

MR. SEWELL

**COASTAL WETLANDS PLANNING,
PROTECTION AND RESTORATION ACT**

TASK FORCE MEETING

September 1, 1992

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

September 1, 1992

TABLE OF CONTENTS

<u>Title</u>	<u>Tab</u>
Agenda.....	A
Task Force Members.....	B
Task Force Procedures.....	C
Minutes from the May 28, 1992 Task Force Meeting.....	D
Scope of Services for Management of Inter-Agency Disbursement of CWPPRA Funds.....	E
Method for Continuing Involvement of Congressional Delegation.....	F
Development of 1st Priority Project List Status Report.....	G
Request for Funding to Complete GIS Work in Support of CWPPRA.....	H
Proposed Cut-off Date for FY 92 Bills.....	I
Authorization of the Fiscal Year 1993 Budget.....	J
Review and Endorsement of Basin Conceptual Plans.....	K
Additional Agenda Items.....	L
Date and Location of the Next Task Force Meeting.....	M
Request for Written Questions from the Public.....	N
Summary of the CWPPRA and Complete Text.....	O

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

September 1, 1992

AGENDA

I. Introductions

- A. Task Force Members or Alternates
- B. Other Attendees
- C. Opening Remarks by Task Force Members

II. Adoption of Minutes from the May 28, 1992 Meeting

III. Status of Tasks from May 1992 Meeting Requiring Further Action

- A. Development of a Scope of Services for management of inter-agency disbursement of CWPPRA funds--Mr. Elguezabal
- B. Development of a method for the updating and continuing involvement of the congressional delegation and their staff--Mr. Rowe
- C. Preparation of a one-page status report on Priority List projects for inclusion in Task Force meeting books--Mr. Rowe

IV. Budget for Fiscal Year 1992

- A. USFWS request for additional funds to complete FY92 GIS (Geographic Information System) support work--Mr. Fruge
- B. Proposed cut-off date for FY 92 bills--Mr. Rowe
- C. Discussion and Action by Task Force

V. Authorization of Planning Budget for Fiscal Year 1993--Mr. Rowe

VI. Review and Endorsement of Conceptual Plan for Each Basin--Basin Captains

- A. Pontchartrain Ms. Hawes
- B. Breton Sound Ms. Keller-Bivona
- C. Mississippi River Delta Mr. Axtman
- D. Barataria Mr. Holder
- E. Terrebonne Mr. Thomas
- F. Atchafalaya Ms. Powell
- G. Teche/Vermilion Mr. Demcheck
- H. Mermentau Mr. Conti
- I. Calcasieu/Sabine Mr. Landreneau

J. Discussion and Action by Task Force

VII. Additional Agenda Items

VIII. Date and Location of the Next Task Force Meeting

IX. Request for Written Questions from the Public

COASTAL WETLANDS PLANNING, PROTECTION, AND
RESTORATION ACT

IMPLEMENTATION PLAN

TASK FORCE MEMBERS

Task Force Member

Member's Representative

Governor, State of Louisiana

Mr. Len Bahr
Executive Assistant for Coastal Activities
Office of the Governor
P. O. Box 94004
Baton Rouge, LA 70804-9004
(504) 922-3244 ; FAX: (504) 922-3251

Administrator, EPA

Mr. Russell F. Rhoades
Division Director
Environmental Services Division
Region VI
Environmental Protection Agency
1445 Ross Ave.
Dallas, Texas 75202
(214) 655-2210 ; FAX: (214) 655-7446

Secretary, Department of the Interior

Mr. S. Scott Sewell
Principal Deputy Assistant Secretary
for Fish, Wildlife, and Parks
U.S. Department of the Interior
Mail Stop: 3153 M.I.B.
1849 C Street, NW, Office #3153
Washington, D.C. 20240
(202) 208-7400 ; FAX: (202) 208-7242

COASTAL WETLANDS PLANNING, PROTECTION, AND
RESTORATION ACT

IMPLEMENTATION PLAN

TASK FORCE MEMBERS (cont.)

<u>Task Force Member</u>	<u>Member's Representative</u>
Secretary, Department of Agriculture	Mr. Horace J. Austin State Conservationist Soil Conservation Service 3737 Government Street Alexandria, Louisiana 71302 (318) 473-7751 ; FAX: (318) 473-7771
Secretary, Department of Commerce	Dr. Clement Lewsey Gulf Regional Manager Coastal Programs Division Office of Ocean and Coastal Resource Management U.S. Department of Commerce Room 721; Universal Bldg. 1825 Connecticut Avenue, N.W. Washington, D.C. 20235 (202) 673-5138 ; FAX: (202) 673-5329
Secretary of the Army	Col. Michael Diffley District Engineer U.S. Army Engineer District, N.O. P.O. Box 60267 New Orleans, LA 70160-0267 (504) 862-2204 ; FAX: (504) 862-2492

COASTAL WETLANDS PLANNING, PROTECTION, AND
RESTORATION ACT

IMPLEMENTATION PLAN

TASK FORCE PROCEDURES

I. Task Force Meetings and Attendance

A. Scheduling/Location

The Task Force will hold regular meetings quarterly, or more often if necessary to carry out its responsibilities. When possible, regular meetings will be scheduled as to time and location prior to the adjournment of any preceding regular meeting.

Special meetings may be called upon request and with the concurrence of a majority of the Task Force members, in which case, the Chairperson will schedule a meeting as soon as possible.

Emergency meetings may be called upon request and with the unanimous concurrence of all members of the Task Force at the call of the Chairperson. When deemed necessary by the Chairperson, such meetings can be held via telephone conference call provided that a record of the meeting is made and that any actions taken are affirmed at the next regular or special meeting.

B. Delegation of Attendance

The appointed members of the Task Force may delegate authority to participate and actively vote on the Task Force to a substitute of their choice. Notice of such delegation shall be provided in writing to the Task Force Chairperson prior to the opening of the meeting.

C. Staff Participation

Each member of the Task Force may bring colleagues, staff or other assistants/advisors to the meetings. These individuals may participate fully in the meeting discussions but will not be allowed to vote.

D. Public Participation (see Public Involvement Program)

All Task Force meetings will be open to the public. Interested parties may submit written questions or comments that will be addressed at the next regular meeting.

II. Administrative Procedures

A. Quorum

A quorum of the Task Force shall be a simple majority of the appointed members of the Task Force, or their designated representatives.

B. Voting

Whenever possible, the Task Force shall resolve issues by consensus. Otherwise, issues will be decided by a simple majority vote, with each member of the Task Force having one vote. The Task Force Chairperson may vote on any issue, but must vote to break a tie. All votes shall be via voice and individual votes shall be recorded in the minutes, which shall be public documents.

C. Agenda Development/Approval

The agenda will be developed by the Chairperson's staff. Task Force members or Technical Committee Chairpersons may submit agenda items to the Chairperson in advance. The agenda will be distributed to each Task Force member (and others on an distribution list maintained by the Chairperson's staff) within two weeks prior to the scheduled meeting date. Additional agenda items may be added by any Task Force member at the beginning of a meeting.

D. Minutes

The Chairperson will arrange for minutes of all meetings to be taken and distributed within two weeks after a meeting is held to all Task Force members and others on the distribution list.

E. Distribution of Information/Products

All information and products developed by the Task Force members or their staffs will be distributed to all Task Force members normally within two weeks in advance of any proposed action in order to allow adequate time for review and comment, unless the information/product is developed at the meeting or an emergency situation occurs.

III. Miscellaneous

A. Liability Disclaimer

To the extent permitted by the law of the State of Louisiana and Federal regulations, neither the Task Force nor any of its members individually shall be liable for the negligent acts or omissions of an employee, agent or representative selected with reasonable care, nor for anything the Task Force may do or refrain from doing in good faith, including the following: errors in judgement, acts done or committed on advice of counsel, or mistakes of fact or law.

B. Conflict of Interest

No member of the Task Force (or designated representative) shall participate in any decision or vote which would constitute a conflict of interest under Federal or State law. Any potential conflicts of interest must clearly be stated by the member prior to any discussion on the agenda item.

COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT

TASK FORCE MEETING

May 28, 1992

MINUTES

I. INTRODUCTION

Colonel Michael Diffley, representing the Secretary of the Army, convened the fifth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force at 9:45 a.m., May 28, 1992, in the District Assembly Room of the New Orleans District, U.S. Army Corps of Engineers. The Agenda is attached as Enclosure 1. The Task Force was created by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) which was signed into law (PL 101-646, Title III) by President Bush on November 29, 1990.

II. ATTENDEES

The Attendance Records for the Task Force meeting are attached as Enclosure 2. Listed below are the six Task Force members. With the exception of Dr. Lewsey and Mr. Sewell, who were represented by Mr. Ric Ruebsamen and Mr. David Fruge respectively, all were in attendance.

Dr. Len Bahr, State of Louisiana
Mr. Russell Rhoades, Environmental Protection Agency
Mr. S. Scott Sewell, U.S. Department of the Interior
Mr. Horace Austin, U.S. Department of Agriculture
Dr. Clement Lewsey, U.S. Department of Commerce
Col. Michael Diffley, U.S. Department of the Army, Chairman

III. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the fourth Task Force meeting, held on February 20, 1992, (Enclosure 3) were unanimously approved by the Task Force members. [1/180] *

IV. TASK FORCE DECISIONS

The Task Force voted and passed the following motions:

- A. Adopt the recommendations of the Technical Committee as to the "Amendment of the Fiscal Year 1992 Budget" (Enclosure 4) for the reallocation of fiscal 1992 funds. The reallocation was made to account for increases in planning and engineering support. It was agreed that \$100,000 in contingency funds would be left in the budget for possible action by the Task Force at their next meeting. The Task Force members unanimously approved this amendment. [2/125]
- B. Mr. Mielke presented two versions of the "Task Force Vision Statement" (Enclosure 5) reviewed by the Citizens Participation Group. After some discussion of the merits of each version, and their possible amendment, Mr. Fruge' moved that the 2nd version be adopted without change. Mr. Bahr seconded, and the Task Force unanimously approved the motion. [5/495]

V. TASKS REQUIRING FURTHER ACTION

- A. Colonel Diffley requested that Dr. Stewart and the Monitoring Work Group coordinate with the Lead Agencies to verify and ensure monitoring plans for the 1st Priority List projects. [1/254]
- B. Mr. Ruebsamen requested that Mr. Elguezabal supply him with a completed copy of the model Cost Sharing Agreement. [1/346]
- C. Mr. Elguezabal discussed a plan for the Corps of Engineers to handle the accounting of in-kind services provided by the state, as verified by the lead federal agency, and the funding of this service. Following this discussion of "Funding for the Management of Inter-Agency Disbursement of CWPPRA Funds", Col. Diffley requested that Mr. Elguezabal compile a scope of administrative services for submittal to the Task Force agencies. It was also requested that this topic be an agenda item at the next Task Force meeting. [2/470] *added*
- D. Col. Diffley tasked his staff with the development of a method for the updating and continuing involvement of the congressional delegation and their staffs. This methodology will be an agenda item for discussion at the next Task Force meeting. [5/540]

VI. STATUS OF FISCAL MATTERS

- A. Mr. Rowe alerted the Task Force to the need to begin preparing budget requests for the fiscal 1993 budget. This will be an agenda item for the next Task Force meeting. [2/472]
- B. Mr. Rowe also reviewed the procedure for the carryover of fiscal 1992 funds. Those funds will be available for the reimbursement of fiscal 1992 expenditures into fiscal 1993. Haste in presenting bills after the end of the fiscal year was advised. The disposition of unobligated fiscal 1992 funds was also discussed. There is some question as to whether these funds would be available for obligation in the fiscal 1993 budget. Mr. Rowe supplied a letter from Corps of Engineers headquarters that seemed to indicate that unobligated funds could be carried over for use in the next fiscal year. Col. Diffley requested that this be verified with the Corps headquarters finance and accounting staff before the next Task Force meeting. [2/556, 631]

VII. INFORMATIONAL AGENDA ITEMS

- A. Mr. T. J. Brown of the New Orleans District's Real Estate Division, updated the Task Force on the status of procedures for compliance with section 303e. Mr. Brown stated that in the case of the BA-2 project, the Soil Conservation Service would acquire real estate easements only in areas of actual construction. Compliance with section 303e for wetlands protected by this project would be achieved through federal and state permitting programs. He indicated that SCS use of this procedure for the BA-2 project met with the approval of NOD's real estate expertise. He also indicated that other lead agencies were interested in using this procedure. [1/727] added
- B. Dr. S. M. Gagliano presented to the Task Force a conceptual overview of the problems of the Louisiana coast and the probable solutions to be dealt with in the Restoration Plan. A transcript of his presentation (Enclosure 6) has been included in these minutes. [2/631-3/500]
- C. The Basin Captains reported on the conceptual plans and their status in each of the coastal basins. [4-105]

VIII. ADDITIONAL AGENDA ITEMS

A. Dr. Bahr suggested that status reports on Priority List projects be included as a regular agenda item. Col. Diffley noted that a reasonable compromise might be to have each Lead Agency submit a one page status report for inclusion as a binder tab for each Task Force meeting. Dr. Bahr stated that he was agreeable with that idea and Mr. Schroeder agreed to develop a format for the reports. [5/526]

B. Col. Diffley stated that he had been contacted by Senator Johnstons' staff concerning some form of regular involvement. The Task Force was in agreement that a method to more closely involve the Congressional delegation and their staffs, both in and out of state, is needed. The disposition of this item is addressed in section V., paragraph D. of these minutes. [5/540]

IX. DATE/LOCATION OF THE NEXT TASK FORCE MEETING

The date for the next Task Force meeting is August 26th 1992. The site of the meeting will be the U.S. Army Corps of Engineers New Orleans District. The meeting will be held in the New Orleans District Assembly Room. [5/638]

X. Questions from the Public

No written questions or comments were received from the public. [5/655]

XI. Adjournment

The Task Force meeting was adjourned at 2:20 p.m. [5/658]

* The Task Force meeting was recorded on audio tape. These bracketed figures represent the Tape#/Counter# for the discussion of this item.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
May 28, 1992

ENCLOSURE 1

AGENDA

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

May 28, 1992

Agenda

- I. Introductions**
 - A. Task Force Members or Alternates.
 - B. Other Attendees.
 - C. Opening Remarks by Task Force Members.
- II. Adoption of Minutes from the February 20, 1992 Meeting**
- III. Status of Tasks from February 1992 Meeting Requiring Further Action**
 - A. Draft report on Monitoring Program--Dr. Stewart or Mr. Steyer
 - B. Formation of a CSA Work Group charged with development of standard language for a model Cost Sharing Agreement--Mr. Elguezabal
 - C. Revision of schedule for completion of 2nd Priority Project List and Restoration Plan, including NEPA requirements, to meet November 1993 deadline--Ms. Hawes
 - D. Delegation to Technical Committee of authority to review scope of work for support services to be provided by Lee Wilson, Inc., and Dr. James Gosselink--Mr. Thomas
 - E. Nomination and selection of Basin Captains--Mr. Rowe
- IV. Resolution of Real Estate Issues Related to Section 303 of the CWPPRA--Mr. Brown**
- V. Amendment of Budget for Fiscal Year 1992**
 - A. Funding for Basin Captains--Mr. Rowe
 - B. COE Engineering support for preparation of 2nd Priority Project List and Restoration Plan--Mr. Rowe
 - C. Funding for management by COE of disbursement of CWPPRA funds--Mr. Elguezabal
 - D. Discussion and action by Task Force
- VI. Preparation of Agency Budgets for Fiscal Year 1993--Mr. Rowe**
- VII. Authorization of Carryover of Fiscal Year 1992 Funds**
 - A. Rationale for carryover--Mr. Rowe
 - B. Discussion and Action by Task Force

VIII. Responsibility for Tracking State's Share of Project Costs

- A. Proposal by USFWS--Mr. Oberheu
- B. Discussion and Action by Task Force

IX. Overview of Coastwide Conceptual Plan from Basin Integration Meeting--Dr. Gagliano

X. Goals and Strategies for Restoration Plan; Outline for Report--Mr. Rowe

XI. Report on Basin Captains Meeting--Ms. Hawes

XII. Status Reports by Basin Captains:

- | | |
|----------------------------|----------------|
| A. Pontchartrain | Ms. Hawes |
| B. Breton Sound | Mr. Axtman |
| C. Mississippi River Delta | Mr. Axtman |
| D. Barataria | Mr. Holder |
| E. Terrebonne | Mr. Thomas |
| F. Atchafalaya | Ms. Powell |
| G. Teche/Vermilion | Mr. Demcheck |
| H. Mermentau | Mr. Landreneau |
| I. Calcasieu/Sabine | Mr. Hickey |

XIII. Task Force Vision Statement

- A. Recommendations of Citizen Participation Group--Mr. Mielke
- B. Discussion and Action by Task Force

XIV. Additional Agenda Items

XV. Date and Location of the Next Task Force Meeting

XVI. Request for Written Questions from the Public

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
May 28, 1992

ENCLOSURE 2
ATTENDANCE RECORDS



ATTENDANCE RECORD



DATE(S) 28 May 1992	SPONSORING ORGANIZATION Planning Division	LOCATION District Assembly Room
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PURPOSE Louisiana Coastal Wetlands Planning, Protection and Restoration Act Task Force Meeting

PARTICIPANT REGISTER *

NAME	ORGANIZATION	TELEPHONE NUMBER
LEN BARR	GOVERNOR'S OFFICE	504-922-3244
KAREN CAUREUX	Governor's office	504-922-9244
Peggy Jones	USDOC/NMFS	504 389-0508
Jim Stone	GOVERNOR OFFICE	972-3244
Ric Ruchsamem	DOC/NMFS	504/389-0508
Charles Pete Savoye	St. Bernard Coastal Zone Comm.	504/271-2059
Chris Anding	St. Bernard Parish Coastal Management	504/278-4303
Tim Axman	COE PD-FE	(504)862-1721
Jamene Peckham	EPA	214-655-2263
Bill Savant	DNR/CRD	(504) 342-9420
Wance Edwards	UNRI CRD	1 342-7289
Rod Pittman	COE Project Mgt	(504)862-2846
Dum ELGUEZABAI	COE - Proj. Mgr.	(504)862-2599
Tim Osborn	NOAA-NMFS-D.C.	(301)-713-0189
Cerry Bodin	FWS-Lafayette	318-264-6630
David Frugé	USDI/FWS, Lafayette, LA	318-264-6630
H. Austin	SCS - Alex. L.	318-473-7751
BOB STEWART	FWS-NWRC, LAFAVETTE	318-231-5811
Remy Landreneau	USDA-SCS	318-473-7756
Greg Steyer	DNR/CRD	504-342-9435
Wm Thomas	US EPA	(214) 655-2260
BRUCE LEHTO	USDA-SCS	318-783-1272
John C. Oberheu	US Fish & Wildlife Serv., Atlanta	404-331-0830

* If you wish to be furnished a copy of the attendance record, please indicate so next to your name.

COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT

**TASK FORCE MEETING
May 28, 1992**

ENCLOSURE 3

MINUTES FROM THE FEBRUARY 20, 1992 TASK FORCE MEETING

COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT

TASK FORCE MEETING

February 20, 1992

MINUTES

I. INTRODUCTION

Colonel Michael Diffley, representing the Secretary of the Army, convened the fifth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force at 9:30 a.m., February 20, 1992, in the District Assembly Room of the New Orleans District, U.S. Army Corps of Engineers. The Agenda is attached as Enclosure 1. The Task Force was created by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) which was signed into law (PL 101-646, Title III) by President Bush on November 29, 1990.

II. ATTENDEES

The Attendance Records for the Task Force meeting are attached as Enclosure 2. Listed below are the six Task Force members, all of whom were in attendance, with the exception of Dr. Lewsey, who was represented by Mr. Rickey Ruebsamen.

Mr. David Chambers, State of Louisiana
Mr. Russell Rhoades, Environmental Protection Agency
Mr. S. Scott Sewell, U.S. Department of the Interior
Mr. Horace Austin, U.S. Department of Agriculture
Dr. Clement Lewsey, U.S. Department of Commerce
Col. Michael Diffley, U.S. Department of the Army, Chairman

III. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the fourth Task Force meeting, held on October 31, 1991, (Enclosure 3) were unanimously approved by the Task Force members. [1/160] *

IV. TASK FORCE DECISIONS

The Task Force voted and passed the following motions:

- A. Adopt the recommendations of the Technical Committee as to "Development of Local Cooperation Agreements" (enclosure 4), with the changes to bullet 4 as moved by Mr. Chambers. These changes consisted of the inclusion of Dr. William Good as a State Co-Chair of the LCA Work Group and the substitution of the words "used as a basis for developing" in place of "incorporate into." The Task Force unanimously approved this motion. [1/597]
- B. Adopt the recommendations of the Technical Committee on "Task Force Review and Approval Process for Priority List and Restoration Projects' Final Design" (enclosure 5) with the following changes under the subheading "Project Construction Approval Process":
- Bullet 5: Substitute the words "Economic Work Group" for "Corps of Engineers"
 - Bullet 6: Insert missing bullet to read: "Planning and Evaluation Sub-committee reviews project for NEPA compliance, Cultural resource clearances, Real Estate rights and assurances, Benefit and Cost verification and LCA documentation and makes a recommendation to the Technical Committee."
 - Bullet 9: Strike the words "75% of."

The Task Force members unanimously approved this motion. [1/706, 2/558-573]

- C. Authorization for the Technical Committee to negotiate and enter into a contract for the services of EPA's on-board consultant to continue to provide support data for the remaining basin planning meetings. The proposed services will also include retaining Dr. James Gosselink as an intermediary with the scientific community. Mr. Chambers and members of both the Technical and the Planning and Evaluation Committees expressed their appreciation for the quality of the presentation at the first basin planning meeting. Execution of the contract is contingent on Technical Committee approval of a scope of contract services not to exceed \$212,000, plus 25% contingency. The Task Force members unanimously approved this motion. [3/719]

V. TASKS REQUIRING FURTHER ACTION

- A. Colonel Diffley asked Dr. Stewart to provide at least a draft of the Project Monitoring Program to the Task Force by the end of March. [1/316]
- B. The Task Force voted that the Planning and Evaluation Subcommittee would form an LCA Work Group at their next meeting and task this group with developing "boiler plate" LCA language prior to State Legislative approval of funding for the first priority list projects. [1/644]
- C. Col. Diffley requested Mr. Schroeder to see to the revision of the critical path schedule as soon as possible, keeping in mind the possible need to approach Congress for relief from the November 1993 deadline. Mr. Chambers stated that he would be willing to discuss the issue of relief with the Louisiana congressional delegation should it be deemed necessary. He also stated, however, that he would only be available to undertake this task for a limited time. [3/90]
- D. The Task Force delegated the Technical Committee the responsibility of reviewing and approving EPA contractor Lee Wilson's and Dr. James Gosselink's scopes of work for their services in support of the remaining basin planning meetings. Subsequent to this approval the Technical Committee was authorized to expend funds not to exceed \$212,000 plus 25% contingencies for the contracting of these services. This task was to be completed prior to the next basin planning meeting on March 17. [3/723]
- E. Col. Diffley requested that all Task Force member agencies and the State of Louisiana submit nominations of individuals to be Basin Captains by March 2nd. The Technical Committee will then select Basin Captains from these nominations and submit a final list of names to the Task Force, which will confirm the list by a telephone vote. This task is to be completed prior to the next basin planning meeting on March 17. [4/468,518]
- F. Col. Diffley asked the Task Force members to explore their schedules for open dates between the 18th and the 29th of May for a time to hold the next Task Force meeting. [4/653]

VI. STATUS OF FISCAL MATTERS

A. Ms. Brenda Weber, Chief of the Finance and Accounting Branch at the New Orleans District, stated that the district had received the funding allocation on the 22nd of January and that five million of the 33 million dollars allocated had been designated for planning efforts. Prior to the Task Force meeting 11, inter-agency agreements (MIPR's) were issued, committing a total of 3.2 million dollars. Ms. Weber noted that at the time of the meeting only 5 signed acceptance copies had been returned and that return of the signed copies is required for obligation and expenditure of funds. Ms. Weber also stated that in addition to the signed MIPR's a completed signature card would be required from the State of Louisiana. She also confirmed that a separate set of MIPR's would be issued for disbursement of the Engineering design and Construction funds and that these documents would have to be responded to in the same manner by the recipient agencies. When asked by Mr. Thomas what the procedure for increasing or adding to agency funding was, Ms. Weber responded that the current MIPR's could be amended and resent for signature. [3/750-800]

VII. ADDITIONAL AGENDA ITEMS

There were no additional business items placed on the agenda. [4/586]

VIII. DATE/LOCATION OF THE NEXT TASK FORCE MEETING

The tentative date for the next Task Force meeting is in the 3rd or 4th full week of May. (see action item F) [4/563]

IX. QUESTIONS FROM THE PUBLIC

No written questions or comments were received from the public. [4/656]

X. ADJOURNMENT

The Task Force meeting was adjourned at 1:10 p.m. [4/658]

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- * The Task Force meeting was recorded on audio tape. These bracketed figures represent the Tape#/Counter# for the discussion of this item.

CWPPRA FY '92 BUDGET ALLOCATION

AGENCY	MIPR DATE	MIPR AMOUNT (\$)	BILLING DATE	BILLING AMOUNT (\$)	EXPENDITURES THRU APR 92 (\$)	PROJECTED MAY-SEP 92 (\$)	EXCESS FUNDS (\$)	ADDITIONAL FUNDS REQ. (\$)	REVISED FY 92 BUDGET (\$)
Department of the Army U.S. Army Corps of Engineers	2/24/92	932,000			491,800	911,100		470,900	1,402,900
Department of Agriculture Soil Conservation Service	1/28/92 2/24/92	556,000 243,000	4/21/92	402,704	402,700	396,300			799,000
Department of Commerce National Marine Fisheries National Oceanic Service	1/28/92 1/28/92	484,000 72,000	4/13/92	61,609	128,000 29,500	336,000 42,000	20,000 500		464,000 71,500
Department of Interior Minerals Management Services National Park Service U.S. Fish and Wildlife U.S. Geologic Survey (Baton Rouge) U.S. Geologic Survey (Reston)	1/30/92 1/28/92 1/28/92 1/28/92 1/28/92	2,900 12,100 619,100 131,400 47,500	3/23/92	2,900	5,000 1,600 177,000 36,400 27,500	20,500 4,000 398,300 121,800 20,000	6,500 43,800	22,600 26,800	25,500 5,600 575,300 158,200 47,500
Environmental Protection Agency Agency Contractor/Scientific Review	1/28/92 2/27/92	509,000 212,000			257,500	236,500 265,000	15,000	53,000	494,000 265,000
State of Louisiana Department of Natural Resources	1/28/92	767,400	2/25/92 4/14/92 5/20/92	49,639 27,529 13,505	188,900	287,300	291,200		476,200
Office of the Governor	1/28/92	155,600			17,700	96,100	41,800		113,800
SUBTOTAL		4,744,000		557,886	1,763,600	3,134,900	418,800	573,300	4,898,500
CONTINGENCIES		256,000							
UNALLOCATED FUNDS							101,500		101,500
TOTAL		5,000,000							5,000,000

COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT

TASK FORCE MEETING
May 28, 1992

ENCLOSURE 5

Task Force Vision Statement

COASTAL WETLANDS ACT VISION STATEMENT

Version 1

Our coastal wetlands are a unique and precious natural resource of international significance. Enormously productive, they provide life and livelihood for countless life forms, beauty, recreation, safety and fruitful bounty for humans to enjoy and consume. So prolific are these coastal wetlands that their yield in recreational opportunities and dockside values for several species is measured in tens of hundreds of millions of dollars each year. We want to continue to enjoy the beauty, safety, and production of these wetlands for ourselves and generations to come.

We understand that this system is dynamic and complex. It is essential that we "turn the tide" on loss of the Louisiana coastal wetlands and their associated functions and values. We must, as soon as is feasible, bring our wetlands gains to the level to meet or exceed our wetlands losses. Our vision is to prevent the loss of and restore the coastal wetlands in Louisiana through the planning and projects of the Coastal Wetlands Act. Our goal is to prevent the loss of and improve the functions and values of these wetlands.

Version 2

Our coastal wetlands are a unique and precious natural resource of international significance. Enormously productive, they provide habitat for countless life forms, beauty, recreation, safety and natural resources for humans to enjoy and consume. So prolific are these coastal wetlands that their yield in recreational opportunities and natural resources is measured in billions of dollars each year. We want to continue to enjoy the beauty, safety, and productivity of these wetlands for ourselves and generations to come.

We understand that this system is dynamic and complex. It is essential that we "turn the tide" on loss of the Louisiana coastal wetlands and their associated functions and values. We must, as soon as is feasible, bring our wetlands gains to the level to meet or exceed our wetlands losses. Our vision is to reverse the loss of and improve the functions and values of the coastal wetlands in Louisiana through the planning and projects of the Coastal Wetlands Act.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
May 28, 1992**

ENCLOSURE 6

**Transcript of the Coastal Overview
presented by Dr Gagliano**

TASK FORCE MEETING 5/28/92
OVERVIEW OF COASTAL PLAN FORMULATION
DR. S. M. GAGLIANO

It's good to be here again. I'd like to first express my thanks to the whole group who participated in the series of workshops that led up to what we have. . . characterizes the key elements of the Comprehensive Plan. It's a very enjoyable experience because of the caliber of the people who attended and because of the spirit of cooperation. I think everyone there was genuinely interested in making this overall program succeed and contributed freely of ideas and concepts and arguments and other things. But, it worked out very well.

What I'd like to do is to briefly, for the members of the Task Force who did not participate in the workshops, present a summary of what I believe was more or less a concensus. There may be some disagreement of minor points but we tried to capture the essence of the summaries of each basin workshop and to present them graphically on this map. It's important to recognize as a background that we waded through 4 long workshops across the coast and then a summary workshop before we really arrived at this. So, this is not something that we dreamed up in the middle of the night. It's something that is the result of a lot of discussion, a lot of background, a lot of hard work. I think a second important point is that the plan recognizes and addresses the natural and human constraints that is presented by the area. We will not go through the background material, but it is based on the distribution of the resource that is the wetlands and the coastal zone of Louisiana. And also, the summaries of the parameters that are affecting that resource, the sinking of the land, the erosion landward of the shoreline, the invasion of some areas that have been historically fresh by marine processes that have caused deterioration, and other factors that are contributing to deterioration.

The strategy that unfolded as the workshops progressed was really a twofold approach to the problem. One is a defensive approach where we try and get ahead of what happens. We recognize that this is a progressive disease that is attacking the wetlands of the coast. We have with the benefit of having mapped the symptoms of that disease the visual effects of that disease over a period of time. We know how it is progressing and where it is moving. So armed with that information a defense strategy was developed for each basin that would try and arrest the process and hold what we have and building on that, to that provide an opportunity for really optimizing what's left if you can

prevent further erosion. Then the next thing that you really want to do is to look at what is remaining and try and move towards managements so that conditions there are optimized for the resources that we are interested in working with.

The second part of the program is an offensive strategy, and what evolved there is a recognition that we are dealing with a big dynamic natural system, really two systems, the delta system from Atchafalaya to the Pearl River, and the Chenier Plain and bay systems to the west of that in order to maintain and to some extent restore and to work toward an equilibrium condition. The program had to try and recognize the dynamics of the system; that it was undergoing change and to allow for that dynamic condition to continue to exist to some extent, to give the system a little more latitude, a little more room to do what it did under natural conditions. So with that in mind then, I'll try to describe the elements of the plan starting with the defensive elements and maybe looking at some sample basins instead of trying to walk all the way across the state.

I think the starting point is that we have a skeletal framework that consists of uplands of old pleistocene terraces that border the delta and Chenier Plain that are ridged that will be there and that you might think of as the ultimate end of the process. If deterioration continued unabated, there's where the shoreline would end up. Other parts of that skeletal framework which hold the wetlands together literally consist of natural levee ridges related to the Mississippi River and former distributaries of the river and gulf beaches and gulf shorelines including the Chenier ridges and the gulf shoreline in Southwestern Louisiana. These can be thought of truly as the skeleton. These are rather ridged, they are not going to move much in time and they are a necessary framework for holding the natural system together. The wetlands that we are charged to deal with are the flesh of that system. They're part of almost. . . they have a lot of attributes, really, of living organisms in the way they function, but it's that skin that we are trying to manage and maintain. But, we have to recognize that the skeletal elements are absolutely essential to any type of maintenance and conservation and restoration. Now as you all recognize the part of the framework has been modified; the natural levee ridges have been extended by flood protection levees and drainage works so that what we have shown in brown here. As the skeletal elements really is a group of features including uplands, ridglands, fastlands. This is not to imply that we are blowing off small patches of wetlands which may occur inside of our drainage districts but simply to allow us to look at the big picture. Now

within that framework we have a series of basins or hydrologic units. We have subbasins and subunits that are defined by the margins of those basins within the deltaic plain. Those basins have similar elements. They all have a large freshwater storage area or freshwater basin at the upper end and the consensus of the group was that these were all in reasonably good condition, but they were threatened. They are very fragile types of ecosystems, and if the trends of deterioration continue, it is predictable that they will break up and be altered and eventually be lost.

Moving seaward in each basin of course, we have a mixing zone and a marine zone. The basic defensive strategy, and it can be illustrated well in Pontchartrain, Barataria and East Terrebonne, is to really recognize that there are some critical areas that are under attack in each of these basins. Where there is a kind of leading edge of the deterioration process there are also some critical land bridges that break the basins into segments and control the inflow and outflow of water. The general hydrology of the basin in Pontchartrain for example. There are really two critical land bridges. One is between Lake Borgne and Lake Pontchartrain itself. The second is between Lake Pontchartrain and Lake Maurepas. So, it's fundamental then to recognize that those critical land bridges have to be maintained. If not, the whole character of the basin is altered and we will ultimately lose the freshwater ends of the basins that are again not only valuable in themselves but valuable to the whole hydrology and maintenance of the system. So these become critical elements.

We recognize in the Chenier Plain that the basins are oriented not north-south or to the coast or away from the coast, but rather in kind of an east-west direction because of the configuration of the gulf beaches. Nevertheless the general character is the same. We have central freshwater areas and those go into mixing zones and indirectly into the Gulf of Mexico. We find that we have critical land bridges there as well. For example, the . . . rather the Calcasieu Management area levees along the east side of Calcasieu are a kind of artificial boundary that has been constructed as part of an overall management project. But it is a rather fragile boundary if you really put it in perspective, and it is important that we recognize that we must maintain the integrity of that boundary if we have any hope at all of maintaining the marshes behind it.

This little boundary over here, near Holly Beach, is a critical boundary because there are no other ridges behind the highway. The Gulf of Mexico, the highway and all these marshes behind it. If that critical

land boundary is lost, this whole area will become a large embayment of the Gulf of Mexico. So that's part of the defensive strategy. Another part of the defensive strategy is to recognize that there's shoreline erosion occurring. Some around lake shores, some along the Gulf Intracoastal Waterway, particularly in places where it traverses the basins that are characterized by highly organic soils. And we recognize those as kind of a special problem that needed to be addressed all the way across the coastal zone.

Another part of the defensive strategy is recognizing that even beyond these ridgelands and fastlands that are important as corridor areas, and we'll certainly we will maintain those as part of the overall infrastructure of the state, but extending beyond those there are some other ridges like the Bayou La Loutre Ridge and the Bayou Lours Ridge over here. And some of the ridges in South Terrebonne that control the hydrology locally that support the wetlands and are important to maintain. We recognize that moving down the basin there are a couple other lines of defense that are important. Certainly the barrier islands in the gulf shore where they separate the gulf from the estuaries are absolutely the first line of defense. However, if you look at the barrier islands we really have three systems in Louisiana. The Chandeleur system, the system across the front of Fourchon including Grand Isle and Timberlier to the west of Isle Dernieres system. Their life expectancy and the ability to really restore them. . . maintain them varies.

So we recognize within the general need of trying to restore barrier islands, that we have at least two priority groups. One, those that are closest to the headlands including Grand Isle and the Fourchon headlands including these due south of the city of Houma that are the highest priority. This if we're going to invest money in restoring and maintaining barrier islands. This is where we get the most value for our investment. We have the highest degree of success. And then as we get more away from those more down drift, where the islands have a tendency to move and break up more rapidly that need to be addressed also. But it's a lower priority, a second priority.

Another element of the defense of the basins would be to recognize that in all the shorelines inside of the barrier islands we're dealing with muddy shorelines. Louisiana has 30,000 miles of muddy land water interface and 350 miles of sandy shoreline. There's only a couple ways you can get granular material or coarse material on to those shorelines. One is by reworking of sand deposited in river systems, the way the

Barrier Islands that we now know formed. Another is to dredge from buried sand deposits and to move it to the beach artificially. Another might be to bring in riprap by barges, or some other rigid material. But another way that we have not utilized very much is to try and is the growth of shell materials in the bays themselves. When we look across the coast of Louisiana, there are a couple of places that stand out. One, over here in Plaquemines near Sandy Point, the gulf shoreline in that area was, it's deteriorating now, was composed almost entirely of shell material; mostly oyster shells. We find the same thing is true in the Cheniers. The Chenier ridges themselves, the composition ranges from 40% to over 90% shell material that's reworked from material that granular material that grew in place, and the front of Marsh Island, one of the areas that has the lowest erosion rates in the state, is protected by massive shell reefs that extend offshore and that contribute shell particles to the shorelines. This leads to a strategy of trying to establish a zone of oyster reefs in the upper ends of the bays and the lakes that would eventually grow into a second line of defense in the event that we lose our barrier islands. That there is something for the gulf energies to interact against at some time in the future. So that we don't leave the toes of our drainage and storm protection levees like the Golden Meadow Levee or the West Bank Jefferson Levee exposed to the direct energies of the Gulf of Mexico.

Another strategy, more of an offensive strategy I guess but related to maintenance of the basin and I'll cover these next, would be the whole idea of diversions. We certainly put a lot of emphasis on the importance of diversions of Caernarvon and Davis Pond. Of further consideration are Bonnet Carre' and the lesser diversions that are being developed south of New Orleans in Plaquemine Parish. Those all have important roles, and I think there was absolutely a consensus that one of the things that we had to move towards was getting sediment out into the basins, that the only way you can really efficiently build new marshes and counter the trend of deterioration is by doing that.

A unique approach in that direction is dedicated dredging. Not only dedicated dredging to use to nourish barrier islands, but dredging that might occur say in the Mississippi River with semi-permanent discharge pipes directing the material some distance from the river for the purpose of restoring and stabilizing marshes. The idea of using old pipelines as Len Bahr mentioned this morning has come up frequently in those discussions and is certainly a measure that should be considered and looks promising. That would, of course, work best in areas relatively close to the Mississippi or the Atchafalaya.

Another part of the defensive approach is really the management of wetlands. We did not attempt to depict every area where there is some form of management, but we did show in this green pattern those areas that are committed to some type of impounded management. Those include places like the Bayou Sauvage National Wildlife Refuge which lies inside of the hurricane protection levees in eastern Orleans Parish. The St. Charles marshes, the Rockefeller Refuge, Lacassine, Calcasieu and parts of Sabine Refuge over here. And there are others that are managed to a lesser extent.

Now finally we get to the offensive part of the program and that really involves looking at the use of the water resource available from the Mississippi and the Atchafalaya Rivers. And that's an area where there is a lot of additional discussion needed. We really find that we have several places. In fact, I have identified four places in purple on the map where there are two or more major hydrologic alternatives. And all of those involve possible diversions or some other use of changes in the pumping system. That would reallocate water, a major movement of water, in a way that would affect a large area and really affect the whole system.

Now I won't go into each alternative in detail but I will enumerate them. Bonnet Carre' for example, there is certainly the possibility still of a major diversion that would change the character of the lake and affect large areas of Lake Borgne and Mississippi Sound. There is the possibility of a smaller diversion and there has been suggestions that that might be routed through the adjacent Labranch wetlands. And finally, there's been the suggestion of operating the existing structure for limited diversion either every other year or part of the year or whatever.

Another plumbing problem, and it really is kind of a mixed bag between the defensive and offensive strategy, involves the Mississippi River Gulf Outlet. The alternatives there . . . Intrusion resulting from tidal processes and salt water. That could be done by construction of a lock or sill or some type of structure that would either completely shut the movement down or reduce the movement. A likely candidate for such a structure would be the natural levee ridges at Bayou La Loutre that provide rather firm foundation conditions. Another alternative would be to completely isolate it and make it an arm of the sea by closing all the interconnecting waterways and really confining the channel from the Gulf of Mexico to the center port area.

The third suggestion would be to direct the freshwater flow, increase freshwater flow, into Mississippi River Gulf Outlet. Probably in the vicinity of the existing Violet siphon but through a major conduit of the river that would provide enough freshwater to offset saltwater intrusion and marine tidal processes. That would have additional benefits of moving freshwater eastward through the Gulf Intracoastal Waterway and really, probably affecting a considerable area.

The two big tough areas, of course, are the active delta and the Atchafalaya outlets. In the active delta, the alternatives include maintaining Southwest Pass, as we do now, as the major channel for navigation with some control subdeltas. The two that are highest on the list I think are West Bay, which seems to be a project that's moving forward, and a second subdelta in this area, in the vicinity of Port Sulphur. It would have substantial benefit in blocking off openings that are now occurring between Barataria Bay and the Gulf of Mexico. And really building kind of a land mass that would help confine the Barataria system. In addition, it would build a land mass of its own and would add to the overall wetland acreage of coastal Louisiana.

The second major alternative would be consideration of another navigation outlet, that is, abandon Southwest Pass-do not maintain it through dredging but as an alternative dredge. A navigation channel either to the west to about the 60-foot contour, or has been suggested in the past, to the east to Mississippi River Gulf Outlet and out to the gulf, in that direction. Such a navigation channel would probably work best if it had locks. This of course, is a technical challenge because of the poor foundation conditions in the lower delta. But the whole idea behind this alternative is that it's essential that we take a fresh look at how we allocate sediment in the Mississippi delta system.

Our priorities have been since 1890 to use substantial part of the discharge to maintain navigation channels through jetties. And the alternative, I think, the essence of this alternative is that we really take a fresh look at that concept. Because unless we are able to get substantial sediment out of the river and into the natural delta system, it will continue to deteriorate and there will continue to be a net loss. The only hope of ever restoring a balance is to use the flow and sediment that is being presently used for navigation maintenance for environmental enhancement and maintenance.

The same rationale carries over to the Atchafalaya delta. There are two alternatives there, one is to maintain the present, more or less, the present flow conditions with optimize delta building. That is, some channel training, additional training, adjacent in areas, adjacent to the lower Atchafalaya navigation channel and perhaps some more training in the Wax Lake Outlet.

The second major option would be reduce flow in the lower Atchafalaya itself by construction of a sill above Morgan City and removal of the existing sill above Wax Lake. It's recognized, of course, that that would have far reaching implications. That there may be some bridge replacements and other major structural elements that would be needed. But the benefits would be, that the navigation into Morgan City and into the shipyards to the east of Morgan City through Chene, Boeuf, Black could be maintained, more or less, in a slack water channel condition and that the major delta building would occur out of Wax Lake. And that would be, more or less, divorced from the navigation channel leading into the Morgan City area.

One of the downsides of that would be some reduction in freshwater flow that is presently getting into western Terrebonne. So that again, this is a fundamental plumbing decision that needs to be resolved and needs a lot further evaluation. But we address it in the plan by not saying we can't do anything else till we solve that. But rather isolate those as problems for further discussions.

I think I've covered most of the elements. Maybe a few pick up things here is that there is substantial mud flat development presently occurring in this area, west of Chenier Autege. That will continue undoubtedly, it has some possibilities of enhancing it.

Another little pet project of mine is the possibility of using maintenance dredged material to construct some new barrier islands that do not presently exist along the lower ends of these subbasins, along Mississippi River Gulf Outlet and St. Bernard Parish. This gets us to a scale of environmental sculpturing, if you will, estuarine sculpturing that is really within our present capabilities. . .time wise, space wise, dollar wise. It leads to the conclusion that our projects need to be bite size, we need to have an overall plan as we try visualize here. But we need to look at how our projects, as bite size projects, are building blocks of that plan.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

**SCOPE OF SERVICES FOR MANAGEMENT OF INTER-AGENCY
DISBURSEMENT OF CWPPRA FUNDS**

Mr. Elguezabal will discuss the Corps of Engineers proposed scope of services for the disbursing and accounting of CWPPRA funds .

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

**METHOD FOR THE CONTINUED INVOLVEMENT OF
THE LOUISIANA CONGRESSIONAL DELEGATION**

Mr. Rowe will discuss the proposed method of keeping the members of the Louisiana congressional delegation, and their staffs, involved in the CWPPRA process.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

**DEVELOPMENT OF THE 1st PRIORITY PROJECT LIST
STATUS REPORT**

Mr. Rowe will report on the development of a one page status report for First Priority List Projects to be included as a Tab item for each Task Force meeting here after.

Date: 9/1/92

CWPPRA 1st PRIORITY LIST SCHEDULE STATUS

PROJECT	SPONSOR	CSA		DESIGN		PERMITS		CONSTRUCTION		COST (x 1,000)	
		Completion	Status	Completion	Status	Completion	Status	Start	Completion	Original	Current
FOURCHON	NMFS	May 92	BS,IP							252	252
BA-2/ GIWW- CLOVELLY	SCS	Mar 92	TC	Aug 92	TC- 1st contract	Dec 91	TC	Dec 92	Apr 95	8145	8145
CAMERON CREOLE	USFWS		IP	Aug 92	IP,OS	Apr 92	TC	Dec 92	Mar 93	502	477
BAYOU SAUVAGE	USFWS	Mar 92	BS,IP	May 93	IP,OS		IP	Aug 93	Aug 94	1105	1156
TURTLE COVE	USFWS	Removed from list		Construction taken over by state of Louisiana							5%
SABINE REFUGE	USFWS		IP	Mar 93	IP,OS	Apr 92	TC	Jun 93	Jun 94	4844	4765
VEGETATIVE PLANTINGS	SCS	Mar 92	TC	Apr 92	TC	Oct 92	IP,BS	Jan 93	Jan 94	848	848
WEST BAY DIVERSION	COE	Nov 92	BS	Mar 93	IP,BS	Dec 93	BS	Jul 93	Oct 93	8517	8517
BARATARIA BAY WW	COE	Oct 93	OS	Feb 94	IP,OS	Oct 93	OS	Jun 94	Aug 94	1625	1625
LOWER BAYOU LA CACHE	NMFS	May 92	BS,IP	Jan 93	OS	Aug 92		Mar 93	Jul 93	1254	1254
BAYOU LA BRANCHE	COE	Sep 92	IP,BS	Jan 93	IP,OS	Sep 92	IP,BS	May 93	Aug 93	4327	4327
CAMERON PRAIRIE	USFWS	Oct 92	IP,OS	Aug 92	IP/OS	Apr 92	TC	Oct 92		1111	1805
VERMILION RIVER CUTOFF	COE	Sep 92	IP,BS	Mar 93	IP,OS	Dec 92	IP,OS	Jul 93	Sep 93	1523	1100
EASTERN ISLE DERNIERES	EPA	May 92	IS *	Sep 92	BS	Nov 92	IP **	Jan 93	Nov 93	6345	6345
			See notes				See notes				0%

STATUS: OS = On Schedule
 BS = Behind Schedule
 IP = In Progress
 IS = Issue Surfaced
 TC = Task Complete

EXAMPLE: OS,IP

NOTES:

* Louisiana legislature did not act on approval until late June 92

** NEPA PEA is prepared

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

**REQUEST FOR FUNDING TO COMPLETE GIS WORK
IN SUPPORT OF CWPPRA**

Mr. Fruge will discuss a request for additional funds to complete the USFWS's GIS (Geographic Information System) work in support of the CWPPRA planning effort.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

**PROPOSED CUT-OFF DATE FOR SUBMISSION OF
FISCAL YEAR 1992 BILLS**

Mr. Rowe will discuss a proposal to set a cut-off date for the acceptance of bills reimbursable with FY 92 funds.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

AUTHORIZATION OF THE FISCAL YEAR 1993 BUDGET

Technical Committee Recommendation:

That the Fiscal Year 1993 budget be adopted as presented.

1 Sep 92

**Coastal Wetlands Planning, Protection and Restoration Act
FY 1993 Budget Proposal
Allocation of Cost and Associated Manpower**

Page 1 of 3

Activity	Dept of Agriculture Soil Conservation Svc		Dept of the Army US Army Corps of Engne		Dept of Commerce (2 Agencies)		Dept of Interior (4 Agencies)		Environmental Protection Agency		State of Louisiana		SUMMARY	
	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)
Work Items--Detailed Planning Schedule														
Hired Labor Items														
Restoration Plan														
RP 0110	2,565	67,069	2,132	91,012	316	11,720	0	0	600	16,160	1,240	28,840	6,853	214,801
RP 0120	160	5,314	216	9,141	40	1,200	0	0	100	3,200	496	10,736	1,012	29,591
RP 0130	385	11,909	412	15,358	300	11,160	0	0	50	1,580	1,216	28,976	2,363	68,983
RP 0140	0	0	132	4,800	0	0	0	0	0	0	84	2,484	216	7,284
RP 0145	492	14,705	0	0	340	14,280	120	3,047	200	6,560	744	19,944	1,896	58,536
RP 0150	1,830	43,464	780	29,510	440	14,880	960	23,702	280	7,120	1,240	22,040	5,530	140,716
RP 0160	880	20,712	576	22,245	240	8,160	320	7,829	240	6,060	704	13,384	2,960	78,390
RP 0170	280	7,460	388	17,401	40	1,360	40	894	100	2,800	430	10,265	1,278	40,180
RP 0175	1,164	36,538	960	42,300	0	0	0	0	300	8,800	0	0	2,424	87,638
RP 0180	552	17,489	560	23,448	80	3,360	240	5,928	50	1,720	310	7,425	1,792	59,370
RP 0190	240	5,918	1,124	44,513	0	0	208	5,269	220	6,280	430	10,825	2,222	72,805
RP 0200	1,084	28,139	504	17,803	40	1,680	240	5,850	160	4,320	248	4,408	2,276	62,200
RP 0210	128	4,443	268	11,463	120	4,470	72	2,001	60	2,200	290	6,945	938	31,522
RP 2220	48	2,254	100	4,359	16	560	72	2,001	100	3,800	266	6,421	602	19,395
RP 0230	1,600	42,510	1,808	70,371	600	20,400	760	18,762	400	11,920	1,640	32,240	6,808	196,203
RP 0235	0	0	0	0	40	1,400	0	0	0	0	0	0	40	1,400
RP 0240	88	3,961	104	4,637	160	6,160	160	4,399	130	4,868	430	10,745	1,072	34,770
RP 0250	432	14,421	148	6,279	0	0	0	0	0	0	0	0	580	20,700
RP 0260	96	3,769	144	6,722	120	4,280	96	2,639	118	4,260	310	7,425	884	29,095
RP 0270	724	17,845	984	37,183	40	1,680	360	8,896	136	3,888	642	13,663	2,886	83,155
RP 0280	440	14,518	760	32,449	160	5,760	192	4,717	300	10,000	350	8,905	2,202	76,349
RP 0290	0	0	0	0	0	0	0	0	0	0	484	10,595	484	10,595
RP 0300	168	5,479	244	10,431	96	3,000	240	5,850	70	2,500	528	12,239	1,346	39,499
RP 0310	680	17,133	1,120	45,658	440	16,080	360	8,896	156	4,592	992	27,392	3,748	119,751
Total Restoration Plan	14,036	385,050	13,464	547,083	3,628	131,590	4,440	110,680	3,770	112,628	13,074	295,897	52,412	1,582,928

1 Sep 92

**Coastal Wetlands Planning, Protection and Restoration Act
FY 1993 Budget Proposal
Allocation of Cost and Associated Manpower**

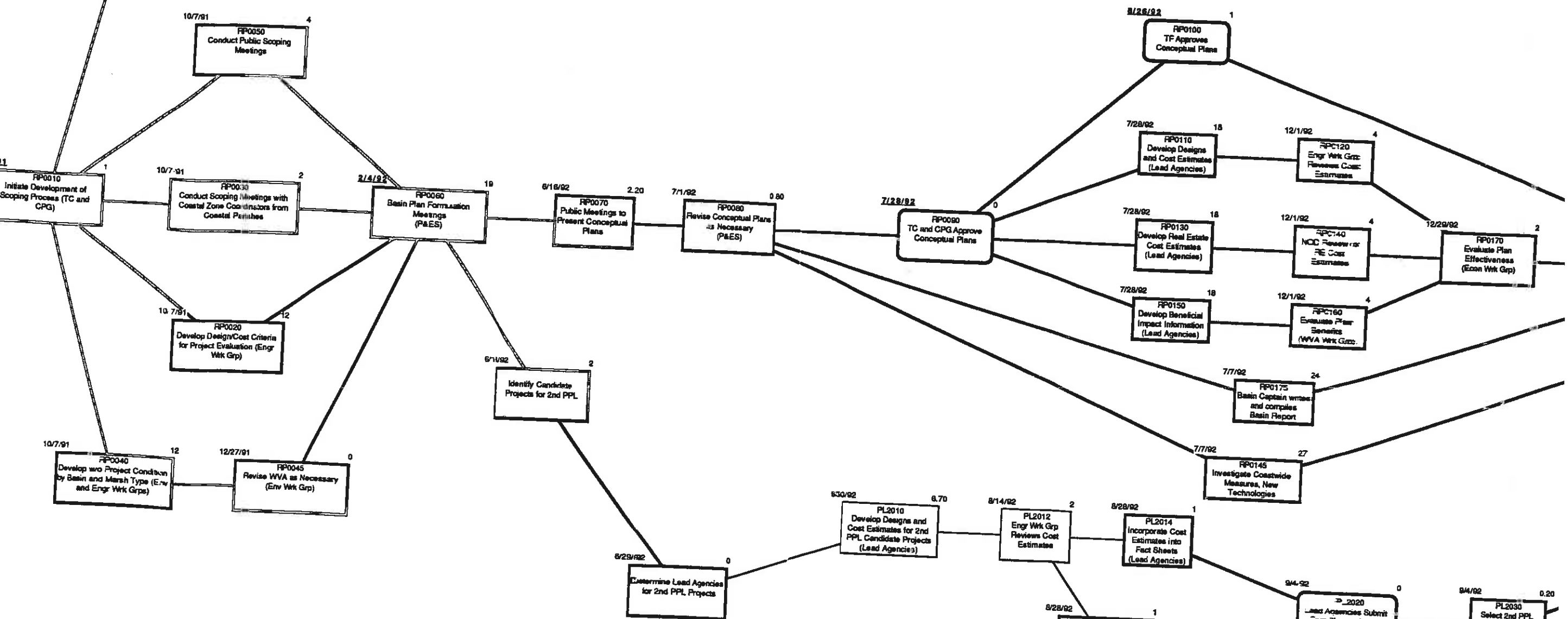
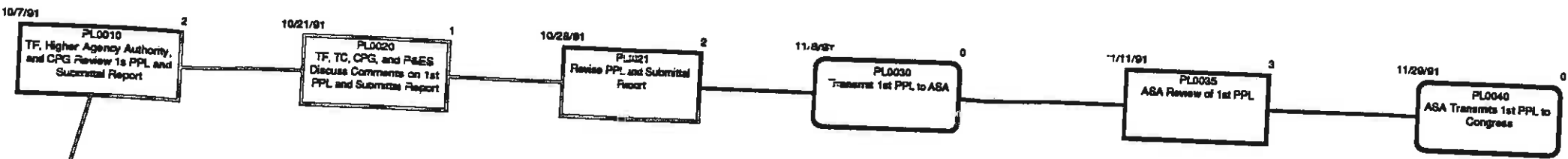
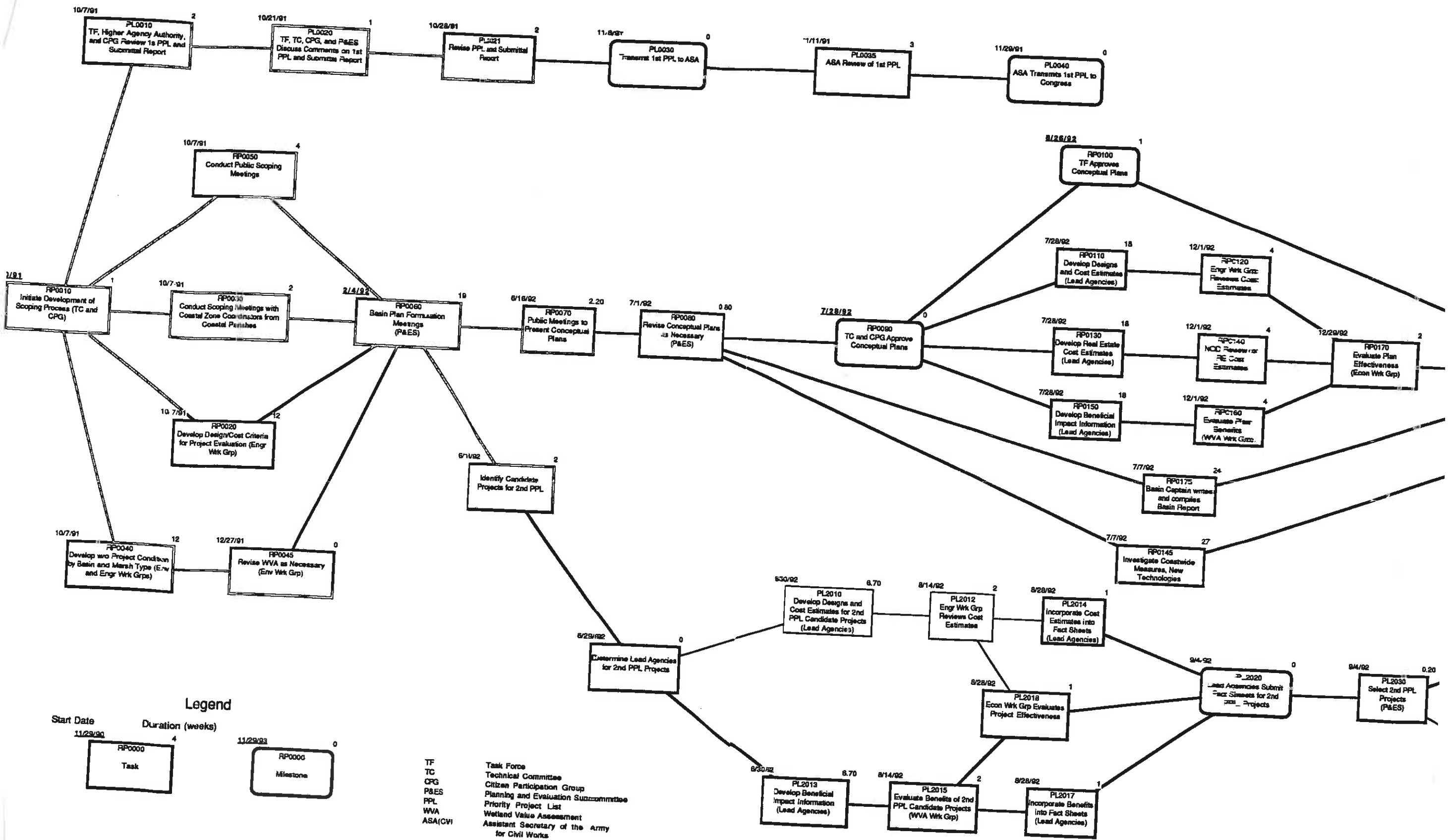
Page 2 of 3

Activity	Dept of Agriculture <u>Soil Conservation Svc</u>		Dept of the Army <u>US Army Corps of Engrs</u>		Dept of Commerce <u>(2 Agencies)</u>		Dept of Interior <u>(4 Agencies)</u>		Environmental <u>Protection Agency</u>		State of Louisiana		<u>SUMMARY</u>	
	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)
1st Priority Project List														
SR 1020	28	1,048	44	1,813	0	0	24	654	33	916	0	0	129	4,431
Subtotal 1st List	28	1,048	44	1,813	0	0	24	654	33	916	0	0	129	4,431
2nd Priority Project List														
PL 2060	72	2,547	300	12,750	40	1,400	120	3,335	80	2,900	124	3,444	736	26,376
PL 2070	80	2,489	300	12,750	84	2,958	96	2,639	78	2,820	244	5,659	882	29,315
PL 2080	48	1,286	288	11,695	40	1,680	72	1,828	55	1,320	306	6,941	809	24,750
PL 2100	0	0	24	1,081	0	0	0	0	0	0	182	3,937	206	5,018
PL 2110	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SR 2010	96	2,252	552	21,270	320	10,400	160	3,614	116	3,232	312	6,496	1,556	47,264
Subtotal 2nd List	296	8,574	1,464	59,546	484	16,438	448	11,416	329	10,272	1,168	26,477	4,189	132,723
3rd Priority Project List														
PL 3010	1,360	37,470	1,600	64,686	870	31,030	520	12,669	520	15,920	1,082	23,437	5,952	185,212
PL 3020	64	2,152	208	8,902	184	6,768	80	2,442	320	10,600	100	2,764	956	33,628
PL 3040	248	7,161	368	15,116	84	3,148	144	3,510	104	3,440	446	10,057	1,394	42,432
PL 3050	1,140	35,865	2,060	85,598	320	11,040	0	0	495	14,560	252	5,540	4,267	152,603
PL 3060	160	5,395	224	9,645	16	480	0	0	128	3,696	98	2,294	626	21,510
PL 3070	128	3,368	158	6,481	64	2,208	88	2,369	136	3,792	48	784	622	19,002
PL 3080	1,052	27,377	664	25,397	370	13,020	560	13,900	344	9,408	498	10,741	3,488	99,843
PL 3090	688	17,985	312	12,324	200	6,960	160	3,914	180	4,800	350	6,785	1,890	52,768
PL 3100	448	11,783	148	5,964	84	2,808	160	3,914	78	2,196	424	8,875	1,342	35,540
PL 3110	60	1,310	128	5,232	32	1,088	0	0	40	1,280	36	1,020	296	9,930
PL 3120	0	0	0	0	0	0	0	0	40	1,400	406	8,677	446	10,077
PL 3130	208	6,127	80	3,422	32	1,040	64	1,760	104	3,488	390	8,577	878	24,414
PL 3140	264	6,531	436	16,469	40	1,680	320	7,807	84	2,528	248	6,888	1,392	41,903
PL 3150	48	1,524	92	4,096	0	0	48	1,465	40	1,400	414	9,257	642	17,742
PL 3160	80	2,472	208	9,152	100	3,440	96	2,639	80	2,800	234	5,341	798	25,844
PL 3170	48	2,254	116	4,878	0	0	160	4,399	186	6,612	314	7,437	824	25,580
Subtotal 3rd List	5,996	168,774	6,802	277,362	2,396	84,710	2,400	60,788	2,879	87,920	5,340	118,474	25,813	798,028
Total Priority List	6,320	178,396	8,310	338,721	2,880	101,148	2,872	72,858	3,241	99,108	6,508	144,951	30,131	935,182
Total Hired Labor	20,356	563,446	21,774	885,804	6,508	232,738	7,312	183,538	7,011	211,736	19,582	440,848	82,543	2,518,110

**Coastal Wetlands Planning, Protection and Restoration Act
FY 1993 Budget Proposal
Allocation of Cost and Associated Manpower**

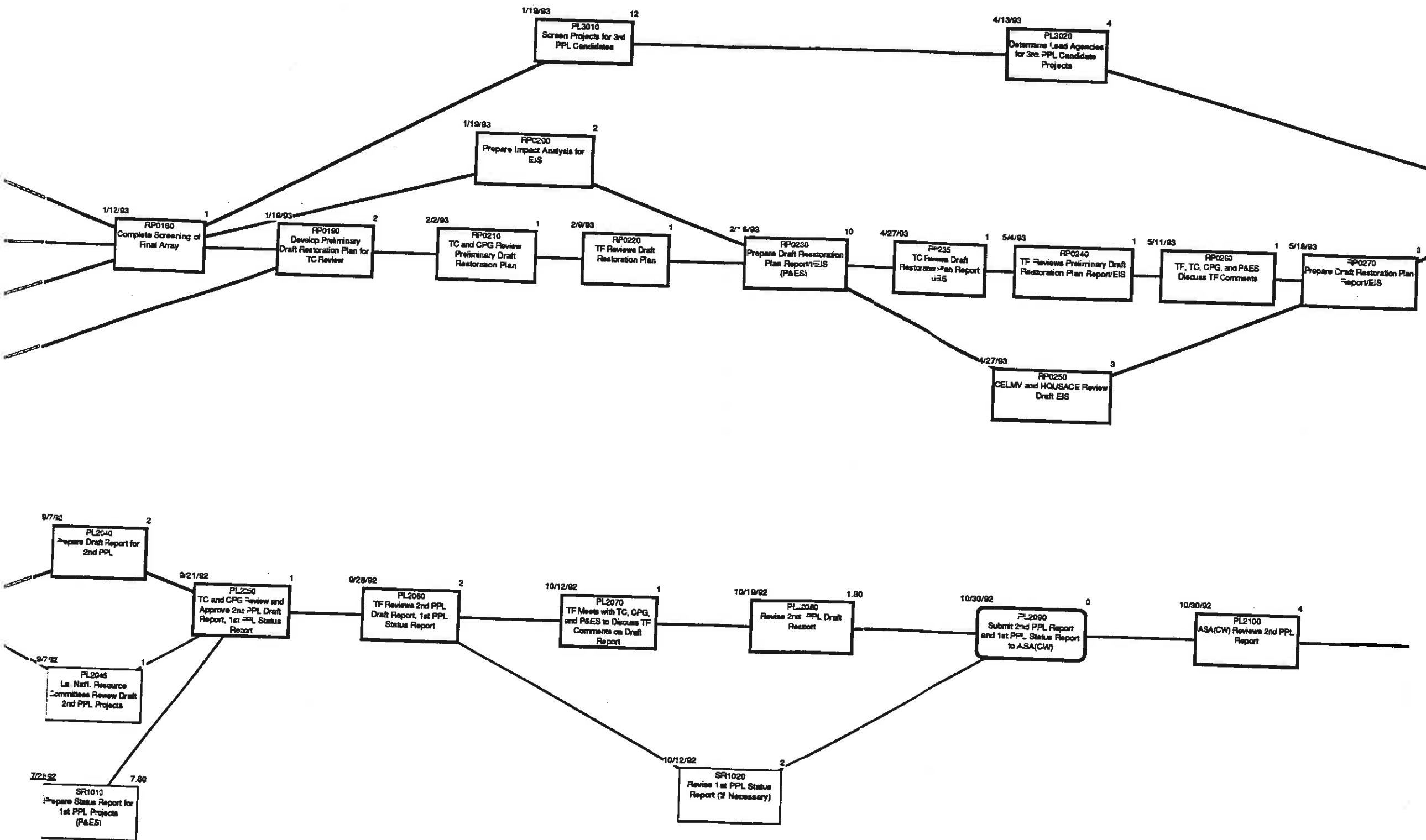
Activity	Dept of Agriculture Soil Conservation Svc		Dept of the Army US Army Corps of Engrs		Dept of Commerce (2 Agencies)		Dept of Interior (4 Agencies)		Environmental Protection Agency		State of Louisiana		SUMMARY	
	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)	Mnhrs	Cost (\$)
Other Costs														
Graphics	-	2,600	-	900	-	-	-	-	-	1,400	-	616	-	5,516
Printing	-	1,800	-	1,000	-	-	-	-	-	-	-	616	-	3,416
Travel	-	21,500	-	22,540	-	37,000	-	-	-	57,910	-	42,247	-	181,197
Contracts	-	36,000	-	-	-	90,000	-	20,000	-	230,000	-	61,404	-	437,404
Other	-	20,000	-	-	-	30,000	-	-	-	-	-	20,616	-	70,616
Total Other	-	81,900	-	24,440	-	157,000	-	20,000	-	289,310	-	125,499	-	698,149
Overhead:	-	236,647	-	690,928	-	133,615	-	102,639	-	52,934	-	73,645	-	1,290,408
Contingencies:	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total-Detailed Pmg Schedule	20,356	881,993	21,774	1,601,172	6,508	523,353	7,312	306,177	7,011	553,980	19,582	639,992	82,543	4,506,667
Added Items														
Hired Labor						48,423	11,520	265,913					11,520	314,336
Other Costs														
Graphics	-	-	-	-	-	-	-	0	-	-	-	-	-	0
Printing	-	-	-	-	-	-	-	0	-	-	-	-	-	0
Travel	-	-	-	-	-	5,715	-	13,842	-	-	-	-	-	19,557
Contracts	-	-	-	-	-	-	-	45,225	-	-	-	-	-	45,225
Other	-	-	-	-	-	-	-	9,600	-	-	-	-	-	9,600
Total Other	-	0	-	0	-	5,715	-	68,667	-	0	-	0	-	74,382
Overhead:	-	-	-	-	-	15,628	-	97,282	-	-	-	-	-	112,910
Contingencies:	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total-Added Items:	0	0	0	0	0	69,766	11,520	431,862	0	0	0	0	11,520	501,628
Total Budget Proposal	20,356	881,993	21,774	1,601,172	6,508	593,119	18,832	738,039	7,011	553,980	19,582	639,992	94,063	5,008,295

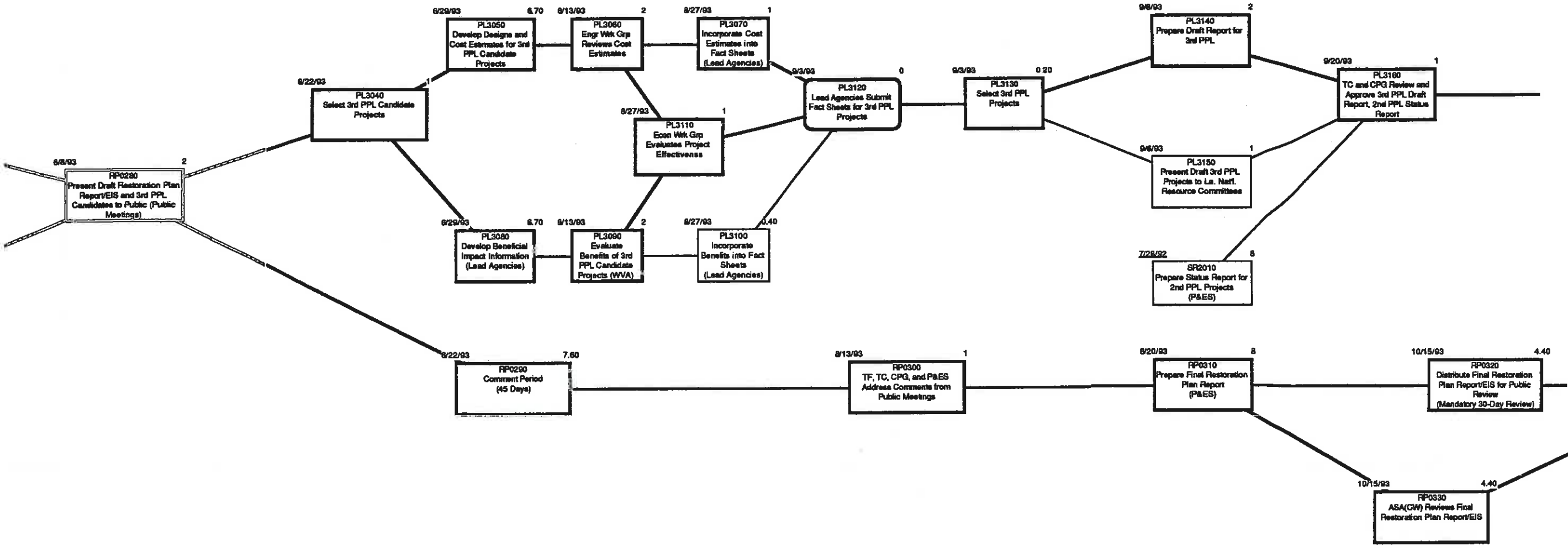
↑
*This amount approved by Task Force 9/1/92.
 See next page for breakout by individual USDI Bureaus*



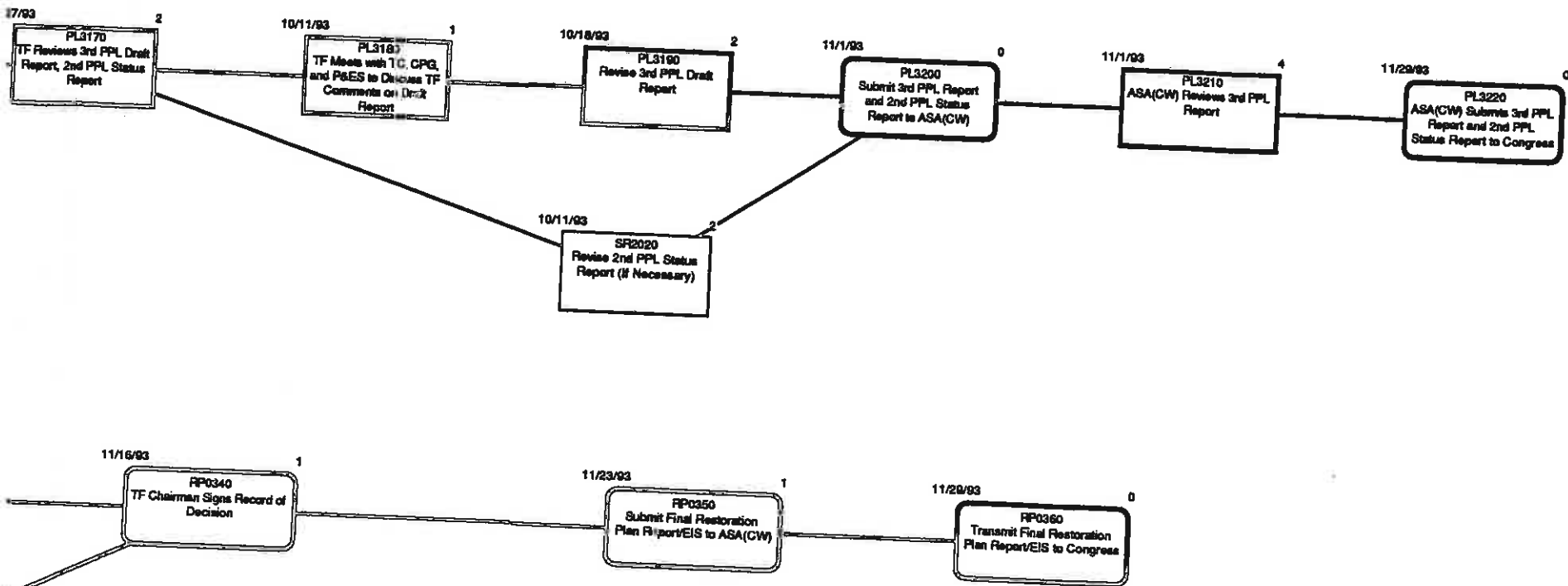
Louisiana Coastal Wetlands Restoration Plan

14 August 1992





7/92 0
 PL2110
 ASA(CW) Submits 2nd
 PPL Report and 1st PPL
 Status Report to Congress



Louisiana Coastal Wetlands Restoration Plan

14 August 1992

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

**PRESENTATION OF THE BASIN CONCEPTUAL PLANS
FOR ENDORSEMENT BY THE TASK FORCE**

The Basin Captains will present the conceptual plans and strategies for each basin as approved by the Technical Committee and the Citizen Participation Group.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

ADDITIONAL AGENDA ITEMS

Each Task Force member has the opportunity at this point to propose additional items or issues for the consideration of the Task Force.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING
SEPTEMBER 1, 1992

DATE AND LOCATION OF THE NEXT TASK FORCE MEETING

Recommendation for Task Force Approval:

DATE: October 19, 1992

TIME: 9:30 a.m.

LOCATION: District Assembly Room
New Orleans District, U.S. Army Corps of Engineers
Foot of Prytania Street
New Orleans, Louisiana

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

**TASK FORCE MEETING
SEPTEMBER 1, 1992**

REQUEST FOR WRITTEN QUESTIONS FROM THE PUBLIC

All Task Force meetings are open to the public. Interested parties may submit a completed "Question Submittal Card" to the Task Force Chairman at this time. Questions and comments will be addressed at the next regularly scheduled Task Force meeting.

COASTAL WETLANDS PLANNING, PROTECTION, & RESTORATION ACT
(Public Law 101-646, Title III)

SECTION 303. Priority Louisiana Coastal Wetlands Restoration Projects.

- **Section 303a. Priority Project List.**
 - NLT 13 Jan 91, Sec. of the Army (Secretary) will convene a Task Force.

•Secretary	•Secretary, Interior
•Administrator, EPA	•Secretary, Agriculture
•Governor, Louisiana	•Secretary, Commerce
 - NLT 28 Nov 91, Task Force will prepare and transmit to Congress a Priority List of wetland restoration projects based on cost effectiveness and wetland quality.
 - Priority List is revised and submitted annually as part of President's budget.
- **Section 303b. Federal and State Project Planning.**
 - NLT 28 Nov 93, Task Force will prepare a comprehensive coastal wetlands Restoration Plan for Louisiana.
 - Restoration Plan will consist of a list of wetland projects, ranked by cost effectiveness and wetland quality.
 - Completed Restoration Plan will become Priority List.
 - Secretary will ensure that navigation and flood control projects are consistent with the purpose of the Restoration Plan.
 - Upon submission of the Restoration Plan to Congress, the Task Force will conduct a scientific evaluation of the completed wetland restoration projects every 3 years and report the findings to Congress.

SECTION 304. Louisiana Coastal Wetlands Conservation Planning.

- Secretary; Administrator, EPA; and Director, USFWS will:
 - Sign an agreement with the Governor specifying how Louisiana will develop and implement the Conservation Plan.
 - Approve the Conservation Plan.
 - Provide Congress with periodic status reports on Plan implementation.
- NLT 3 years after agreement is signed, Louisiana will develop a Wetland Conservation Plan to achieve no net loss of wetlands resulting from development.

SECTION 305. National Coastal Wetlands Conservation Grants.

- Director, USFWS, will make matching grants to any coastal state to implement Wetland Conservation Projects (projects to acquire, restore, manage, and enhance real property interest in coastal lands and waters).
- Cost sharing is 50% Federal / 50% State *

SECTION 306. Distribution of Appropriations.

- 70% of annual appropriations not to exceed (NTE) \$70 million used as follows:
 - NTE \$15 million to fund Task Force completion of Priority List and Restoration Plan -- Secretary disburses funds.
 - NTE \$10 million to fund 75% of Louisiana's cost to complete Conservation Plan -- Administrator disburses funds.
 - Balance to fund wetland restoration projects at 75% Federal/ 25% Louisiana ** -- Secretary disburses funds.
- 15% of annual appropriations, NTE \$15 million for Wetland Conservation Grants - Director, USFWS disburses funds.
- 15% of annual appropriations, NTE \$15 million for projects authorized by the North American Wetlands Conservation Act - Secretary, Interior disburses funds.

SECTION 307. Additional Authority for the Corps of Engineers.

- **Section 307a. Secretary authorized to:**
 - Carry out projects to protect, restore, and enhance wetlands and aquatic/coastal ecosystems.
- **Section 307b. Secretary authorized and directed to study feasibility of modifying the MR&T to increase flows and sediment to the Atchafalaya River for land building and wetland nourishment.**

- * 25% if the state has dedicated trust fund from which principal is not spent.
- ** 15% when Louisiana's Conservation Plan is approved.

activities, where appropriate, that would contribute to the restoration or improvement of one or more fish stocks of the Great Lakes Basin; and

“(2) activities undertaken to accomplish the goals stated in section 2006.

16 USC 941g.

“SEC. 2009. AUTHORIZATION OF APPROPRIATIONS.

“(a) There are authorized to be appropriated to the Director—

“(1) for conducting a study under section 2005 not more than \$4,000,000 for each of fiscal years 1991 through 1994;

“(2) to establish and operate the Great Lakes Coordination Office under section 2008(a) and Upper Great Lakes Fishery Resources Offices under section 2008(c), not more than \$4,000,000 for each of fiscal years 1991 through 1995; and

“(3) to establish and operate the Lower Great Lakes Fishery Resources Offices under section 2008(b), not more than \$2,000,000 for each of fiscal years 1991 through 1995.

“(b) There are authorized to be appropriated to the Secretary to carry out this Act, not more than \$1,500,000 for each of fiscal years 1991 through 1995.”.

Coastal
Wetlands
Planning,
Protection and
Restoration Act.
16 USC 3951
note.

TITLE III—WETLANDS**SEC. 391. SHORT TITLE.**

This title may be cited as the “Coastal Wetlands Planning, Protection and Restoration Act”.

16 USC 3951.

SEC. 392. DEFINITIONS.

As used in this title, the term—

(1) “Secretary” means the Secretary of the Army;

(2) “Administrator” means the Administrator of the Environmental Protection Agency;

(3) “development activities” means any activity, including the discharge of dredged or fill material, which results directly in a more than de minimus change in the hydrologic regime, bottom contour, or the type, distribution or diversity of hydrophytic vegetation, or which impairs the flow, reach, or circulation of surface water within wetlands or other waters;

(4) “State” means the State of Louisiana;

(5) “coastal State” means a State of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes; for the purposes of this title, the term also includes Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territories of the Pacific Islands, and American Samoa;

(6) “coastal wetlands restoration project” means any technically feasible activity to create, restore, protect, or enhance coastal wetlands through sediment and freshwater diversion, water management, or other measures that the Task Force finds will significantly contribute to the long-term restoration or protection of the physical, chemical and biological integrity of coastal wetlands in the State of Louisiana, and includes any such activity authorized under this title or under any other provision of law, including, but not limited to, new projects, completion or expansion of existing or on-going projects, individ-

ual phases, portions, or components of projects and operation, maintenance and rehabilitation of completed projects; the primary purpose of a "coastal wetlands restoration project" shall not be to provide navigation, irrigation or flood control benefits;

(7) "coastal wetlands conservation project" means—

(A) the obtaining of a real property interest in coastal lands or waters, if the obtaining of such interest is subject to terms and conditions that will ensure that the real property will be administered for the long-term conservation of such lands and waters and the hydrology, water quality and fish and wildlife dependent thereon; and

(B) the restoration, management, or enhancement of coastal wetlands ecosystems if such restoration, management, or enhancement is conducted on coastal lands and waters that are administered for the long-term conservation of such lands and waters and the hydrology, water quality and fish and wildlife dependent thereon;

(8) "Governor" means the Governor of Louisiana;

(9) "Task Force" means the Louisiana Coastal Wetlands Conservation and Restoration Task Force which shall consist of the Secretary, who shall serve as chairman, the Administrator, the Governor, the Secretary of the Interior, the Secretary of Agriculture and the Secretary of Commerce; and

(10) "Director" means the Director of the United States Fish and Wildlife Service.

SEC. 303. PRIORITY LOUISIANA COASTAL WETLANDS RESTORATION PROJECTS. 16 USC 3952.

(a) PRIORITY PROJECT LIST.—

(1) **PREPARATION OF LIST.**—Within forty-five days after the date of enactment of this title, the Secretary shall convene the Task Force to initiate a process to identify and prepare a list of coastal wetlands restoration projects in Louisiana to provide for the long-term conservation of such wetlands and dependent fish and wildlife populations in order of priority, based on the cost-effectiveness of such projects in creating, restoring, protecting, or enhancing coastal wetlands, taking into account the quality of such coastal wetlands, with due allowance for small-scale projects necessary to demonstrate the use of new techniques or materials for coastal wetlands restoration.

(2) **TASK FORCE PROCEDURES.**—The Secretary shall convene meetings of the Task Force as appropriate to ensure that the list is produced and transmitted annually to the Congress as required by this subsection. If necessary to ensure transmittal of the list on a timely basis, the Task Force shall produce the list by a majority vote of those Task Force members who are present and voting; except that no coastal wetlands restoration project shall be placed on the list without the concurrence of the lead Task Force member that the project is cost effective and sound from an engineering perspective. Those projects which potentially impact navigation or flood control on the lower Mississippi River System shall be constructed consistent with section 304 of this Act.

(3) **TRANSMITTAL OF LIST.**—No later than one year after the date of enactment of this title, the Secretary shall transmit to the Congress the list of priority coastal wetlands restoration projects required by paragraph (1) of this subsection. Thereafter,

Reports.

the list shall be updated annually by the Task Force members and transmitted by the Secretary to the Congress as part of the President's annual budget submission. Annual transmittals of the list to the Congress shall include a status report on each project and a statement from the Secretary of the Treasury indicating the amounts available for expenditure to carry out this title.

(4) LIST OF CONTENTS.—

(A) AREA IDENTIFICATION; PROJECT DESCRIPTION.—The list of priority coastal wetlands restoration projects shall include, but not be limited to—

(i) identification, by map or other means, of the coastal area to be covered by the coastal wetlands restoration project; and

(ii) a detailed description of each proposed coastal wetlands restoration project including a justification for including such project on the list, the proposed activities to be carried out pursuant to each coastal wetlands restoration project, the benefits to be realized by such project, the identification of the lead Task Force member to undertake each proposed coastal wetlands restoration project and the responsibilities of each other participating Task Force member, an estimated timetable for the completion of each coastal wetlands restoration project, and the estimated cost of each project.

(B) PRE-PLAN.—Prior to the date on which the plan required by subsection (b) of this section becomes effective, such list shall include only those coastal wetlands restoration projects that can be substantially completed during a five-year period commencing on the date the project is placed on the list.

(C) Subsequent to the date on which the plan required by subsection (b) of this section becomes effective, such list shall include only those coastal wetlands restoration projects that have been identified in such plan.

(5) FUNDING.—The Secretary shall, with the funds made available in accordance with section 306 of this title, allocate funds among the members of the Task Force based on the need for such funds and such other factors as the Task Force deems appropriate to carry out the purposes of this subsection.

(b) FEDERAL AND STATE PROJECT PLANNING.—

(1) PLAN PREPARATION.—The Task Force shall prepare a plan to identify coastal wetlands restoration projects, in order of priority, based on the cost-effectiveness of such projects in creating, restoring, protecting, or enhancing the long-term conservation of coastal wetlands, taking into account the quality of such coastal wetlands, with due allowance for small-scale projects necessary to demonstrate the use of new techniques or materials for coastal wetlands restoration. Such restoration plan shall be completed within three years from the date of enactment of this title.

(2) PURPOSE OF THE PLAN.—The purpose of the restoration plan is to develop a comprehensive approach to restore and prevent the loss of, coastal wetlands in Louisiana. Such plan shall coordinate and integrate coastal wetlands restoration

projects in a manner that will ensure the long-term conservation of the coastal wetlands of Louisiana.

(3) **INTEGRATION OF EXISTING PLANS.**—In developing the restoration plan, the Task Force shall seek to integrate the “Louisiana Comprehensive Coastal Wetlands Feasibility Study” conducted by the Secretary of the Army and the “Coastal Wetlands Conservation and Restoration Plan” prepared by the State of Louisiana’s Wetlands Conservation and Restoration Task Force.

(4) **ELEMENTS OF THE PLAN.**—The restoration plan developed pursuant to this subsection shall include—

(A) identification of the entire area in the State that contains coastal wetlands;

(B) identification, by map or other means, of coastal areas in Louisiana in need of coastal wetlands restoration projects;

(C) identification of high priority coastal wetlands restoration projects in Louisiana needed to address the areas identified in subparagraph (B) and that would provide for the long-term conservation of restored wetlands and dependent fish and wildlife populations;

(D) a listing of such coastal wetlands restoration projects, in order of priority, to be submitted annually, incorporating any project identified previously in lists produced and submitted under subsection (a) of this section;

(E) a detailed description of each proposed coastal wetlands restoration project, including a justification for including such project on the list;

(F) the proposed activities to be carried out pursuant to each coastal wetlands restoration project;

(G) the benefits to be realized by each such project;

(H) an estimated timetable for completion of each coastal wetlands restoration project;

(I) an estimate of the cost of each coastal wetlands restoration project;

(J) identification of a lead Task Force member to undertake each proposed coastal wetlands restoration project listed in the plan;

(K) consultation with the public and provision for public review during development of the plan; and

(L) evaluation of the effectiveness of each coastal wetlands restoration project in achieving long-term solutions to arresting coastal wetlands loss in Louisiana.

(5) **PLAN MODIFICATION.**—The Task Force may modify the restoration plan from time to time as necessary to carry out the purposes of this section.

(6) **PLAN SUBMISSION.**—Upon completion of the restoration plan, the Secretary shall submit the plan to the Congress. The restoration plan shall become effective ninety days after the date of its submission to the Congress.

(7) **PLAN EVALUATION.**—Not less than three years after the completion and submission of the restoration plan required by this subsection and at least every three years thereafter, the Task Force shall provide a report to the Congress containing a scientific evaluation of the effectiveness of the coastal wetlands restoration projects carried out under the plan in crea-

Reports.

ting, restoring, protecting and enhancing coastal wetlands in Louisiana.

(c) **COASTAL WETLANDS RESTORATION PROJECT BENEFITS.**—Where such a determination is required under applicable law, the net ecological, aesthetic, and cultural benefits, together with the economic benefits, shall be deemed to exceed the costs of any coastal wetlands restoration project within the State which the Task Force finds to contribute significantly to wetlands restoration.

(d) **CONSISTENCY.**—(1) In implementing, maintaining, modifying, or rehabilitating navigation, flood control or irrigation projects, other than emergency actions, under other authorities, the Secretary, in consultation with the Director and the Administrator, shall ensure that such actions are consistent with the purposes of the restoration plan submitted pursuant to this section.

(2) At the request of the Governor of the State of Louisiana, the Secretary of Commerce shall approve the plan as an amendment to the State's coastal zone management program approved under section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1455).

(e) **FUNDING OF WETLANDS RESTORATION PROJECTS.**—The Secretary shall, with the funds made available in accordance with this title, allocate such funds among the members of the Task Force to carry out coastal wetlands restoration projects in accordance with the priorities set forth in the list transmitted in accordance with this section. The Secretary shall not fund a coastal wetlands restoration project unless that project is subject to such terms and conditions as necessary to ensure that wetlands restored, enhanced or managed through that project will be administered for the long-term conservation of such lands and waters and dependent fish and wildlife populations.

(f) **COST-SHARING.**—

(1) **FEDERAL SHARE.**—Amounts made available in accordance with section 306 of this title to carry out coastal wetlands restoration projects under this title shall provide 75 percent of the cost of such projects.

(2) **FEDERAL SHARE UPON CONSERVATION PLAN APPROVAL.**—Notwithstanding the previous paragraph, if the State develops a Coastal Wetlands Conservation Plan pursuant to this title, and such conservation plan is approved pursuant to section 304 of this title, amounts made available in accordance with section 306 of this title for any coastal wetlands restoration project under this section shall be 85 percent of the cost of the project. In the event that the Secretary, the Director, and the Administrator jointly determine that the State is not taking reasonable steps to implement and administer a conservation plan developed and approved pursuant to this title, amounts made available in accordance with section 306 of this title for any coastal wetlands restoration project shall revert to 75 percent of the cost of the project: *Provided, however,* that such reversion to the lower cost share level shall not occur until the Governor has been provided notice of, and opportunity for hearing on, any such determination by the Secretary, the Director, and Administrator, and the State has been given ninety days from such notice or hearing to take corrective action.

(3) **FORM OF STATE SHARE.**—The share of the cost required of the State shall be from a non-Federal source. Such State share shall consist of a cash contribution of not less than 5 percent of

the cost of the project. The balance of such State share may take the form of lands, easements, or right-of-way, or any other form of in-kind contribution determined to be appropriate by the lead Task Force member.

(4) Paragraphs (1), (2), and (3) of this subsection shall not affect the existing cost-sharing agreements for the following projects: Caernarvon Freshwater Diversion, Davis Pond Freshwater Diversion, and Bonnet Carre Freshwater Diversion.

SEC. 304. LOUISIANA COASTAL WETLANDS CONSERVATION PLANNING.

16 USC 3953.

(a) DEVELOPMENT OF CONSERVATION PLAN.—

(1) **AGREEMENT.**—The Secretary, the Director, and the Administrator are directed to enter into an agreement with the Governor, as set forth in paragraph (2) of this subsection, upon notification of the Governor's willingness to enter into such agreement.

(2) TERMS OF AGREEMENT.—

(A) Upon receiving notification pursuant to paragraph (1) of this subsection, the Secretary, the Director, and the Administrator shall promptly enter into an agreement (hereafter in this section referred to as the "agreement") with the State under the terms set forth in subparagraph (B) of this paragraph.

(B) The agreement shall—

(i) set forth a process by which the State agrees to develop, in accordance with this section, a coastal wetlands conservation plan (hereafter in this section referred to as the "conservation plan");

(ii) designate a single agency of the State to develop the conservation plan;

(iii) assure an opportunity for participation in the development of the conservation plan, during the planning period, by the public and by Federal and State agencies;

(iv) obligate the State, not later than three years after the date of signing the agreement, unless extended by the parties thereto, to submit the conservation plan to the Secretary, the Director, and the Administrator for their approval; and

(v) upon approval of the conservation plan, obligate the State to implement the conservation plan.

(3) GRANTS AND ASSISTANCE.—Upon the date of signing the agreement—

(A) the Administrator shall, in consultation with the Director, with the funds made available in accordance with section 306 of this title, make grants during the development of the conservation plan to assist the designated State agency in developing such plan. Such grants shall not exceed 75 percent of the cost of developing the plan; and

(B) the Secretary, the Director, and the Administrator shall provide technical assistance to the State to assist it in the development of the plan.

(b) **CONSERVATION PLAN GOAL.**—If a conservation plan is developed pursuant to this section, it shall have a goal of achieving no net loss of wetlands in the coastal areas of Louisiana as a result of development activities initiated subsequent to approval of the plan.

exclusive of any wetlands gains achieved through implementation of the preceding section of this title.

(c) **ELEMENTS OF CONSERVATION PLAN.**—The conservation plan authorized by this section shall include—

(1) identification of the entire coastal area in the State that contains coastal wetlands;

(2) designation of a single State agency with the responsibility for implementing and enforcing the plan;

(3) identification of measures that the State shall take in addition to existing Federal authority to achieve a goal of no net loss of wetlands as a result of development activities, exclusive of any wetlands gains achieved through implementation of the preceding section of this title;

(4) a system that the State shall implement to account for gains and losses of coastal wetlands within coastal areas for purposes of evaluating the degree to which the goal of no net loss of wetlands as a result of development activities in such wetlands or other waters has been attained;

(5) satisfactory assurances that the State will have adequate personnel, funding, and authority to implement the plan;

(6) a program to be carried out by the State for the purpose of educating the public concerning the necessity to conserve wetlands;

(7) a program to encourage the use of technology by persons engaged in development activities that will result in negligible impact on wetlands; and

(8) a program for the review, evaluation, and identification of regulatory and nonregulatory options that will be adopted by the State to encourage and assist private owners of wetlands to continue to maintain those lands as wetlands.

(d) **APPROVAL OF CONSERVATION PLAN.**—

(1) **IN GENERAL.**—If the Governor submits a conservation plan to the Secretary, the Director, and the Administrator for their approval, the Secretary, the Director, and the Administrator shall, within one hundred and eighty days following receipt of such plan, approve or disapprove it.

(2) **APPROVAL CRITERIA.**—The Secretary, the Director, and the Administrator shall approve a conservation plan submitted by the Governor, if they determine that—

(A) the State has adequate authority to fully implement all provisions of such a plan;

(B) such a plan is adequate to attain the goal of no net loss of coastal wetlands as a result of development activities and complies with the other requirements of this section; and

(C) the plan was developed in accordance with terms of the agreement set forth in subsection (a) of this section.

(e) **MODIFICATION OF CONSERVATION PLAN.**—

(1) **NONCOMPLIANCE.**—If the Secretary, the Director, and the Administrator determine that a conservation plan submitted by the Governor does not comply with the requirements of subsection (d) of this section, they shall submit to the Governor a statement explaining why the plan is not in compliance and how the plan should be changed to be in compliance.

(2) **RECONSIDERATION.**—If the Governor submits a modified conservation plan to the Secretary, the Director, and the Administrator for their reconsideration, the Secretary, the

Director, and Administrator shall have ninety days to determine whether the modifications are sufficient to bring the plan into compliance with requirements of subsection (d) of this section.

(3) **APPROVAL OF MODIFIED PLAN.**—If the Secretary, the Director, and the Administrator fail to approve or disapprove the conservation plan, as modified, within the ninety-day period following the date on which it was submitted to them by the Governor, such plan, as modified, shall be deemed to be approved effective upon the expiration of such ninety-day period.

(f) **AMENDMENTS TO CONSERVATION PLAN.**—If the Governor amends the conservation plan approved under this section, any such amended plan shall be considered a new plan and shall be subject to the requirements of this section; except that minor changes to such plan shall not be subject to the requirements of this section.

(g) **IMPLEMENTATION OF CONSERVATION PLAN.**—A conservation plan approved under this section shall be implemented as provided therein.

(h) **FEDERAL OVERSIGHT.**—

(1) **INITIAL REPORT TO CONGRESS.**—Within one hundred and eighty days after entering into the agreement required under subsection (a) of this section, the Secretary, the Director, and the Administrator shall report to the Congress as to the status of a conservation plan approved under this section and the progress of the State in carrying out such a plan, including and accounting, as required under subsection (c) of this section, of the gains and losses of coastal wetlands as a result of development activities.

(2) **REPORT TO CONGRESS.**—Twenty-four months after the initial one hundred and eighty day period set forth in paragraph (1), and at the end of each twenty-four-month period thereafter, the Secretary, the Director, and the Administrator shall, report to the Congress on the status of the conservation plan and provide an evaluation of the effectiveness of the plan in meeting the goal of this section.

SEC. 305 NATIONAL COASTAL WETLANDS CONSERVATION GRANTS.

16 USC 3954.

(a) **MATCHING GRANTS.**—The Director shall, with the funds made available in accordance with the next following section of this title, make matching grants to any coastal State to carry out coastal wetlands conservation projects from funds made available for that purpose.

(b) **PRIORITY.**—Subject to the cost-sharing requirements of this section, the Director may grant or otherwise provide any matching moneys to any coastal State which submits a proposal substantial in character and design to carry out a coastal wetlands conservation project. In awarding such matching grants, the Director shall give priority to coastal wetlands conservation projects that are—

(1) consistent with the National Wetlands Priority Conservation Plan developed under section 301 of the Emergency Wetlands Resources Act (16 U.S.C. 3921); and

(2) in coastal States that have established dedicated funding for programs to acquire coastal wetlands, natural areas and open spaces. In addition, priority consideration shall be given to coastal wetlands conservation projects in maritime forests on coastal barrier islands.

(c) **CONDITIONS.**—The Director may only grant or otherwise provide matching moneys to a coastal State for purposes of carrying out a coastal wetlands conservation project if the grant or provision is subject to terms and conditions that will ensure that any real property interest acquired in whole or in part, or enhanced, managed, or restored with such moneys will be administered for the long-term conservation of such lands and waters and the fish and wildlife dependent thereon.

(d) **COST-SHARING.**—

(1) **FEDERAL SHARE.**—Grants to coastal States of matching moneys by the Director for any fiscal year to carry out coastal wetlands conservation projects shall be used for the payment of not to exceed 50 percent of the total costs of such projects; except that such matching moneys may be used for payment of not to exceed 75 percent of the costs of such projects if a coastal State has established a trust fund, from which the principal is not spent, for the purpose of acquiring coastal wetlands, other natural area or open spaces.

(2) **FORM OF STATE SHARE.**—The matching moneys required of a coastal State to carry out a coastal wetlands conservation project shall be derived from a non-Federal source.

(3) **IN-KIND CONTRIBUTIONS.**—In addition to cash outlays and payments, in-kind contributions of property or personnel services by non-Federal interests for activities under this section may be used for the non-Federal share of the cost of those activities.

(e) **PARTIAL PAYMENTS.**—

(1) The Director may from time to time make matching payments to carry out coastal wetlands conservation projects as such projects progress, but such payments, including previous payments, if any, shall not be more than the Federal pro rata share of any such project in conformity with subsection (d) of this section.

(2) The Director may enter into agreements to make matching payments on an initial portion of a coastal wetlands conservation project and to agree to make payments on the remaining Federal share of the costs of such project from subsequent moneys if and when they become available. The liability of the United States under such an agreement is contingent upon the continued availability of funds for the purpose of this section.

Texas.

(f) **WETLANDS ASSESSMENT.**—The Director shall, with the funds made available in accordance with the next following section of this title, direct the U.S. Fish and Wildlife Service's National Wetland Inventory to update and digitize wetlands maps in the State of Texas and to conduct an assessment of the status, condition, and trends of wetlands in that State.

16 USC 3955.

SEC. 304. DISTRIBUTION OF APPROPRIATIONS.

(a) **PRIORITY PROJECT AND CONSERVATION PLANNING EXPENDITURES.**—Of the total amount appropriated during a given fiscal year to carry out this title, 70 percent, not to exceed \$70,000,000, shall be available, and shall remain available until expended, for the purposes of making expenditures—

(1) not to exceed the aggregate amount of \$5,000,000 annually to assist the Task Force in the preparation of the list required under this title and the plan required under this title, including preparation of—

- (A) preliminary assessments;
- (B) general or site-specific inventories;
- (C) reconnaissance, engineering or other studies;
- (D) preliminary design work; and
- (E) such other studies as may be necessary to identify and evaluate the feasibility of coastal wetland restoration projects;

(2) to carry out coastal wetlands restoration projects in accordance with the priorities set forth on the list prepared under this title;

(3) to carry out wetlands restoration projects in accordance with the priorities set forth in the restoration plan prepared under this title;

(4) to make grants not to exceed \$2,500,000 annually or \$10,000,000 in total, to assist the agency designated by the State in development of the Coastal Wetlands Conservation Plan pursuant to this title.

(b) **COASTAL WETLANDS CONSERVATION GRANTS.**—Of the total amount appropriated during a given fiscal year to carry out this title, 15 percent, not to exceed \$15,000,000 shall be available, and shall remain available to the Director, for purposes of making grants—

(1) to any coastal State, except States eligible to receive funding under section 306(a), to carry out coastal wetlands conservation projects in accordance with section 305 of this title; and

(2) in the amount of \$2,500,000 in total for an assessment of the status, condition, and trends of wetlands in the State of Texas.

(c) **NORTH AMERICAN WETLANDS CONSERVATION.**—Of the total amount appropriated during a given fiscal year to carry out this title, 15 percent, not to exceed \$15,000,000, shall be available to, and shall remain available until expended by, the Secretary of the Interior for allocation to carry out wetlands conservation projects in any coastal State under section 8 of the North American Wetlands Conservation Act (Public Law 101-233, 103 Stat. 1968, December 13, 1989).

SEC. 307. GENERAL PROVISIONS.

16 USC 3956.

(a) **ADDITIONAL AUTHORITY FOR THE CORPS OF ENGINEERS.**—The Secretary is authorized to carry out projects for the protection, restoration, or enhancement of aquatic and associated ecosystems, including projects for the protection, restoration, or creation of wetlands and coastal ecosystems. In carrying out such projects, the Secretary shall give such projects equal consideration with projects relating to irrigation, navigation, or flood control.

Irrigation.
Navigation.
Flood control.

(b) **STUDY.**—The Secretary is hereby authorized and directed to study the feasibility of modifying the operation of existing navigation and flood control projects to allow for an increase in the share of the Mississippi River flows and sediment sent down the Atchafalaya River for purposes of land building and wetlands nourishment.

SEC. 308. CONFORMING AMENDMENT.

16 U.S.C. 777c is amended by adding the following after the first sentence: "The Secretary shall distribute 18 per centum of each annual appropriation made in accordance with the provisions of

section 777b of this title as provided in the Coastal Wetlands Planning, Protection and Restoration Act: *Provided*, That, notwithstanding the provisions of section 777b, such sums shall remain available to carry out such Act through fiscal year 1999."

Great Lakes
Oil Pollution
Research and
Development
Act.

33 USC 2701
note.

Ante, p. 559.

"TITLE IV—GREAT LAKES OIL POLLUTION RESEARCH AND DEVELOPMENT

"SEC. 4001. SHORT TITLE.

"This title may be cited as the "Great Lakes Oil Pollution Research and Development Act".

"SEC. 4002. GREAT LAKES OIL POLLUTION RESEARCH AND DEVELOPMENT.

"Section 7001 of the Oil Pollution Act of 1990 (Public Law 101-380) is amended as follows:

"(1) GREAT LAKES DEMONSTRATION PROJECT.—In subsection (c)(6), strike "3" and insert "4", strike "and" after "California," and insert "and (D) ports on the Great Lakes," after "Louisiana,".

"(2) FUNDING.—In subsection (f) strike "21,250,000" and insert "22,000,000" and in subsection (f)(2) strike "2,250,000" and insert "3,000,000".

Approved November 29, 1990.

LEGISLATIVE HISTORY—H.R. 5390 (S. 2244):

SENATE REPORTS: No. 101-523 accompanying S. 2244 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Oct. 1, considered and passed House.

Oct. 26, considered and passed Senate, amended, in lieu of S. 2244.

Oct. 27, House concurred in Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Nov. 29, Presidential statement.

