in the canal. There has been an elevation lift before. This would be the last lift during the project life and allow them to leave the project in good condition.

Mr. Clark asked about the surveys used to estimate the cost. Mr. Allen responded that the current surveys are fine, but more surveys are budgeted for next year. The current estimates are conservative and use \$75/ton with a 25% contingency. Mr. Mel Guidry, CPRA, stated that they coordinated with NRCS for the surveys at the end of 2011, and feel that these surveys were adequate for determining the cost estimate quantities.

Mr. Holden asked for the disposition for these projects, because they reach their 20 year life in three years. He asked if this is a sound investment and who will assume the risk for recreational and commercial traffic in the area after the 20-year life.

Mr. Allen stated that this is something they will have to consider, but this is the case for a lot of CWPPRA projects. This project has these needs now. This is a conservative estimate and the O&M would improve the performance of the project.

Mr. Rhinehart asked for clarification on urgency of this action. Mr. Allen responded that it is planned for FY 13 or FY 14. Mr. Clark stated that the photos seem to indicate that the sections of rock that need to be topped off are not that much lower than the surrounding rock and are not below the water level. Mr. Guidry responded that the condition of the rock varies by reach.

Ms. McCormick stated that, as these projects near the end of their lifecycles, she is not sure about spending this amount of since they do not know if the projects will be decommissioned and if the rock out will have to be removed. Mr. Paul responded that they have not gotten to that point yet, but he still thinks this is a good investment because the project has provided benefits.

Mr. Holden opened the floor to comments from the public.

Mr. W.P. Edwards, Vermilion Corporation, stated that CWPPRA is mandated to keep these projects in good order for 20 years which are not yet up. The rock is getting knocked off the top and the cost will only increase if they delay maintenance. CWPPRA must maintain the structure if they are going to hold up their end of the bargain.

Ms. McCormick asked for clarification on the 20-year life. Mr. Paul responded that these are 20-year projects, not demonstration projects.

Mr. Rhinehart asked when funding could be approved if not approved today. Mr. Holden indicated that they could do a fax vote. Mr. Rhinehart's inclination would be to approve it; however, he thinks the Freshwater Bayou Project should be one of the first projects discussed

with the Task Force relative to project life and liability. This is representative of what CWPPRA will have to think about for other projects moving forward.

Mr. Clark stated that he would feel better with this proposal if the landowner or someone else was willing to assume liability at Year 20. There is a possibility that CWPPRA may be removing the rock at Year 20, although he hopes CWPPRA does not have to dismantle any structures that have been built.

Mr. Holden explained that each agency's decisions on their projects comport with that agency's policies on divestment of risk. He does share Mr. Rhinehart's position. They have the ability, with a properly structured motion, to approve this contingent upon a discussion with the Task Force. This could be the test case of how they address this issue. He would look to NRCS because it is their project.

Mr. Edwards stated that this is not just a shoreline protection project; this is the western boundary of the Mermentau Basin, which the USACE is mandated to maintain as a freshwater basin on a navigation channel which his company opposed. He stated that to ask the private landowner to assume risk, of which should be Federal, is not American.

**DECISION: Mr. Paul moved to recommend Task Force approval for an O&M budget increase of \$5,422,018 and FY 15 incremental funding of \$5,396,005 for the listed projects, and explain the issues to the Task Force. Ms. McCormick seconded, and then withdrew her second. Mr. Clark seconded. Ms. McCormick and Mr. Hartman voted against. Mr. Rhinehart, Mr. Clark, and Mr. Paul voted in favor. Mr. Holden abstained. The motion passed.**

17. Agenda Item 16. Decision: Request for Approval for Final De-authorization of the PPL 10 – Benneys Bay Diversion Project (MR-13) (Scott Wandell, USACE). USACE and CPRA requested approval for final de-authorization of the Project based on the high cost of dredging associated with the project. The Technical Committee voted on a recommendation to the Task Force to approve final de-authorization of the Project.

Mr. Inman reported that they received one public comment that agreed with the de-authorization. Mr. Holden opened the floor to discussion from the Technical Committee. There were no Technical Committee comments.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Rhinehart moved to recommend Task Force approval for final de-authorization of the Benneys Bay Diversion Project (MR-13). Mr. Paul seconded. All Technical Committee members voted in favor and the motion passed.**

18. Agenda Item 17. Decision: Request for Approval for Final De-authorization of the PPL 9 – Little Pecan Hydrologic Restoration Project (ME-17) (Britt Paul, NRCS). NRCS and CPRA requested approval for final de-authorization of the Project. As a result of the Phase I Engineering and Design Analysis, the project team has determined the current project features

do not yield sufficient wetland benefits to warrant a Phase II request for the construction and 20 years of maintenance. The Technical Committee voted on a recommendation to the Task Force to approve final de-authorization of the Project.

Mr. Inman reported that there have been no public comments regarding the de-authorization of this project.

Mr. Holden opened the floor to discussion from the Technical Committee. There were no Technical Committee comments.

Mr. Holden an opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Hartman moved to recommend Task Force approval for final de-authorization of the PPL 9 – Little Pecan Hydrologic Restoration Project (ME-17). Mr. Clark seconded. All Technical Committee members voted in favor and the motion passed.**

19. Agenda Item 18. Additional Agenda Items (Tom Holden, USACE).

Mr. Paul reported that they have an estimate from the design contractor for the cost to design repairs for the Black Bayou Culverts Project. Water was detected moving underneath the culvert after construction. A cofferdam was installed, but the structure needs permanent repairs. The cost estimate is approximately \$616,000 to design the repairs and \$10,000 each for two reviews by NRCS and CPRA, for a total of \$636,747. This is short notice because they are trying to move forward and would like to get the repairs done as soon as possible.

Mr. Holden opened the floor to discussion from the Technical Committee.

Mr. Hartman asked if the highway would be at risk if the cofferdam failed. Mr. Paul responded that the highway is not at risk and the structure is not unstable. The repair consists of a cutoff wall, which should have been constructed originally. There is also the need for serious geotechnical investigations.

Mr. Hartman asked for clarification that this expenditure is just for design, and there will be another request for the actual repair. Mr. Paul responded affirmatively.

Mr. Holden asked about the original designer and if the design was reviewed. Mr. Paul responded that the design was done internally at NRCS, and it was reviewed by the LA Department of Transportation and Development and the NRCS National Design Center.

Mr. Hartman asked why so much money was being spent on geotechnical engineering. Mr. Paul said that due to sand lenses in the area, they want to make sure the correct size pilings are installed deep enough this time. Mr. Hartman asked what happens if no action is taken. Mr. Paul responded that the cofferdam will stay in place until it fails.

Mr. Holden asked for confirmation that NRCS will be using an Architecture/Engineering (A/E) firm. Mr. Paul responded affirmatively and named the A/E firm as Lonnie Harper & Associates.

Mr. Holden stated that he is comfortable with the engineers and the amount of money budgeted for review.

Mr. Paul stated that the project was working before it developed problems and should continue to work again once the repairs are made.

Mr. Holden opened the floor to comments from the public. There were no public comments.

**DECISION: Mr. Paul moved to recommend Task Force approval by fax vote for a budget increase of \$636,747 for design and review of repairs to the Black Bayou Culverts Project. Mr. Clark seconded. Mr. Rhinehart, Mr. Clark, and Mr. Paul voted in favor. Ms. McCormick and Mr. Hartman opposed. Mr. Holden abstained. The motion passed.**

20. Agenda Item 19. Request for Public Comments (Tom Holden, USACE).

Mr. Wilson reported that the USGS has performed several flyovers to assess storm damage with more flyovers scheduled to occur. Brown marsh has been observed during the flyovers.

Ms. Jenneke Visser, CWPPRA Academic Advisory Committee, announced that she is stepping down at the end of this PPL and will be starting a search for her replacement. Mr. Clark thanked her for her service.

Mr. Edwards thanked the Technical Committee for their work and stated that he enjoys working on groundbreaking projects.

22. Agenda Item 20. Date of Upcoming CWPPRA Program Meeting (Brad Inman, USACE). *The next Task Force meeting will be held October 11, 2012 at 9:30 a.m. at the USACE, 7400 Leake Avenue, New Orleans, LA, in the District Assembly Room (DARM).*

Mr. Inman reported that there has been some interest in a tour of the surge barriers which has been planned for Wednesday, October 10, 2012, the day before the next Task Force meeting. He will send out an email with more information.

23. Agenda Item 22. Scheduled Dates of Future Program Meetings (Brad Inman, USACE).

October 11, 2012	9:30 a.m.	Task Force	New Orleans
November 14, 2012	7:00 p.m.	PPL 22 Public Meeting	Abbeville
November 15, 2012	7:00 p.m.	PPL 22 Public Meeting	New Orleans
December 12, 2012	9:30 a.m.	Technical Committee	Baton Rouge
January 24, 2013	9:30 a.m.	Task Force	New Orleans
January 29, 2013	1:00 p.m.	Region IV Planning Team Meeting	Abbeville
January 30, 2013	9:00 a.m.	Region III Planning Team Meeting	Morgan City
January 31, 2013	9:00 a.m.	Region II Planning Team Meeting	New Orleans
January 31, 2013	1:00 p.m.	Region I Planning Team Meeting	New Orleans

24. Agenda Item 23. Decision: Adjourn. Mr. Clark moved to adjourn the meeting. Ms. McCormick seconded. Mr. Holden adjourned the meeting at approximately 2:00 p.m.