

**Mr. Frugé**

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

**TASK FORCE MEETING**

**September 22, 1994**

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

22 September 1994

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COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

22 September 1994

9:30 a.m.

AGENDA

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- ✓ I. **Introductions**
  - A. Task Force members or alternates
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- ✓ II. **Adoption of Minutes from the 14 July 1994 Meeting**.....D
- III. **Status of Tasks from the July 1994 Meeting Requiring Further Action**  
Task Force letter to Gov. Edwards concerning oyster leases and  
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- IV. **Status of Development of the State Conservation Plan--Mr. Thomas**..... F
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- VII. **Extension and Renegotiation of LUMCON Contract--Mrs. Hawes** ..... I
- VIII. **Amendment of Fiscal Year 1994 Budget--Mr. Schroeder**..... J
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- ✓X. **Viewing of CWPPRA Video--Dr. Good**.....L
- XI. **Additional Agenda Items**.....M
- XII. **Date and Location of the Next Task Force Meeting**.....N
- XIII. **Request for Written Questions from the Public** .....O

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEMBERS

Task Force Member

Member's Representative

Governor, State of Louisiana

Dr. 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) 665-2210; Fax: (214) 665-7446

Secretary, Department of the Interior

Mr. John R. Eadie  
Acting Director, Southeast Region  
U. S. Fish and Wildlife Service  
1875 Century Blvd.  
Atlanta, Georgia 30345  
(404) 679-4000; Fax: (404) 679-4006

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEMBERS (cont.)

<u>Task Force Member</u>	<u>Member's Representative</u>
Secretary, Department of Agriculture	Mr. Donald Gohmert State Conservationist Soil Conservation Service 3737 Government Street Alexandria, Louisiana 71302 (318) 473-7751; Fax: (318) 473-7771
Secretary, Department of Commerce	Dr. William Fox, Jr. National Oceanic and Atmospheric Administration National Marine Fisheries Service Office of Protected Resources, F/PR Rm. 8268 1335 East-West Highway Silver Spring, Maryland 20910 (301) 713-2332; Fax: (301) 713-0376
Secretary of the Army (Chairman)	Col. Kenneth Clow 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

July 14, 1994

MINUTES

**I. INTRODUCTION**

Colonel Kenneth Clow, representing the Secretary of the Army, convened the fourteenth meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force at 9:35 a.m. on July 14, 1994, 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 Record for the Task Force meeting is attached as enclosure 2. Listed below are the six Task Force members. With the exceptions of Mr. Rhoades and Dr. Fox, who were represented by Mr. Norm Thomas and Mr. Tim Osborn, respectively, all were in attendance.

Dr. Len Bahr, State of Louisiana  
Mr. Russell Rhoades, Environmental Protection Agency  
Mr. James Pulliam, U.S. Department of the Interior  
Mr. Donald Gohmert, U.S. Department of Agriculture  
Dr. William Fox, U.S. Department of Commerce  
Colonel Kenneth Clow, U.S. Department of the Army, Chairman

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

The minutes of the Task Force meeting held on April 14, 1994 (enclosure 3) were approved unanimously with no discussion. Mr. Osborn made the motion to approve the minutes and Mr. Thomas seconded it. [1/86]<sup>1</sup>

**IV. TASK FORCE DECISIONS**

A. Mr. Robert Schroeder, chief of the New Orleans District's Planning Division, presented the following Technical Committee recommendation to the the Task Force: That the Corps of Engineers manage the Mississippi River

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<sup>1</sup> The Task Force meeting was recorded on audio tape. The bracketed figures represent the tape no./counter no. for the discussion of this item. Multiple tape/counter numbers are used when an item is discussed more than once during the meeting.

Comprehensive Diversion study and the Louisiana Department of Natural Resources (LDNR) manage the Louisiana Barrier Island study generally in accordance with each agency's proposal as submitted to the Technical Committee, subject to refinement by a work group to be convened in early August 1994. [1/239-460]

Mr. Tim Axtman presented an overview of the Mississippi River Comprehensive Diversion study as prepared by the USACE to the Task Force. A copy of the proposal is attached as enclosure 4. [1/278] After the presentation Dr. Bahr questioned whether the study would include both the Mississippi and Atchafalaya Rivers and to what extent the distribution of flow at Old River would be investigated. Mr. Dom Elguezabal, Mr. Schroeder, and Mr. Axtman responded that the study would include both rivers, but changing the 70/30 distribution at Old River would not be considered. [1/476] Mr. Schroeder explained that although the CWPPRA authorizes the Corps to study the feasibility of changing the flow distribution at Old River (Section 307 (b)), the current study would consider only the water and sediment as presently distributed. A study of changing the flow distribution at Old River would be beyond the funding and time limits of the proposed CWPPRA feasibility study process. [1/500]

Ms. Rachel Wilson presented an overview of the Barrier Island study as prepared by LDNR to the Task Force. A copy of the proposal is attached as enclosure 5. [1/570]

Motion by Mr. Thomas: That the Corps of Engineers take the lead in managing the Mississippi River Comprehensive Diversion study, and LDNR take the lead in managing the Louisiana Barrier Island study. [2/118]

Second: Dr. Bahr. [2/124]

A lengthy discussion followed; the major topics of discussion expressed by Task Force members are given below.

- The Task Force will have an oversight role in each of the studies. [Clow, 2/380 & 2/553] Specific milestones and items which will require Task Force review or action needs to be identified early in the study process, including the key issue of selecting the study manager. [Osborn, 1/542 & 2/315; Bahr, 2/370] In addition, Task Force involvement in both studies should be consistent with schedules and standardized milestones. [Osborn, 2/343]

- Both studies within their respective scopes and methodology should be flexible and open in order to bring in the expertise of the Federal and state agencies, the academic community, and private consultant firms. [Thomas, 2/20; Bahr, 3/36; Davis, 2/248] The need for good science and the public involvement in the scoping of each study is critical. [Bahr, 2/408; Gohmert, 2/510]

•The availability of funds is critical. Preliminary estimates for the combined cost of the two feasibility studies are approximately \$6 million over a 3-year period. Over that same 3-year period the Task Force will be funding Priority Project Lists and the CWPPRA program. It may be necessary to fund the studies sequentially. [Osborn, 2/322]

Amendment by Mr. Osborn: That both studies follow the outlines as presented to and recommended by the Technical Committee. The proposals and frameworks that have been developed to this point are to be followed in developing the specifics of each study. When those specifics have been developed the Technical Committee will report back to the Task Force. [2/395]

Second: Mr. Thomas [2/407]

Passed unanimously. [2/551]

Vote on original motion: passed unanimously.

•The work groups along with the Technical Committee will develop the scopes of work, recommend study managers, develop budget amendment requests, etc. and will use input from all interested parties and report back to the Task Force as necessary. [2/615]

B. Mr. Dom Elguezabal presented to the Task Force the completed Standard Operating Procedure (SOP). He noted that it had been to the other agencies for review and their comments have been incorporated. He also noted that the document will be changed and updated as Task Force procedures dictate. A copy of the SOP is attached as enclosure 6.

Motion by Mr. Osborn: That the Task Force accept the SOP as presented. [4/415]

Second: Mr. Gohmert.

Passed unanimously.

C. Mr. Osborn informed the Task Force that the Fourchon Hydrologic Restoration project on the 1st Priority Project List has lost landowner support and that portions of the project have been constructed by others (the Greater Lafourche Port Commission). As a result the following motion was adopted by the Task Force. [4/12]

Motion by Clow: The Task Force remove the Fourchon Hydrologic Restoration project from the 1st Priority Project List. [4/94]

Second: Dr. Bahr. [4/102]

Passed unanimously. [4/103]

D. Mr. Benny Landreneau of the Soil Conservation Service requested construction approval for the Boston Canal/Vermilion Bay Shoreline Protection project. A letter from Mr. Landreneau detailing compliance with Task Force requirements is attached as enclosure 7.

Motion by Mr. Gohmert: That the Task Force approve the Boston Canal/Vermilion Bay Shoreline Protection project for construction. [4/460]

Second: Dr. Bahr

Passed unanimously.

E. Mr. Dave Frugé of the U.S. Fish and Wildlife Service requested construction approval for the Bayou Sauvage National Wildlife Refuge project (Units 3 and 4). A letter from Mr. Paul Yakupzack detailing compliance with Task Force requirements is attached as enclosure 8.

Motion by Mr. Pulliam: That the Task Force approve the Bayou Sauvage National Wildlife Refuge project (Units 3 and 4) for construction. [4/496]

Second: Mr. Gohmert

Passed unanimously.

F. Mr. Schroeder presented to the Task Force the Technical Committee recommendation to increase the LDNR fiscal year '94 budget by \$56,000 from \$437,000 to \$493,000. Mr. David Soileau's letter containing the request is attached as enclosure 9.

Motion by Mr. Gohmert: That the Task Force increase LDNR's fiscal year '94 budget by \$56,000. [4/516]

Second by Mr. Pulliam

Passed unanimously.

## V. INFORMATIONAL AGENDA ITEMS

A. Mr. Clyde Sellers, chief to the New Orleans District's Real Estate Division, briefed the Task Force on the requirements necessary to get Corps of Engineers approval on real estate matters for priority list projects. Section 303 (e) of the CWPPRA, states: "The Secretary (of the Army) 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." As outlined in the newly developed Standard Operating Procedures (SOP), the following information will be required by the Corps in order to fulfil Section 303 (e) requirements: a plan showing project limits and type of landrights required, the language of the landrights, certification that land acquisition is in accordance with all applicable Federal and state laws and regulations, a statement that all standard real estate practices will be followed in acquiring landrights, and an overgrazing determination. [1/115] Mr. Sellers also suggested that in order to protect project funds from problems arising from Hazardous, Toxic, and Radioactive Waste (HTRW), each agency should familiarize itself with the Innocent Land Owner's Defense under the Comprehensive Environmental Response, Compensation,

and Liability Act (CERCLA), 42 U.S.C. 9601 (35) (B). Mr. Norm Thomas asked if the Corps would be satisfied that the requirements of Section 303 (e) were met if an agency complied with the requirements presented. Mr. Sellers agreed that the Corps would be satisfied. [1/188]

- B. Dr. S.M. Gagliano announced the formation of the Louisiana Coastal Wetlands Applied Science and Engineering Consortium. This group consists of five entities: Applied Technology Research Corporation, Coastal Engineering and Environmental Consultants; Coastal Environments, Inc.; Louisiana State University Natural Systems Management and Engineering Program (within LSU's Center for Coastal, Energy, and Environmental Resources); and T. Baker Smith and Son, Inc. This group would be available to carry out activities of the CWPPRA. [2/589]
- C. As requested at the April 14, 1994, Task Force meeting, Mr. Dom Elguezabal reported that the Status of Priority List Projects report was furnished to the Task Force members two weeks prior to the meeting. [2/630]
- D. Mr. Norm Thomas briefed the Task Force on the status of the State Conservation Plan. Several attempts have been made by the EPA to meet with the state and the other agencies outlined in the CWPPRA to develop the plan; however, no progress has been made. LDNR had made a proposal for a grant to develop and implement the plan, but this proposal was denied by the Federal agencies. EPA offered a counter proposal to grant the state funds to define the scope of the Conservation Plan. This was the last official action taken. Dr. Bahr offered to approach the Statewide Wetlands Advisory Task Force for help in getting the process moving forward. [2/743-end, 3/275]
- E. Mr. Mervin Morehiser proposed to the Task Force that marsh creation and restoration be done in a manner consistent with the needs of navigation, in particular with the 50-foot channel authorized for the Mississippi River. [4/298]

## VI. TASKS REQUIRING FURTHER ACTION

Each agency reviewed the status of its priority list projects. The center of focus was to identify systemic issues and address measures to overcome these problems. [Clow, 3/290] As a result of the status review two issues surfaced which are common to many projects. These issues are described below.

Mr. Dom Elguezabal identified problems with oyster lease holders in the project area of the West Belle Pass Headland Restoration project. The project will impact oyster leases in its marsh creation areas. Language in newer oyster leases states that the lease holder cannot make claims resulting from impacts to the lease caused by coastal restoration projects; however, older leases contain no such provisions. Current

direction on the West Belle pass project is to buy out older leases and pay the cost of finding new leases for those with the newer language. [Elguezabal, 3/330]

Land rights have surfaced as a second systemic issue. Currently, lands eroded and converted to open water become state-owned water bottoms. Disputes may arise over the ownership of these lands when they are reclaimed by a coastal restoration project. This issue has surfaced on two priority list projects: the West Bay Sediment Diversion and the Isles Dernieres Barrier Island Restoration projects. [Elguezabal, 3/300; Thomas, 3/500]

Dr. Bahr suggested that these issues could be addressed at the Coastal Summit which he will be hosting at the request of the Coalition to Restore Coastal Louisiana. [3/387]

Motion by Colonel Clow: That the Task Force send a letter to the Governor of the State of Louisiana identifying these issues. [4/278]

Second: Mr. Gohmert. [4/281]

Passed unanimously. [4/282]

## VII. ADDITIONAL AGENDA ITEMS

- A. Mr. Pulliam announced that the Southern Science Center, formerly the National Wetlands Research Center, has completed the report *Land Loss in Coastal Louisiana, 1956-90* which was partially funded by the Task Force. A copy of the report was provided to each Task Force agency. [4/527]
- B. Colonel Clow announced that there will be a briefing on coastal restoration activities and a helicopter tour of coastal Louisiana for the White House Task Force on Ecosystem Management the week of July 25, 1994. Each agency should have been contacted. [4/546]
- C. Mr. Thomas announced that the EPA will be conducting a Marsh Management Workshop on August 16-18, 1994 at the Doubletree Hotel in New Orleans. Everyone is encouraged to attend and participate. [4/632]
- D. Dr. Bahr announced the completion of the W. Alton Jones Foundation, Inc.'s *Scientific Assessment of Coastal Wetlands Loss, Restoration and Management in Louisiana*. Copies were available at the meeting. [4/645]

## VIII. DATE AND LOCATION OF THE NEXT TASK FORCE MEETING

The next Task Force meeting will is tentatively scheduled for September 21, 1994. Task Force members will be contacted to confirm the date.

**IX. QUESTIONS FROM THE PUBLIC**

No written questions or comments were received from the public.

**X. ADJOURNMENT**

Dr. Bahr moved to adjourn the meeting at 12:45 p.m. Mr. Gohmert seconded the motion, and it was passed unanimously.

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

**TASK FORCE MEETING  
July 14, 1994**

**ENCLOSURE 1**

**AGENDA**

**Encl 1**



COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

14 April 1994

9:30 a.m.

AGENDA

Tab

- I. **Introductions**
  - A. Task Force members or alternates
  - B. Opening remarks by Task Force members
- II. **Adoption of Minutes from the 14 April 1994 Meeting.....D**
- III. **Status of Tasks from the February 1994 Meeting Requiring Further Action**
  - A. Problems concerning USACE approval of real estate agreements--Mr. Sellers..... E
  - B. Technical Committee evaluation of feasibility study proposals--Mr. Schroeder ..... F
  - C. Early submission of status reports for priority list projects--Mr. Elguezabal .....G
- IV. **Status of Development of the State Conservation Plan--Mr. Thomas..... H**
- V. **Status of Priority List Projects--Lead Agencies..... I**
- VI. **Linking of Navigation and Marsh Creation Interests on the Mississippi River--Mr. Morehiser..... J**
- VII. **Presentation of a Draft Standard Operating Procedure--Mr. Elguezabal.....K**
- VIII. **Request for Approval of the Boston Canal Project--Mr. Landreneau..... L**
- IX. **Request for Approval of the Bayou Sauvage NWR Project--Mr. Frugé.....M**
- X. **Request for FY 94 Budget Amendment--Mr. Schroeder .....N**
- XI. **Additional Agenda Items.....O**
- XII. **Date and Location of the Next Task Force Meeting..... P**
- XIII. **Request for Written Questions from the Public .....Q**

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

**TASK FORCE MEETING  
July 14, 1994**

**ENCLOSURE 2  
ATTENDANCE RECORD**

**Encl 2**



## ATTENDANCE RECORD



DATE(S) July 14, 1994	SPONSORING ORGANIZATION Planning Division	LOCATION District Assembly Room
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PURPOSE Louisiana Coastal Wetlands Conservation and Restoration Task Force

## PARTICIPANT REGISTER \*

NAME	JOB TITLE AND ORGANIZATION	TELEPHONE NUMBER
Oscar Rowe	CRD/DNR	382 2942
Ronny Paille	USFWS	38-862-662 ext 234
John C. Weber	COE	862 2516
CAROL C CARK	LA DNR/CRD	504 342-9418
NICK CONSTAN	COE - PD-E	504-862-1906
Tom Podany	COE - PD-FF	504-862-2502
Greg Steyer	DNR/CRD	504-342-9435
TERESA McTigue	NMFS	318-231-5915
Marvin Marchion	LA DOTD	504-737-7099
Allan Ensminger	La Assoc. Cons. Dist	318 462-0762
Len Bahr	Gov's Office	504 922-3244
Philip Bowman	LDWF	504 765-2956
Jay Browning	COE - Proj Mgmt	504-862-2755
Martin Concino	Cong Billy Tauzin	504-621-8470
Rickey Probsamen	DOC/NMFS	504-389-0508
Karl DeRouen	Gov's Office	504 922-3244
Tim Horn	Cameron Police Jury	318 775-5713
Kenneth Ducote	Wetland Task Force - Cameron	318 762-3592
Ray Conner	Cameron Police Jury	318 542-4341
OWEN MALBROUGH	CEEC / Jefferson Parish	(504) 868-3934
Dom Elgue ZABAL	COE	(504) 862-2579
Jimmy Johnson	WDS / NWR	318-266-8556
MARK DAVIS	CRCL	504 765-0198

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

**TASK FORCE MEETING**

**22 September 1994**

**TASK FORCE LETTER TO GOVERNOR EDWARDS  
CONCERNING OYSTER LEASES AND LAND RIGHTS**

**Mr. Stan Green will brief the Task Force on the response to its letter to Governor Edwards regarding the issues of oyster leases and land rights as they are affected by wetlands restoration projects.**

AUG 22 1984

Planning Division  
Plan Formulation Branch

Honorable Edwin W. Edwards  
Governor of Louisiana  
Baton Rouge, Louisiana 70804-9004

Dear Governor Edwards:

The Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) of 1990 authorized a Task Force made up of representatives from five Federal departments and the State of Louisiana to develop a "comprehensive approach to restore and prevent the loss of coastal wetlands in Louisiana."

Since 1990, the Task Force submitted three Priority Project Lists to Congress representing a total of \$123 million in coastal restoration projects. As we begin to implement these restoration measures, we have identified two areas within the state's purview which have already seriously impacted a number of CWPPRA projects. These issues are as follows:

1. Oyster Leases. Since about 1990, the Louisiana Department of Wildlife and Fisheries has included new language in oyster leases. The new language prohibits the lease holder from making claims against the state resulting from impacts to the lease caused by coastal restoration projects. However, the new permit provision has not yet been tested in court. Also, the state routinely issues new oyster leases and renews old oyster leases in areas that have been identified to be impacted by approved CWPPRA projects. This policy substantially increases total project costs, of which the state's share is 25 percent, and result in lengthy delays in project implementation. If we are forced to buy out these leases it will make some otherwise good projects prohibitive. A number of solutions for this problem seem possible and worthy of investigation. The enforcement of the new lease language, however, appears to be the most readily implementable action.

2. Land Rights for Restored Lands. Lands which erode and convert to open water become state-owned water bottoms. The determination of the boundary between private lands and

state water bottoms is extremely difficult and expensive. This determination takes on particular significance in view of state laws concerning land rights for restored lands. Article IX, Section 3 of the Louisiana Constitution of 1974 granted the owners of land contiguous to and abutting navigable water bottoms belonging to the State of Louisiana the right to reclaim land, including mineral rights, lost through erosion occurring on or after July 1, 1921. Act 645 of the 1978 Legislature (La.R.S. 41:1701-1714) set forth the procedures to be followed. However, Article IX, Section 3 of Louisiana Constitution also provides that except for the reclamation by the adjoining owner, the beds of navigable water bodies can only be reclaimed for public use. Additionally, Article VII, Section 10, para. (I) states that no appropriation shall be made except for a public purpose. The Louisiana Attorney General's office has taken the position that these provisions prohibit the expenditure of public funds to reclaim property for a private landowner. Because of this, landowners object to participating in wetland restoration projects knowing that they would forfeit their right to reclaim the attendant mineral and surface rights. Should the state proceed with these projects, there is a potential for litigation. Therefore, there is some reluctance within the state to proceed with the construction of coastal restoration projects. Possible solutions to these problems include: a clear declaration of the boundaries between the state's and the private owner's lands, for lands created through coastal restoration projects; some set division of surface and mineral rights between the state and the landowner; and a clear and comprehensive listing of all state-owned water bottoms in order to facilitate the execution of current and future coastal restoration efforts.

The resolution of these issues will provide balance in the comprehensive management of Louisiana's coastal resources. In light of the stakehold that both the State of Louisiana and the CWPPRA Task Force have in the restoration of these resources, we would be happy to provide any assistance that you deem necessary. We believe that through your leadership these issues can be resolved.

Sincerely,

*15/clow*  
Kenneth H. Clow  
Chairman, CWPPRA Task Force



EDWIN W. EDWARDS  
GOVERNOR

State of Louisiana

OFFICE OF THE GOVERNOR

Baton Rouge

70804-9004

POST OFFICE BOX 94004  
(504) 342-7015

September 6, 1994

Colonel Kenneth Clow  
District Engineer  
U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160

Dear Colonel Clow;

Your letter of August 22, 1994, identifies two major impediments to implementing coastal restoration projects: (1) active oyster leases that could be impacted by restoration projects; and (2) land ownership rights for restored lands. I agree with you that both issues are serious because they are generic and they are holding up critically needed projects. Nevertheless, I am advised that they are resolvable and that progress is underway to seek their resolution.

For example, my Office of Coastal Activities has previously contracted with outside legal counsel to analyze the legal issues associated with oyster lease conflicts and to determine possible solutions from a legal standpoint. These same attorneys are assisting the State in its defense in the Caernarvon Diversion Project law suits in which the Corps of Engineers also has been named as a defendant.

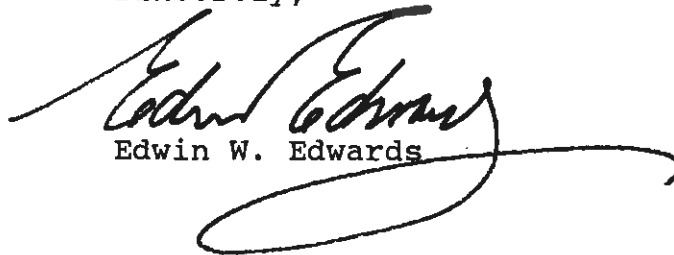
I anticipate that the specific Isle Dernieres problem will be resolved in the near future after all parties involved meet to discuss the project. An equitable solution to the broad land rights issue is of paramount importance.

Finally, you may know that an effort is underway to find practical, fair solutions to a number of the most significant problems hindering implementation of projects. My Office of Coastal Activities is sponsoring a summit on coastal restoration issues, as requested by the Coalition to Restore Coastal Louisiana. This summit is tentatively scheduled for January 1995.

Col. Clow  
August 29, 1994  
Page two

If you have any specific questions or comments, please call  
Len Bahr at 504-922-3244.

Sincerely,



Edwin W. Edwards

EWE:lb



COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

22 September 1994

STATUS OF DEVELOPMENT OF THE STATE CONSERVATION PLAN

Mr. Norm Thomas will brief the Task Force on the status of the Conservation Plan authorized by section 304 of the CWPPRA. An executive order signed by Governor Edwards establishing a State Wetlands Advisory Task Force is enclosed.

Ben Ethridge working  
w/ Bill Dodd (DNR)  
"Strawman Proposal"  
done by Bill Gooder.

30  
11

\$4M/yr Savings to State

Define deleterious: "No Net Loss"  
DNR will do this

Recognize competing projects; "frugal" approach  
no fixed date (ASAP)  
DNR Wants comments in writing; will  
then meet w/ CE, EPA, + COWS  
to Bill Gooder

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

**TASK FORCE MEETING**

**22 September 1994**

**REPORT ON THE STATUS OF PRIORITY PROJECT LIST PROJECTS**

Representatives of the Lead Agencies will brief the Task Force on the design and construction status of projects on the 1st, 2nd, and 3rd Priority Project Lists. The current status report on the projects is enclosed.

# COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

## PROJECT STATUS SUMMARY REPORT

09 September 1994

Summary report on the status of all CWPPRA projects prepared for the Louisiana Coastal Wetlands Conservation and Restoration Task Force.

Report sorted by Priority List, Lead Agency and Project Name.

Information based on data furnished by the Lead Agencies.

**Prepared by:**

Programs & Project Management Division  
U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267



COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 1

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES	ESTIMATES	Actual	Remarks/Issues/Status
				Cont Award	End Const	Baseline	Current	Expenditures
							Pent	

Lead Agency: DEPT. OF THE ARMY, CORPS OF ENGINEERS

Barataria Bay Marsh Creation	BARA	JEFF	445	10/31/1994	06/30/1995	11/30/1995	\$1,625,258	\$1,635,000	100.6	\$36,845	Maintenance dredging was originally scheduled for summer of 1994, but was postponed to spring of 1995 because of a shortage of FY 94 Operations & Maintenance (O&M) funds. A long delay in receiving rights-of-entry for surveys, however, has pushed the construction schedule to summer of 1995. The project is being modified, with the concurrence of the Local Sponsor, to include work at Queen Bess Island in addition to several CWPBRA sites. CWPBRA funds will also be used to "clear" and acquire easements on all proposed CWPBRA sites for future maintenance dredging use. CWPBRA sites included in the first contract do not impact oyster leases; however, the remaining CWPBRA sites to be included in future maintenance dredging cycles do impact oyster leases and, as stated in the original authorization, full implementation of the project depends upon the clearing of these oyster leases.
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Bayou Labranche Wetlands Restoration	PONT	STCHA	296	04/17/1993	01/06/1994	04/07/1994	\$4,327,300	\$3,710,000	85.7	\$3,304,490	Contract awarded to T. L. James Co. (Dredge "Tom James") for dredging approximately 2,500,000 cy of Lake Pontchartrain sediments and placing in marsh creation area. Contract final inspection was performed on 04/07/94. Site visit by Task Force took place on 04/13/94.
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COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 1

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES	*****	ESTIMATES	*****	Actual	Expenditures	Remarks/Issues/Status
					Cost Award	End Coast	Baseline	Current	Pcnt		

The area was seeded by LDNR on 06/25/94.

Vermilion River Cutoff Bank Protection	TECHE	VERMI	65	04/17/1993	.A	04/30/1995	08/30/1995	\$1,522,637	\$1,740,000	114.2	\$300,184	The project was modified by moving the dike from the west to the east bank of the Cutoff to better protect the wetlands. The need for the sediment retention fence on the west bank is still undetermined. The Task Force approved a revised project estimate of \$2,500,000.
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West Bay Sediment Diversion	DELTA	PLAQ	9,831	09/30/1994		12/15/1995	04/30/1996	\$8,517,066	\$20,242,700	237.6	\$413,820	The major portion of the cost increase is for dredging the anchorage as a result of induced shoaling caused by the diversion of flow from the river. A model study of the river and diversion point was recently completed, providing a basis for estimating the amount of material to be dredged. Alternatives to reduce anchorage dredging costs and project costs in general, are being reviewed now. Also, the State of Louisiana is currently looking into the issue of State-owned waterbottom vs. private ownership, both before and after project construction. It is an issue that must be addressed prior to acquisition of Real Estate easements required for the project.
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The current estimate includes \$25,000 for environmental clearance, \$65,000 for WES model study, \$2,500,000 for pipeline relocations, \$9,000,000 for dredging of induced shoaling in the anchorage area and

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 1

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award	End Const	ESTIMATES Current	Pct	Actual Expenditures	Remarks/Issues/Status
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costs for Project Management and Local  
Sponsor activities, all of which were not  
included in the original estimate.

Total Dept. Of The Army, Corps Of Engineers										
							\$15,992,261	\$27,327,700	170.8	\$4,055,339

- 4 Project(s)
- 2 Cost Sharing Agreements Executed
- 1 Construction Started
- 1 Construction Completed
- 0 Project(s) Deferred

Lead Agency: ENVIRONMENTAL PROTECTION AGENCY

Eastern Isles Dernieres Restoration (Phase 0)	TERRE	TERRE	105	04/17/1993	A	02/01/1995	02/01/1996	\$6,345,468	\$7,606,288	119.8	\$0	This phase of the Isle Dernieres restoration project is being combined with Isles Dernieres, Phase 1 (Trinity Island), priority list 2 project. All actual expenditures are shown with that project.
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Total Environmental Protection Agency										
							\$6,345,468	\$7,606,288	119.8	\$0

- 1 Project(s)
- 1 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 1

PROJECT BASIN PARISH ACRES SCHEDULES Cont Award End Const ESTIMATES Current Baseline Actual Expenditures Remarks/Issues/Status

Lead Agency: DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award End Const	ESTIMATES Current Baseline	Actual Expenditures	Remarks/Issues/Status
Bayou Sauvage Refuge Hydrologic Restoration	PONT	ORL	3,800	04/17/1993	A 05/31/1995 10/30/1995	\$1,104,708 \$1,462,000	\$37,606	Project has 404 approval, and construction approval was granted on 5 July 1994 by the Task Force. A request for the establishment of an escrow account was made on 29 August 1994. The Corps contract for a hurricane protection levee is very near completion. Design is essentially complete.
Cameron Prairie Refuge Shoreline Protection	MERM	CAMER	640	04/17/1993	A 05/19/1994 08/09/1994	\$1,110,668 \$1,461,000	\$42,154	Project complete 9 August 1994.

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award End Const	ESTIMATES Current Baseline	Actual Expenditures	Remarks/Issues/Status
Cameron-Creole Watershed Hydrologic Restoration	CALC	CAMER	64,000	04/17/1993	A // * //	\$502,429 \$725,000	\$50,650	Work on project has been delayed pending resolution of land rights problem between the State and Miami Corp. Once this is resolved, bid procedures and construction will immediately begin. Progress toward an acceptable land right agreement has been made in the last week.

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award End Const	ESTIMATES Current Baseline	Actual Expenditures	Remarks/Issues/Status
Sabine Wildlife Refuge Erosion Protection	CALC	CAMER	13,000	04/17/1993	A 10/15/1994 02/12/1994	\$4,844,081 \$4,905,300	\$127,641	FWS received construction approval from the Task Force on 13 June 1994. Bids were received on 5 August 1994. An apparent low bidder was selected at \$828,680. However, sufficient funds were not available in the project account. The Corps has requested that DNR provide an additional \$55,000 in

*FWS  
Hill on ground  
6 projects  
1/5/95  
Closely monitor  
of  
State*

*1,923,013  
\$4,905,300  
101.2  
\$127,641*

*Note  
Contract awarded  
Yesterday  
Pre const Cal 2 Today*

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 1

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES	Cost Award	End Const	***** ESTIMATES *****	Baseline	Current	Pont	Actual Expenditures	Remarks/Issues/Status
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escrow. As soon as escrow is increased, the project will be contracted for construction.

Total Dept. Of The Interior, Fish & Wildlife Service

\$7,561,886      \$8,553,300      113.1      \$258,051

- 4 Project(s)
- 4 Cost Sharing Agreements Executed
- 1 Construction Started
- 1 Construction Completed
- 0 Project(s) Deferred

Lead Agency: DEPT. OF COMMERCE, NATIONAL MARINE FISHERIES SERV

Fourchon Hydrologic Restoration (Project deferred)	TERRE	LAFOU	2,400	/ /	*	/ /	*	\$252,035	\$7,075		2.8	\$6,999	In a meeting on October 7, 1993, Port Fourchon conveyed to NMFS personnel that any additional work in the project area could be conducted by the Port and they did not wish to see the project pursued because they question its benefits and are concerned that undesired Government/general public involvement would result after implementation.
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NMFS has recommended to the Task Force that the project be deauthorized and the Task Force concurred at the July 14, 1994 meeting

Lower Bayou LaCache Hydrologic Restoration

	TERRE	TERRE	4,200	04/17/1993	A	11/30/1995	09/30/1996	\$1,253,738	\$1,601,000		127.7	\$769,844	In a public hearing on September 22, 1993, with landowners in the project area, users
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COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 1

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES	End Const	Baseline	ESTIMATES	Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
<p>***** SCHEDULES *****</p> <p>2 Project(s)</p> <p>1 Cost Sharing Agreements Executed</p> <p>0 Construction Started</p> <p>0 Construction Completed</p> <p>1 Project(s) Deferred</p>												
Total Dept. Of Commerce, National Marine Fisheries Serv							\$1,505,773	\$1,608,075	106.7	\$776,843		
<p>***** ESTIMATES *****</p>												
<p>Lead Agency: DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE</p>												
GIWW To Clovelly Wetland Restoration	BARA	LAFOU	60,000	04/17/1993	A	02/28/1995	03/31/1996	\$8,141,512	\$8,152,000	100.1	\$493,546	The project has been divided into a number of smaller contracts in order to expedite implementation.
Vegetative Plantings - Dewitt-Rollover	CALC	VERMI	331	04/17/1993	A	07/11/1994	08/26/1994	\$172,501	\$199,616	115.7	\$23,249	Sub-project of the Vegetative Plantings project.
Vegetative Plantings - Falgout Canal	TERRE	TERRE	53	04/17/1993	A	04/30/1995	11/30/1995	\$126,060	\$145,400	115.3	\$23,249	Sub-project of the Vegetative Plantings project.
Vegetative Plantings - Timbalier Island	TERRE	TERRE	497	04/17/1993	A	02/15/1995	08/30/1995	\$354,086	\$411,600	116.2	\$23,359	Sub-project of the Vegetative Plantings project.

strenuously objected to the proposed closure of the two east-west connections between Bayou Petit Caillou and Bayou Terrebonne. The integrity of the project with these openings must be determined before proceeding with project implementation.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 1

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award	***** End Const	***** Baseline	***** ESTIMATES Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
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Vegetative Plantings - West Hackberry	CALC	CAMER	96	04/17/1993	A	03/30/1994	A	\$195,444	\$226,400	115.8	\$99,659	Sub-project of the Vegetative Plantings project.
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Total Vegetative Plantings

\$848,091      \$983,016      \$169,516

Total Dept. Of Agriculture, Soil Conservation Service

\$8,989,603      \$9,135,016      \$663,062

- 5 Project(s)
- 5 Cost Sharing Agreements Executed
- 2 Construction Started
- 2 Construction Completed
- 0 Project(s) Deferred

Total Priority List 1

\$40,394,991      \$54,230,379      134.2      \$5,753,295

16 Project(s)

- 13 Cost Sharing Agreements Executed
- 4 Construction Started
- 4 Construction Completed
- 1 Project(s) Deferred

Total Available Funds

Federal Funds      \$28,084,900.00  
N/F Funds      \$9,361,633.33  
Total Funds      \$37,446,533.33

Notes:

1. Expenditures based on Corps of Engineers financial data
2. Date codes: A = Actual date      \* = Behind scheduled
3. Percent codes: 1 = 125% of baseline estimate exceeded

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 2

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES	ESTIMATES	Actual Expenditures	Remarks/Issues/Status
					Cost Award	Current	Pct	

Lead Agency: DEPT. OF THE ARMY, CORPS OF ENGINEERS

Clear Marais Bank Protection	CALC	CALCA	4,637	08/05/1994	A	03/31/1995	07/31/1995	\$1,741,311	\$4,290,000	246.3	\$244,631	The project has been placed as an alternate to the Freshwater Bayou project for use of the Wax Lake Weir stone if for some reason Freshwater Bayou is delayed. Design and permitting efforts that had been on hold pending a resolution to the cost increase problem have now been accelerated. Intention is to request special Task Force approval to begin construction once CSA is executed. Landowners are in favor of project and do not foresee problems in obtaining ROW. The original construction estimate was low based on the proposed plan in that the rock quantity estimate was less than half of the design, and the estimate did not include a floatation channel needed for construction. This accounts for most of the cost increase shown. A Value Engineering study was conducted to explore more cost effective designs for the shoreline protection, and the results are expected by July 1 of this year. Plan was once the most cost-effective design is decided upon, we will report to the Task Force for approval to proceed with design and permitting efforts.
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West Belle Pass Headland Restoration	TERRE	LAFOU	2,459	12/31/1994		03/31/1995	07/31/1995	\$4,854,102	\$5,026,000	103.4	\$267,698	Full implementation of the project depends upon the State of Louisiana not renewing, or otherwise clearing oyster leases in the project area. The LA Dept of Wildlife and Fisheries.
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COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 2

PROJECT BASIN PARISH ACRES \*\*\*\*\* SCHEDULES \*\*\*\*\* COST AWARD \*\*\*\*\* END CONST \*\*\*\*\* ESTIMATES \*\*\*\*\* PENT \*\*\*\*\* ACTUAL EXPENDITURES \*\*\*\*\* REMARKS/ISSUES/STATUS

has stated that they can not help in clearing the oyster leases and that the Govt. should proceed with any necessary action to obtain rights over the leases anticipated to be impacted. Real Estate Div. is in the process of determining the lease owners and action required.

Total Dept. Of The Army, Corps Of Engineers

\$6,595,413 \$9,310,000 141.1 \$512,329

- 2 Project(s)
- 1 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

Lead Agency: ENVIRONMENTAL PROTECTION AGENCY

Isles Dernieres (Phase 1)	TERRE	TERRE	1,110	04/17/1993	A	02/01/1995	02/01/1996	\$6,907,897	\$7,647,526	110.7	\$546,781	Includes actual expenditures for the Isles Dernieres (Phase 0) project. Project on hold pending resolution of servitude impasse between LL&E and DNR; project start estimated.
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Total Environmental Protection Agency

\$6,907,897 \$7,647,526 110.7 \$546,781

- 1 Project(s)
- 1 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

CELMN-PP  
Report TASKFRC

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status: Summary Report - Priority List 2

Date: 09/09/1994  
Page: 11

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES ***** Cont Award	End Const	***** ESTIMATES ***** Baseline	Current	Pct	Actual Expenditures	Remarks/Issues/Status
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Lead Agency: DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE

Bayou Sauvage	PONT	ORL	3,650	09/30/1994	05/01/1995	05/01/1996	\$1,452,036	\$1,462,000	100.6	\$2,935	Design is 50% complete. A cost sharing agreement is in FWS Regional Office for signature. No 404 approval yet, however, no big problems are expected.
							\$1,452,036	\$1,462,000	100.6	\$2,935	

Total Dept. Of The Interior, Fish & Wildlife Service

- 1 Project(s)
- 0 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

Lead Agency: DEPT. OF COMMERCE, NATIONAL MARINE FISHERIES SERV

Atchafalaya Sediment Delivery	ATCH	STMRY	4,100	08/01/1994	* 08/01/1995	07/31/1996	\$907,810	\$922,781	101.6	\$4,123	
Big Island Mining (Increment 1)	ATCH	STMRY	500	08/01/1994	* 08/01/1995	07/31/1996	\$4,136,057	\$4,166,704	100.7	\$3,323	
Point Au Fer	TERRE	TERRE	3,500	01/01/1994	A 10/30/1994	04/30/1995	\$1,069,588	\$1,125,640	105.2	\$717,093	

PK-3 *Atchafalaya Sediment Delivery* *Begin Dam*  
*Gabriel Pen*

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 2

PROJECT	BASIN	PARISH	ACRES	CSA	***** SCHEDULES *****	Cont Award	End Const	***** ESTIMATES *****	Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
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Total Dept. Of Commerce, National Marine Fisheries Serv												
								\$6,113,455	\$6,215,125	101.6	\$724,539	

- 3 Project(s)
- 1 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

Lead Agency: DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE

Brown Lake	CALC	CAMER	3,398	03/28/1994	A	06/30/1995	11/30/1996	\$3,222,799	\$3,233,000	100.3	\$3,094	
Cacmarvon Outfall Management	BRET	PLAQ	25,400	11/30/1994		01/31/1996	09/30/1997	\$2,522,200	\$2,634,000	104.4	\$3,094	
Freshwater Bayou	MERM	VERMI	11,342	08/17/1994	A	08/29/1994	09/30/1997	\$2,770,093	\$2,780,000	100.3	\$3,255	The project has been expedited in order to allow the use of stone removed from the Wax Lake Outlet Weir at a substantial cost savings. Construction is included as an option in the Corps of Engineers contract for the Wax Lake Outlet Weir removal. Option was exercised on September 2, 1994.
Fritchie Marsh	PONT	SITAM	3,300	11/30/1994		11/30/1996	02/28/1996	\$3,048,389	\$3,058,000	100.3	\$3,094	
Hwy 384	CALC	CAMER	450	11/30/1994		06/30/1996	08/30/1997	\$700,693	\$711,000	101.4	\$3,309	

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 2

PROJECT	BASIN	PARISH	ACRES	CSA	***** SCHEDULES *****		End Const	***** ESTIMATES *****		Actual Expenditures	Remarks/Issues/Status
					Cont Award	09/30/1997		Baseline	Current		
Jonathan Davis Wetland	BARA	JEFF	4,000	11/30/1994	06/30/1995	09/30/1997		\$3,398,867	\$3,409,000	100.3	\$7,304
Mud Lake	CALC	CAMER	10,054	03/24/1994	A 12/30/1994	04/30/1996		\$2,903,634	\$2,914,000	100.3	\$60,663
Vermilion Bay/Boston Canal	TERRE	VERMI	378	03/24/1994	A 10/30/1994	11/30/1995		\$1,008,634	\$1,055,200	104.6	\$55,033

Total Dept. Of Agriculture, Soil Conservation Service

\$19,575,309 \$19,794,200 101.1 \$138,846

- 8 Project(s)
- 4 Cost Sharing Agreements Executed
- 1 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

Total Priority List 2

\$40,644,110 \$44,428,851 109.3 \$1,925,430

Total Available Funds

Federal Funds \$28,173,110.00  
N/F Funds \$9,391,036.67  
Total Funds \$37,564,146.67

Notes:

1. Expenditures based on Corps of Engineers financial data.
2. Date codes: A = Actual date \* = Behind scheduled
3. Percent codes: 1 = 125% of baseline estimate exceeded

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 3

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES ***** Cont Award	End Const	***** Baseline	ESTIMATES ***** Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
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Lead Agency: DEPT. OF THE ARMY, CORPS OF ENGINEERS

Channel Armor Gap Crevasse	DELTA	PLAQ	936	03/31/1995	10/31/1995	12/31/1995	\$808,397	\$860,400	106.4	\$3,487	Cost increase is due to additional project management costs, by both Federal and Local Sponsor. Planning and design were late in starting due to manpower constraints, but the overall schedule will not be impacted.
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MIRGO Back Dike Marsh Protection	PONT	STBER	755	03/31/1995	10/31/1995	12/31/1995	\$512,199	\$585,700	114.3	\$3,386	Cost increase is due to additional project management costs, by both Federal and Local Sponsor. Planning and design have started. Though efforts are now being accelerated, it will probably be early Spring of 1995 before construction begins. Apparently, it was assumed that the Corps had an easement but that has proved wrong. Land acquisition schedule reverts to normal schedule.
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Pass-a-Loutre Crevasse	DELTA	PLAQ	1,000	03/31/1995	10/31/1995	12/31/1995	\$2,857,790	\$2,867,900	100.3	\$6,485	Project is on schedule to initiate construction in October of 1995.
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Total Dept. Of The Army, Corps Of Engineers							\$4,178,386	\$4,314,000	103.2	\$13,358	
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- 3 Project(s)
- 0 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred



**COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT**  
**Project Status Summary Report - Priority List 3**

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award	End Const	***** Baseline	ESTIMATES Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
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**Lead Agency: ENVIRONMENTAL PROTECTION AGENCY**

Red Mud Demo	TERRE	STJON	0	10/31/1994	03/31/1995	06/30/1995	\$529,000	\$533,000	100.7	\$0	Kaiser Aluminum will contribute \$183,000 to the project cost. Project cost sharing agreement execution delayed due to disagreement over monitoring needs and costs agreement.
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Whiskey Island Restoration	TERRE	TERRE	657	01/01/1995	12/30/1995	07/30/1996	\$4,844,274	\$4,844,282	100.0	\$0	Cost sharing and cooperative agreements on hold pending LL&E and LADNR resolution regarding servitude and ownership.
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Total Environmental Protection Agency

	\$5,373,274	0	\$5,377,282	100.0	\$0
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- 2 Project(s)
- 0 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

**Lead Agency: DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE**

Hog Island	CALC	CAMER	1,405	11/01/1994	06/30/1995	12/31/1995	\$4,581,453	\$4,592,000	100.2	\$108	Preliminary design meetings have been held. Design is continuing.
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COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 3

PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award	End Const	ESTIMATES Current	Baseline	Pcnt	Expenditures	Actual	Remarks/Issues/Status
Total Dept. Of The Interior, Fish & Wildlife Service												
							\$4,592,000	\$4,581,453	100.2	\$108		
1 Project(s)												
0 Cost Sharing Agreements Executed												
0 Construction Started												
0 Construction Completed												
0 Project(s) Deferred												

Lead Agency: DEPT. OF COMMERCE, NATIONAL MARINE FISHERIES SERV

B. Perou/B. Rigolettes Marsh	BARA	JEFF	1,355	03/31/1995	07/31/1995	12/31/1995	\$1,845,000	\$1,835,046	100.5	\$108		
E. Timbalier Restoration	TERRE	LAFOU	1,986	12/31/1994	04/30/1995	11/30/1995	\$2,057,000	\$2,046,970	100.4	\$160		
L. Chapeau Marsh Creation & Hydrologic Restoration	TERRE	TERRE	12,000	12/31/1994	03/31/1995	12/31/1995	\$4,159,000	\$4,149,183	100.2	\$160		
L. Salvador Shore Protection Demo	BARA	STCHA	1,179	03/31/1995	06/01/1995	09/01/1995	\$1,455,000	\$1,444,628	100.7	\$108		
Total Dept. Of Commerce, National Marine Fisheries Serv												
							\$9,516,000	\$9,475,827	100.4	\$536		

4 Project(s)  
0 Cost Sharing Agreements Executed  
0 Construction Started  
0 Construction Completed  
0 Project(s) Deferred

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 3

PROJECT	BASIN	PARISH	ACRES	CSA	***** SCHEDULES *****		***** ESTIMATES *****		Actual Expenditures	Remarks/Issues/Status
					Cost Award	End Const	Baseline	Current		
<b>Lead Agency: DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE</b>										
Brady Canal	TERRE	TERRE	485	11/30/1994	02/28/1997	08/30/1998	\$4,717,928	\$4,728,000	100.2	\$0
Cameron-Creole Maintenance	CALC	CAMER	12,602	11/30/1994	11 * 03/31/2015		\$3,719,926	\$3,730,000	100.2	\$0 This project provides for maintenance on an as-needed basis, therefore, a definite design completion start date cannot be set.
Cote Blanche Hydrologic Restoration	TECHE	STMRY	27,304	11/30/1994	08/30/1996	08/30/1997	\$5,173,062	\$5,183,000	100.1	\$0
SW Shore White Lake Demo	MERM	VERMI	16	11/30/1994	02/28/1995	05/31/1995	\$126,060	\$136,000	107.8	\$0
Violet Freshwater Distribution	PONT	STBER	17,980	11/30/1994	02/28/1998	11/30/1998	\$1,821,438	\$1,831,000	100.5	\$108
West Pointe-a-la-Hache Outfall Management	BARA	PLAQ	17,000	11/30/1994	05/31/1997	11/30/1997	\$881,149	\$891,000	101.1	\$0
White's Ditch Outfall Management	BRET	PLAQ	562	11/30/1994	05/31/1998	11/30/1998	\$756,134	\$766,000	101.3	\$0

CELMN-PP  
Report TASKFRC

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT  
Project Status Summary Report - Priority List 3

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PROJECT	BASIN	PARISH	ACRES	CSA	SCHEDULES Cont Award	End Const	ESTIMATES Baseline	Current	Pent	Actual Expenditures	Remarks/Issues/Status
Total Dept. Of Agriculture, Soil Conservation Service											
7							\$17,195,697	\$17,265,000	100.4	\$108	
0											
0											
0											
0											
0											

- 7 Project(s)
- 0 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

Total Priority List 3

\$40,804,637 \$41,064,282 100.6 \$14,110

Total Available Funds

- 17 Project(s)
- 0 Cost Sharing Agreements Executed
- 0 Construction Started
- 0 Construction Completed
- 0 Project(s) Deferred

Federal Funds \$29,939,100.00  
N/F Funds \$9,979,700.00  
Total Funds \$39,918,800.00

Notes:

1. Expenditures based on Corps of Engineers financial data.
2. Date codes: A = Actual date \* = Behind scheduled
3. Percent codes: 1 = 125% of baseline estimate exceeded

CELMN-PP  
Report TASKFRC

**COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT**  
**Project Status Summary Report - Priority List 3**

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PROJECT CATEGORY	BASIN	PARISH	ACRES	CSA	SCHEDULES Cost Award	End Const	***** Baseline	ESTIMATES Current	Pcnt	Actual Expenditures	Remarks/Issues/Status
Total All Projects											
48	Project(s)						\$121,843,738	\$139,723,512	114.6	\$7,692,835	

- 20 Cost Sharing Agreements Executed
- 5 Construction Started
- 4 Construction Completed
- 1 Project(s) Deferred

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

22 September 1994

REPORT ON THE STATUS OF FEASIBILITY STUDIES

Templates:  
Bike suggested; CE  
Pony Department from PFB  
Can move it to limit  
Commit of different  
alternatives  
may remove  
- Home Atchafalaya from  
Sandy from  
R. - anal. Study

lots more  
funders

1st Year Task:  
- Existing FWD  
Problem / Opport / Needs  
Distribute TASKS to  
Agencies  
- Bike proposed modified  
structure for study - will help  
screening.  
Establish Matrix of Projects /  
Conceptual Alt. (that  
have been discussed  
before. Both worth  
Template

Mr. Tom Podany of the Corps of Engineers and Ms. Rachel Wilson of the Louisiana Department of Natural Resources will brief the Task Force on the status of the Mississippi River diversion study and the barrier island study.

Barrier Isl. Study

Contract for Tech Advisor  
issued

Plan of Work Outline -  
Met earlier in Sept.  
Refining geographic extent (R.R.) hurricane impact boundaries).  
Need working for Public Scoping Meeting.

Disagreement (Soileau, etc) re: starting  
to rebuilding/protecting new ultimate w/S  
creating new ones - No need -  
will be ample opportunity in future to  
address. (Main reason by POW  
group for doing that was cost)

LNR & CE will prepare study  
Plan & comes back  
to Task Force

MISSISSIPPI RIVER SEDIMENT, FRESHWATER AND NUTRIENT  
REDISTRIBUTION STUDY, STATUS REPORT

At the 11 Aug study team meeting all task force agencies were directed to compile a listing of known studies and data bases which might relate to this study effort. EPA has offered and is being considered to act as the lead in cataloging this information. The members of the study team were also provided with a copy of EC 1105-2-206 for Ecosystem Restoration Planning as a result of this meeting.

Agency members of the study team were also directed to estimate a cost for their involvement in the management effort for this study during FY 95. The initial criterion for this estimate was one meeting per month. Subsequent questions regarding meeting preparation and wrap-up time were discussed at the 8 Sept and a value of 8 hours per meeting will be used for estimating purposes.

At its 8 Sept meeting, the study team modified the title of the study to the "Mississippi River Sediment, Freshwater and Nutrient Redistribution Study" in order to reflect the broader nature of the study.

Also at this meeting Dr. Len Bahr presented a proposal for modifying the study outline. The proposed outline included an overview of the study, definitions of some principals and objectives for guiding the study, a commentary on cost-benefit analysis requirements of the study, and a compilation of several of the major restoration planning efforts completed to date.

The representatives of the Task Force agencies stated they would take time to review the proposed outline and provide comments. Study team members were also asked to make their P&E and Technical Committee members aware of this proposal and solicit their comments as well.

As a result of the presentation of this proposal, the following approach is also being considered for reviewing the existing body of plans and studies that present proposals for the use of Mississippi River resources:

1. Develop an initial matrix of the conceptual proposals contained in each of the 5 major restoration plans referenced in the proposal.
2. Develop an initial template of conceptual proposals to guide the selection of study alternatives. The template will be established by reconciling all of the plans using the CWPPRA and State restoration plans as a guide.

3. Catalog all other previously existing studies concerning the use or distribution of Mississippi River sediment, freshwater, and nutrients.
4. Assemble a workshop involving the CWPPRA Task Force, the MRSFNR Study Team, principal authors of all existing restoration plans and related studies, and the planners and managers involved in all other activities and studies concerning the Mississippi River and the coastal zone. This workshop will be convened with the intent of coordinating and, where possible, reconciling these activities and their effect on the use of the Mississippi River and its resources.
5. Following the workshop refine the template of conceptual proposals developed from the existing restoration plans.

This process would form the initial attempt to define the starting array of study alternatives.

During discussion of this proposed approach by the Technical Committee it was indicated that the concept of a template, as proposed, did not seem to conform with Federal Principles and Guidelines. These guidelines require that the problems, needs, and opportunities in the study area be established prior to the evaluation of alternatives. For this reason, a template of alternatives that serves to screen, rank, restrict, or otherwise replace the planning objective of the study, is not appropriate under Federal guidelines. The template cannot substitute for the process of evaluating all potentially feasible alternatives, nor does it remove the need to perform an incremental analysis of each separable element for each alternative and combination of alternatives. It was pointed out that the initial matrix of existing conceptual proposals appeared to be the most important element necessary to identify the beginning array of study alternatives. The initial attempt at reducing this array should be based on quantitative or qualitative measurement of project effects rather than a consensus building process. It was also noted that the coordination of existing studies would be valuable; however, an information sharing meeting format would be more appropriate than a decision making, issue resolution type workshop. It was also suggested that the timing of this meeting be concurrent with the development of the problems and needs portion of the study.



In addition to this process, all task force agencies were requested to provide to the COE Study Manager the names of representatives for each of the Environmental, Economic and Engineering Work Groups. These representatives are to possess a technical background consistent with the tasks to be addressed by each group. The names of representatives are to be provided no later than 16 Sept. The COE Study Manager will direct the Corps representative on each work group to contact all other representatives and set an initial meeting.

The work groups have been tasked with making an initial assessment of agency capabilities and possible distribution of tasks for the Existing Conditions, Future without Federal Action, and Problems, Needs and Opportunities segments of the study. The work groups are also charged with refining individual tasks and sub-tasks to bring them to a scope of services level of detail, as necessary. This assessment is to be completed and ready for presentation to the study team by 7 Oct.

Also at the Technical Committee meeting it was related that a discussion, involving the Chairman of the Task Force and the States Task Force representative, held during the LMVD Low Water Inspection Trip favored the elimination of the Atchafalaya Basin from the study area. This measure was being considered and as a result of this discussion was recommended by the Corps study manager to the Technical Committee.

After discussion the Technical Committee did not offer objection and it has been assumed that these actions are appropriate.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING

22 September 1994

**EXTENSION AND RENEGOTIATION OF  
THE LUMCON CONTRACT**

Mrs. Sue Hawes will brief the Task Force on the status of the contract for academic scientists.

**Recommendation of the Technical Committee:**

That the existing contract for the Academic Scientific Advisors be extended, with no increase in cost, for involvement in the feasibility studies and the 4th Priority Project List.

**DRAFT**

NO-COST EXTENSION TO  
MEMORANDUM OF AGREEMENT  
BETWEEN THE  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS  
AND THE  
LOUISIANA UNIVERSITIES MARINE CONSORTIUM

Most of the services called for in the original MOA were completed in a highly satisfactory manner during the summer of 1994. However, the development of a Quality Assurance/Quality Control report for CWPPRA monitoring has not been completed. In addition, the participation of academic scientists in planning meetings for the Mississippi River Sediment, Nutrient, Freshwater Redistribution (MRSNFR) Feasibility Study is ongoing, as is academic review of CWPPRA monitoring plans.

Since the original MOA expires on 30 September 1994, a no-cost extension until 30 April 1995 is proposed. No additional monies will be added to the MOA, but monies not expended in the original MOA may be expended on the following tasks:

- \* Completion of a QA/QC report as delineated in the original MOA.
- \* Academic participation in planning meetings for the MRSNFR Feasibility Study.
- \* Academic review of CWPPRA Monitoring Plans.

All other terms of the original MOA will continue in force.

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS

LOUISIANA UNIVERSITIES  
MARINE CONSORTIUM

BY: \_\_\_\_\_  
Gregory S. Kuhr

BY: \_\_\_\_\_  
Paul Sammarco, Ph.D.

TITLE: Colonel, Acting District Engineer

TITLE: Executive Director

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

## MOA WITH LUMCON FOR ACADEMIC ASSISTANCE

### STATUS

The LUMCON Academic Steering Committee (representatives from LSU, USL, and SLU) screened the 39 academic applicants and provided the Task Force agency representatives 15 scientists. The agency representatives chose 12 of these for the required tasks.

Academic scientists attended nearly all the WVA field trips to Priority List # 4 sites. We also had academic representation at nearly all the WVA office meetings. These scientists provided the "value added" requested by the Task Force. Using their site specific experience and their knowledge of wetlands functions and processes, they suggested improvements in project design and aided the WVA team in more accurately estimating the benefits of a project.

The August CWPPRA Information Transfer Workshop was fairly well attended. Academic scientists gave talks of surface flow in tidal channels, dynamics of marsh ponds, landscape modeling, land loss, the Wax Lake Weir removal, the impact of barrier islands on mainland wetlands, and their comments on the WVA process. Agency scientists reported on the WVA process, monitoring, the Bonnet Carre Restudy, and the two CWPPRA feasibility studies.

We have had academic representation at all planning meetings for the two Feasibility Studies.

Quality Assurance/Quality Control (QA/QC) report is not yet completed because the two academics are working with CWPPRA agency representatives on the plan and progress is slower than expected.

### CONCLUSION

LUMCON has done an excellent job of handling the MOA and the academic representatives have provided the necessary value added. The existing MOA with LUMCON expires 30 September 1994; not all of the tasks have been completed and all the money has not yet been spent.

### PROPOSAL

- We request Task Force approval of the following no-cost extension to the 1994 MOA to: 1) allow completion of the QA/QC; 2) participation of the academic community in the planning meetings for the Miss. River Sediment, Nutrient, and Freshwater Redistribution Feasibility Study; and 3) academic review of new CWPPRA monitoring plans. This will allow the continuing participation of the academic community in the latter two tasks until work for the Feasibility Study is parcelled out and the 1995 MOA is finalized.
- We request Task Force permission to start negotiating with LUMCON for the 1995 MOA. Possible tasks include academic assistance during WVA in 1995, continuing review of CWPPRA monitoring plans, and another workshop.

COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT

TASK FORCE MEETING  
22 September 1994

FY 94 BUDGET AMENDMENT REQUEST

Mr. Schroeder will present the recommendation of the Technical Committee concerning proposed amendments to the fiscal year 1994 budget. A summary of the FY94 budget, with proposed modifications, is enclosed. Also enclosed is a proposal for the technical advisors as recommended by the Technical Committee.

**Recommendation of the Technical Committee:**

That the fiscal year 1994 budget be amended to include \$420,000 for commissioning aerial infrared photography of coastal Louisiana, to include a set of 1:35,000 prints for each agency (to be administered by the Southern Science Center of the National Biological Survey); and

that the budget be further amended to include \$25,993 for contracting with Dr. Mark Byrnes and Mr. Randolph McBride as technical advisors on the Barrier Island feasibility study (to be administered by the Louisiana Department of Natural Resources).

*#238K = NBS*

*- the actual purchase of the prints will be done by CE thru NASA*

*Leaves #92' K*

# Coastal Wetlands Planning, Protection and Restoration Act

16 Sep 94

## FY 94 Budget Amendments

	<u>Amount (\$)</u>
Approved 1 Oct 93	4,207,240
Approved 4 Feb 94	
Public Outreach	58,900
Video Production	38,000
Approved 5 Apr 94*	
(Sci Advrs)	93,000
Approved 14 Apr 94	
(Video Production)	7,960
Approved 14 Jul 94	
(DNR)	<u>56,000</u>
Total	<u>4,461,100</u>

\* Approved via telephone poll.

## Proposed Amendments

	<u>Amount (\$)</u>
Approved 14 Jul 94	4,461,100
Recommended 16 Sep 94	
Aerial Photography	420,000
Byrnes and McBride	<u>25,993</u>
Total	<u>4,907,093</u>

Proposal for

**TECHNICAL STUDY ADVISORS FOR THE COASTAL WETLANDS  
PLANNING, PROTECTION, AND RESTORATION ACT (CWPPRA):  
LOUISIANA BARRIER ISLANDS STUDY**

Submitted to

Office of Coastal Restoration and Management  
Louisiana Department of Natural Resources  
625 North Fourth Street  
Baton Rouge, LA 70804

by

Coastal Studies Institute  
Louisiana State University  
331 Howe-Russell Geoscience Complex  
Baton Rouge, LA 70803

Duration: October 1, 1994 to March 31, 1995

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Mark R. Byrnes, Ph.D.  
Co-Principal Investigator

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Randolph A. McBride  
Co-Principal Investigator

Board of Supervisors  
of  
Louisiana State University  
and  
Agricultural and Mechanical College System  
by

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Dr. Charles E. Graham, Director  
Office of Sponsored Research

## SCOPE OF SERVICES

### **TECHNICAL STUDY ADVISORS FOR THE COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT (CWPPRA): LOUISIANA BARRIER ISLANDS STUDY**

#### INTRODUCTION

Management of Louisiana's barrier islands has long been of interest and concern to state, federal, and local entities. Among many diverse benefits, barrier islands provide habitat for commercial and recreational fisheries, protect Louisiana's coastal areas and wetlands from adverse impacts associated with storm events, and provide significant recreational opportunities for Louisiana residents. In recognition of the important role that barrier islands play in the comprehensive management, conservation, and restoration of Louisiana's coastal wetlands, the federal Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA) Task Force determined that a detailed planning effort should be performed to identify barrier island restoration opportunities. In July 1994, the Task Force approved a proposal submitted by the Louisiana Department of Natural Resources/Office of Coastal Restoration and Management (DNR/OCRM) to administer that planning effort.

DNR/OCRM requires the services of Technical Study Advisors during the first phase (October 1, 1994 to March 31, 1995) of the Louisiana Barrier Islands Study. The Technical Study Advisors will be required to review and assess existing information and data from pertinent sources regarding specific topics identified by DNR/OCRM such as barrier island degradation processes, alternative management and restoration techniques, modeling applications, wetland and other environmental benefits associated with island management and restoration, etc., and provide such information to DNR/OCRM, the CWPPRA Technical Committee, the CWPPRA Task Force, and any other entities deemed appropriate by DNR/OCRM. Such data and information are necessary to ensure that the decision-making processes required in the Barrier Islands planning effort are guided by sound technical and scientific information.

Specifically, and at a minimum, the Technical Study Advisors shall, through the provision of general consulting services and scientific and technical information as described above:

1. Assist DNR/OCRM and the CWPPRA Task Force/Technical Committee in the development of the Plan of Work, which may include, at the discretion of DNR/OCRM, participation in interagency meetings associated with the development of such Plan of Work;
2. Assist DNR/OCRM in the planning of, preparation for, and execution of both Public Scoping Meetings to be held in various coastal Parishes regarding the Plan of Work, and the Barrier Island Information Transfer Workshop and/or seminars to be held for all Study participants to provide basic technical information on processes influencing barrier island systems and techniques evaluating restoration benefits;



3. Assist DNR/OCRM in development of any documents, reports, or memoranda that may be required regarding the Barrier Island planning effort during the Contract Term; and
4. Participate in any meetings associated with the Louisiana Barrier Islands planning effort, as deemed appropriate by DNR/OCRM.

## **DELIVERABLES**

The Technical Study Advisors shall provide, to DNR/OCRM, consulting services equivalent to twenty hours per week, on average during each month of the contract term. The Technical Study Advisors shall also provide written reports or other documents as requested by DNR/OCRM (e.g., assessments of specific topics identified by DNR/OCRM).

## **PERIOD OF PERFORMANCE**

The Technical Study Advisors will initiate work on October 1, 1994 and complete work on March 31, 1995.

## **PERSONNEL**

Mark Byrnes (Asst. Research Professor) and Randy McBride (Senior Research Associate) of the LSU Coastal Studies Institute will serve as Co-Technical Study Advisors for the CWPPRA Barrier Islands Study in Louisiana. Mark Byrnes will be the primary point of contact. Both Byrnes and McBride have conducted barrier island research for the past ten years along all coasts of the United States with special emphasis on Louisiana's barrier island systems. Their work has focused on coastal erosion, coastal geology, nearshore sediment transport, modeling, and the application of geographic information systems (GIS) in coastal environments. Working as a team, Byrnes and McBride will be responsible for all aspects of this project.

The Coastal Studies Institute houses all the digital historical shorelines for Louisiana's barrier islands dating back to the mid-1800s. Lisa Duvic, a CSI Research Associate with expertise in computer mapping sciences, will provide mapping and GIS support associated with document or report preparation as part of the services outlined above. Moreover, the generation of color slides and other specialty graphics for presentations and report preparation will be completed by the Cartographic Section of the Louisiana Geological Survey (Lisa Pond - cartographer). One student worker also is needed to perform daily tasks in support of the project such as copying, filing, running errands, and faxing.

## Budget

Technical Study Advisors - Barrier Island Feasibility Study  
October 1, 1994 to March 30, 1995

### Salaries

Asst. Prof. (Mark Byrnes - 2 mo)	\$8,168
Research Assoc. V (Randy McBride - 1 mo)	\$3,125
Research Assoc. III (Lisa Duvic - 0.5 mo)	\$1,083
Cartographer (Lisa Pond - 0.5 mo)	\$ 934

Total Staff Salaries	\$13,310
Staff Benefits (23% X Total Staff Salaries)	\$ 3,061

Student Worker (1 X 10hrs/wk X 24 wks X \$6.00/hr)	<u>\$ 1,440</u>
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Total Salaries	\$17,811
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### Operating Services

Phone/Fax	\$300
Postage/Federal Express	\$150
Copying/Binding	\$100
Computer Maintenance	\$250
Misc.	\$200

Subtotal	\$1000
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### Supplies

Computer mapping supplies (plotting pens and paper)	\$250
Misc.	\$200

Subtotal	\$450
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### Travel

24 trips to various locations in LA coastal zone	
• per diem (24 trips X \$21/day X 2 people)	\$1008
• vehicle fuel (180 mi/trip X \$0.24/mi X 24 trips)	\$1027

Subtotal	\$2045
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Grand Subtotal	\$21,306
Overhead (22%)	\$4,687

Grand Total	\$25,993
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**COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT**

**TASK FORCE MEETING**

**22 September 1994**

**FISCAL YEAR 1995 BUDGET**

Mr. Schroeder will present the recommendation of the Technical Committee concerning the fiscal year 1995 budget. A summary sheet of the agencies' budget requests is enclosed.

FY 95 CWPBRA Budget

Task	Department											
	Department Army			Department Interior			State of Louisiana			Department Agriculture		Department Commerce
	Number	Amount (\$)		USFWS	NBS	USGS	DNR	LDWF	Office of Gov	EPA	Amount (\$)	Amount (\$)
Present Candidate Projects to Public	PL 4185	22,428	0				8,584		6,486	3,840	4,316	1,320
Select Draft PPLA Projects	PL 4190	6,493	2,816				8,016		2,556	3,460	8,261	6,600
TC and CPG Review and Approve PPLA	PL 4200	12,318	2,253				7,752	1,052	2,210	3,300	4,201	1,760
Prepare Draft Report for PPLA	PL 4210	24,455	1,126				1,136		1,102	1,575	4,675	528
Present Draft PPLA Projects to La. Nat. Res. Com.	PL 4220	3,768	375				3,378		8,784	2,200	3,234	528
Revise Draft Report for PPLA	PL 4230	8,869	0				224		468	1,000	3,903	1,452
TF Reviews PPL4 Draft Report	PL 4250	3,235	1,502				1,244	421	2,238	3,600	4,449	4,312
Finalize PPL4 Report	PL 4260	22,015	375				5,984		500	1,000	5,737	1,320
Submit PPL4 Report to ASA(CW)	PL 4280	942									424	
ASA(CW) Reviews PPL4 Report	PL 4290											
ASA(CW) Submits PPL4 Report to Congress	PL 4300											
P&ES Reviews Revisions to Restoration Plan	RP 1010	16,417					6,183		8,784	25,300	22,502	6,600
TC, CPG Review Revisions to Restoration Plan	RP 1020	14,020					17,378	6,312	4,700	4,300	9,224	1,980
TF Reviews Revisions to Restoration Plan	RP 1030	5,678					2,223		1,732	3,900	5,176	3,960
Agencies Nominate Candidate Projects	PL 5010	9,440	11,263				8,244	1,052	4,998	14,000	31,664	18,040
P&ES Meetings to Select PPL5 Candidate Projects	PL 5020	22,186	3,754				23,952	2,104	6,106	11,250	23,485	2,640
Develop Project Info for WVA	PL 5030	23,063	23,979	87,527			48,734	1,998	1,502	19,350	87,692	13,200
Evaluate Benefits of PPL5 Candidate Projects	PL 5040	53,809	62,885				36,863			39,800	32,630	23,320
Develop Dsgns & Cst Est for PPL5 Candidate Projs	PL 5050	199,441	14,079				22,052			55,400	199,580	28,160
Engr Wrk Grp Reviews Designs and Cost Estimates	PL 5060	5,292	0				13,500			4,400	6,370	6,160
Econ Wrk Grp Evaluates Project Effectiveness	PL 5070	12,159	0				8,528			3,900	6,869	3,080
Incorporate Benefits into Fact Sheets	PL 5080	6,161	3,754				12,485			2,350	21,912	1,760
Incorporate Cost Estimates into Fact Sheets	PL 5090	6,070					7,033			2,750	13,297	2,222
Lead Agencies Submit Fact Sheets for PPL5 Projs	PL 5100	4,915	1,877				3,165		2,400	4,050	1,675	5,060
Present PPL5 Candidate Projects to Public	PL 5110	22,428	3,379				7,742	1,578	6,521	2,200	8,239	2,640
Program Management--Coordination	PM 1010	160,866	5,632							15,500		
Program Management--Correspondence	PM 1020	69,396	3,754							7,100		
Program Management--Budget Dvlpmnt & Oversight	PM 1030	23,350	3,754							11,750		
Task Force Member Travel			2,118							5,000		
Coordinate DOI Input			3,754									
Travel												
Overhead												
Contracts												
Equipment and Supplies												
Report to Congress												
Consistency												
Total by Agency		759,200	152,400	87,500	7,800	416,700	20,000	94,200	252,300	509,500	331,900	
Total FY CWPBRA Budget												2,631,500

Revised in accordance with Technical Committee meeting of Sep 22, 1994

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

**TASK FORCE MEETING**

**22 September 1994**

**VIEWING OF CWPPRA VIDEO**

**Dr. Bill Good will present the video tape of the CWPPRA program prepared under contract by Planit Communications.**

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

**TASK FORCE MEETING**

**22 September 1994**

**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  
22 September 1994

DATE AND LOCATION OF THE NEXT TASK FORCE MEETING

**Recommendation for Task Force Approval:**

DATE: November 1994

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

Nov. 9 wed  
N.O.

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

**TASK FORCE MEETING**

**22 September 1994**

**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.



5 OF 30 WILDCAM SLIDES

**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
    - Administrator, EPA
    - Governor, Louisiana
    - Secretary, Interior
    - Secretary, Agriculture
    - 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.

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  - 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 3961  
note.

**TITLE III—WETLANDS****SEC. 301. SHORT TITLE.**

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

16 USC 3961.

**SEC. 302. 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. 302. PRIORITY LOUISIANA COASTAL WETLANDS RESTORATION PROJECTS. 16 USC 2462.**

**(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) FUNDS.—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 3944.

**SEC. 394. 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 purpose 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.

Am. p. 550.

## "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. 5300 (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.



**EDWIN W. EDWARDS**  
GOVERNOR

## State of Louisiana

OFFICE OF THE GOVERNOR

**Baton Rouge**

70804-9004

POST OFFICE BOX 94004  
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### Statement From Len Bahr to the CWPPRA Task force

September 22, 1994

The Governor's Office of Coastal Activities (the Office) was established in 1989 to carry out the principal planning and coordinating authority for a new state coastal restoration program. Ever since the CWPPRA program was instituted in 1990, the office has represented the Governor on the Federal/State Task Force.

During my tenure representing Governor Edwards on the Task Force, I have attempted to maintain a strongly proactive position for the State. This position is based on the fact that Louisiana is: (1) the victim of National policies that have largely created the sediment deficit that continues to result in our catastrophic coastal land loss; and (2) that Louisiana is the "customer" for CWPPRA. We are the client for whom the overall program is designed to help. Just as someone hiring a contractor to build a structure would insist on significant input into the overall purpose and design of the structure, so we will continue to demand a significant role in the design of the strategic restoration planning effort.

The Office is in a unique position to shoulder a disproportionate share of the planning efforts facing us. For example:

- 1) We are not an agency and are thus not limited by an agency authorities or hierarchies. For example, oyster leasing questions that may require changes in state law would be difficult for any state or federal agency to tackle.
- 2) We are not constrained by the overall CWPPRA mandate to concentrate only on vegetated wetlands; hence we can advocate multi-purpose planning that includes flood control and navigation interests as well as environmental needs.
- 3) We have been strongly supported by the environmental community and the engineering/scientific community.
- 4) We have consistently promoted innovation in restoration planning, by supporting, for example: increased emphasis on appropriate mathematical models as objective tools for evaluating projects; a higher proportion of restoration techniques, abandoned pipeline sediment conveyance, portable pipeline conveyance, and the ongoing red mud project.

Bahr Statement,  
CWPPRA Task Force Meeting  
September 22, 1994  
Page two

- 5) We have sponsored the development of the new blueprint for restoring the coast (cost: \$30,000).
- 6) We have sponsored the development of a state-of-the-art economic analysis of the impact of unchecked coastal erosion (cost: \$10,000).
- 7) We have been requested to (and are well on the way to) sponsoring a coastal summit to draft a legislative package to resolve some of the major impediments to implementing programs
- 8) We have sponsored the development of a scoping document for the freshwater, sediment and nutrient redistribution feasibility study (cost: \$25,000).
- 9) We have been active in the developing planning efforts for the lower Atchafalaya River area.
- 10) We helped negotiate and develop the very effective Bonnet Carre' redesign effort and have played a major leadership role in that on going program.
- 11) We helped sponsor a test of the feasibility of using drilling muds as a sediment source for marsh restoration.
- 12) We have argued persistently for more aggressive public outreach in the restoration program; for example the LaBranche billboard that may one day be built; an ongoing strategy for reaching and convincing the public of the importance of the program (Gus Weill and Associates contract: \$17,000).

This partial of accomplishments is an indication of what can be done by a motivated office with sufficient authority to talk to (and listen to) all users and with no agenda except saving the coast. These accomplishments were carried out by a few people on a very austere budget.

In the upcoming budget year I envision many exciting projects and ideas to originate from the office and I urge each member of the Task force to support our unique position and budget and to take our suggestions seriously.

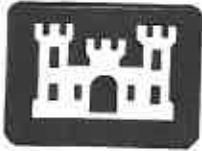
Finally, I strongly recommend and move that the Task Force formally adopt the use of the term "template" as a word signifying the broad boundaries of the river redistribution study, within which the feasibility study should concentrate its efforts. Most of the principal Mississippi River delta experts in the entire world have now contributed to the development of a broad plan to

Bahr Statement,  
CWPPRA Task Force Meeting  
September 22, 1994  
Page three

redistribute Mississippi River water sediments and nutrients to restore the Deltaic Plain. These scientists have adopted the term template as the broad pattern for the most obvious way to accomplish that difficult task. Now it is up to the Task Force to oversee a test of this template to see which of its principal elements are indeed feasible.

Recent arguments by the Corps against using the term template are apparently motivated by a desire to go back to square one and consider every possible diversion alternative. This strategy flies in the face of what the scientific community is telling us and is therefore severely flawed, in my opinion.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267  
Federal Project No. FM 204



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396  
State Project No. BA-19



Date: September 21, 1994

## Barataria Bay Waterway Marsh Creation Project Jefferson Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III)(Priority List 1).

**PROJECT LOCATION:** The Barataria Bay Waterway connects Bayou Barataria with Barataria Bay in Jefferson Parish, LA. The marsh creation sites are located between Mile 0, at Barataria Pass and Mile 16, near Bayou St. Denis.

**PROJECT PURPOSE:** Currently, sediments dredged about every four years from maintenance of the waterway are placed in designated disposal areas adjacent to the waterway. With implementation of the project, this material would be used beneficially to create new marsh and nourish existing marsh near the waterway.

**PROJECT FEATURES:** The project involves using maintenance-dredged sediments to create marsh in shallow water areas adjacent to the channel. Eighteen marsh development areas, ranging in size from about 15 to about 133 acres, are proposed between Mile 0 and Mile 16 of the waterway. Full implementation of the project is contingent upon the State of Louisiana not renewing a number of leases on State-owned water bottoms where there is no oyster production. The channel is dredged for maintenance about every four years, and about 1,740,000 cubic yards of material, on the average, is removed.

### PROJECT COSTS:

	Authorized Cost	Current Estimate
Total Estimated Project Cost	\$1,625,000	\$1,625,000
Estimated Federal Cost	\$1,219,000	\$1,219,000
Estimated Non-Federal Cost	\$406,000	\$406,000
Expenditures Thru July 1994	\$36,846	
Scheduled for Fiscal Year 94	\$30,000	

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
ATTN: CELMN-PP  
Phone: (504)865-1121

At LA Dept. of Natural Resources:  
John Radford, Project Engineer  
Jim Buchtel, Project Engineer  
ATTN: Coastal Restoration Division  
Phone:(504)342-4500



## Coastal Wetlands Planning Protection Act - Barataria Bay Waterway Marsh Creation

<b>PROJECT SCHEDULE:</b>	<b>Activity</b>	<b>Start</b>	<b>Complete</b>
	Planning & Design	Feb 1994	Nov 1994
	Easement Acquisition	Dec 1994	Feb 1995
	Environmental Permitting	Feb 1994	Nov 1994
	Cost Sharing Agreement		Oct 1994
	Award Const Contract		May 1995
	Precon Monitoring	Apr 1995	May 1995
	Construction	Jun 1995	Nov 1995

**PROJECT STATUS:** Maintenance dredging was scheduled for Summer 1994, but was postponed to 1995 due to a shortage of maintenance funds. The proposed scope of work was modified with the consent of the Local Sponsor, LA DNR, to include work at Queen Bess Island at no additional cost to CWPPRA. The current schedule is based on a 3-month acquisition period. Jefferson Parish will be acquiring easements for the dredge-maintenance portion of the contract.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267  
Federal Project No. FM 229



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396  
State Project No. MR-10



Date: September 21, 1994

## Channel Armor Gap Crevasse Plaquemines Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III)(Priority List 3).

**PROJECT LOCATION:** The project is located on the east bank of the Mississippi River main channel at river mile 4.7 Above Head of Passes (AHP). The outfall area, about 2,097 acres of fresh/intermediate marsh, is located adjacent to the river channel and Main Pass, within the boundary of the Delta National Wildlife Refuge.

**PROJECT PURPOSE:** The area adjacent to the river channel no longer receives marsh-nourishing sediment due to enhancement of the bank line. Shallow gaps built in the stone armor of the river bank allow overflow during high river flow, but are insufficient to produce splays of emergent delta. The existing crevasse can be enlarged to allow additional flow and sediment deposition in the shallow open water areas, thus creating new emergent marsh. The goal is to convert an area of 60 percent open water to an area of about 90 percent emergent wetland. Over the 20-year life of the project, the crevasse is expected to create approximately 1,000 acres of emergent marsh.

**PROJECT FEATURES:** The project will consist of deepening the invert of the existing 150-foot wide gap in the Mississippi River channel bank armor. The invert will be lowered to -4.0 feet NGVD. An existing earthen channel leading from the armored gap to the open water area will also be enlarged to an invert of -3.5 feet NGVD and a bottom width of 150 feet. This will allow an average flow of 2,500 cfs to enter the outfall area. About 125,000 cubic yards of material will be excavated and cast adjacent to the channel in a manner conducive to marsh nourishment (elevation of material not to exceed +3.0 NGVD).

### PROJECT COSTS:

	Authorized Cost	Current Estimate
Total Estimated Project Cost	\$808,400	\$860,400
Estimated Federal Cost	\$606,300	\$645,300
Estimated Non-Federal Cost	\$202,100	\$215,100

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
ATTN: CELMN-PP  
Phone: (504)865-1121

At LA Dept. of Natural Resources:  
John Radford, Project Engineer  
Jim Buchtel, Project Engineer  
ATTN: Coastal Restoration Division  
Phone:(504)342-4500

Expenditures Thru May 1994            \$2,615  
Scheduled for Fiscal Year 94        \$50,000

<b>PROJECT SCHEDULE:</b>	<b>Activity</b>	<b>Start</b>	<b>Complete</b>
	Planning & Design	Feb 1994	Jun 1995
	Easement Acquisition	Apr 1995	Jul 1995
	Environmental Permitting	Sep 1994	Apr 1995
	Cost Sharing Agreement		Mar 1995
	Award Const Contract		Sep 1995
	Precon Monitoring	Jul 1995	Sep 1995
	Construction	Oct 1995	Dec 1995

**PROJECT STATUS:** Cost increase is due to additional project management costs, by both Federal and Local Sponsor. Planning and design were late in starting due to manpower constraints.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267  
Federal Project No. FM 214



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396  
State Project No. CS-22



Date: September 21, 1994

## Clear Marais Shore Protection Calcasieu Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III). (Priority List 2)

**PROJECT LOCATION:** The project is located along the north bank of the Gulf Intracoastal Water Way (GIWW) approximately 5 miles west of Highway 27 in Calcasieu Parish, LA. Agricultural lands form the north boundary, and canals make up the eastern and western boundaries.

**PROJECT PURPOSE:** The north bank of the GIWW is failing in this area, threatening encroachment on one of the few remaining tracts of freshwater wetlands within the Calcasieu/Sabine Basin. The project will provide a barrier against the saline tidal circulation and erosive boat wake present in the GIWW, thus, protecting this highly productive area. The project will protect about 4,637 acres of freshwater marsh and provide important wintering habitat for waterfowl, as well as provide year-round habitat for alligators, furbearers, and numerous avian and fish species.

**PROJECT FEATURES:** The project involves the stabilization of six miles of channel bank. Six miles of rock bank armoring or rock armored breakwater will be constructed to maintain the integrity of the existing bank. Vegetative plantings may be used to enhance the bank protection and promote sediment trapping.

### PROJECT COSTS:

	Authorized Cost	Current Estimate
Total Estimated Project Cost	\$1,741,000	\$4,300,000
Estimated Federal Cost	\$1,305,800	\$3,225,000
Estimated Non-Federal Cost	\$435,200	\$1,075,000
Expenditures Thru July 1994	\$244,630	
Scheduled for Fiscal Year 94	\$150,000	

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
ATTN: CELMN-PP  
Phone: (504)865-1121

At LA Dept. of Natural Resources:  
Garrett Broussard, Project Engineer  
Melvin Guidry, Project Engineer  
ATTN: Coastal Restoration Division  
Phone: (318)893-3643

**PROJECT  
SCHEDULE:**

<b>Activity</b>	<b>Start</b>	<b>Complete</b>
Planning & Design	Feb 1994	Dec 1994
Easement Acquisition	Nov 1994	Dec 1994
Environmental Permitting	Feb 1994	Nov 1994
Cost Sharing Agreement		Aug 1994
Award Const Contract		Mar 1995
Precon Monitoring	Feb 1995	Mar 1995
Construction	Mar 1995	Jul 1995

**PROJECT STATUS:** The cost increase is mainly due to a severe deficiency in the original project estimate. The amount of rock originally estimated was about half of what was really needed, based on the original dike design. Also, the original estimate did not include a flotation channel or cost adjustment for "light loading" of rock barges. A Value Engineering (VE) study was conducted to investigate the possibility of other design solutions, while cost-saving adjustments were being made to the original dike design. The VE study did not produce any acceptable alternatives that had significant cost savings. The current project design yields a cost of less than \$90 per foot of rock dike, which is considered reasonable. LA DNR and the Corps of Engineers executed a Cost Sharing Agreement for the current design and current cost estimate on August 8, 1994. Permitting efforts are underway, with the Hazardous, Toxic and Radiological Waste (HTRW) and Cultural Resource investigations complete. Involved land owners are anxious to get to construction, and we do not see any problems with future easement acquisition at this point.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267  
Federal Project No. FM 204



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396  
State Project No. BA-19



Date: September 21, 1994

## La Branche Wetlands Marsh Creation Project St. Charles Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III)(Priority List 1).

**PROJECT LOCATION:** The Bayou La Branche Wetlands consist of fresh and intermediate marshes on the south shore of Lake Pontchartrain, in St. Charles Parish, east of the Bonnet Carre' spillway.

**PROJECT PURPOSE:** In much of the project area, marshes have deteriorated to open water. The close proximity of an abundant sediment source (Lake Pontchartrain) affords an ideal opportunity to restore these deteriorated areas of marsh. The project created approximately 254 acres of intermediate marsh and would nourish an additional 87 existing acres. By the end of the 20-year project life, approximately 296 acres of marsh would remain in the project area.

**PROJECT FEATURES:** The project involves dedicated dredging of sediments from Lake Pontchartrain to create vegetated wetlands. The work consists of pumping sediments from Lake Pontchartrain, adjacent to the proposed marsh development site. The marsh development area was confined as needed during construction. Dredge material was pumped to a height conducive to marsh development after settlement and compaction.

### PROJECT COSTS:

	Authorized Cost	Current Estimate
Total Estimated Project Cost	\$4,000,000	\$3,710,000
Estimated Federal Cost	\$3,000,000	\$2,783,000
Estimated Non-Federal Cost	\$1,000,000	\$927,000
Expenditures Thru July 1994	\$3,304,490	
Scheduled for Fiscal Year 94	\$3,000,000	

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
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Phone: (504)865-1121

At LA Dept. of Natural Resources:  
John Radford, Project Engineer  
Steve Gammil, Project Engineer  
ATTN: Coastal Restoration Division  
Phone: (504)342-4500

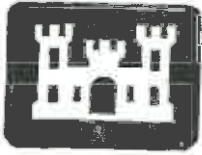
## Coastal Wetlands Planning Protection Act - LaBranche Wetlands Marsh Creation

**PROJECT  
SCHEDULE:**

<b>Activity</b>	<b>Start</b>	<b>Complete</b>
Planning & Design	Feb 1992	Aug 1993
Easement Acquisition	Apr 1993	Aug 1993
Environmental Permitting	Feb 1992	Jan 1993
Cost Sharing Agreement		Apr 1993
Award Const Contract		Nov 1993
Precon Monitoring	Oct 1993	Oct 1993
Construction	Dec 1993	Apr 1994

**PROJECT STATUS:** Construction by T. L. James & Company, Inc. was completed on April 7, 1994. In June 1994, the Local Sponsor, La. Department of Natural Resources, had a contractor seed the project area with about 8,000 lbs. of mostly Japanese millet to complement a slower natural growth of vegetation from surrounding marshes. Post-construction surveys have been delayed due to poor surveying field conditions; however, the site was flown and photographed on September 13. A meeting will be held in the very near future to discuss strategic locations of openings in the confinement dike to allow flows and fishery access to the newly created marsh.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396



Federal Project No. FM 230

State Project No. PO-19

Date: September 21, 1994

## Mississippi River Gulf Outlet Disposal Area Marsh Protection St. Bernard Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III).(Priority List 3)

**PROJECT LOCATION:** The project is located on the existing south bank dredged material disposal area for the Mississippi River Gulf Outlet (MRGO), south of the Bayou La Loutre Ridge, from approximate Mile 36.0 to Mile 30.0 along the MRGO. The project area consists of an 855-acre fresh marsh perched one to four feet higher than the adjacent brackish marsh.

**PROJECT PURPOSE:** The project area is part of an original 4,000-foot-wide diked disposal area used during construction of the MRGO in the early 1960's. Maintenance dredging since construction has used only the 2,000 nearest feet for disposal, resulting in the rear, or farthest 2,000 feet reverting to an extremely valuable high fresh marsh, especially south of the Bayou La Loutre Ridge. The project, repairing the original earthen dikes along the interior (lateral) and rear of the disposal areas south of the La Loutre Ridge, would prevent the perched marshes from draining, thus preserving valuable wetland. Project implementation will preserve over 755 acres of marsh that will be lost within 20 years if no action is taken and the disposal area drains and converts to an upland type habitat.

**PROJECT FEATURES:** The project is segmented into three separate reaches with each reach representing a fresh water marsh area. Approximately 28,000 linear feet of dike will be repaired. In addition, metal box weirs with a single 40-inch pipe would be installed in the rear dikes at designated locations to control water levels within each area. Material for repairing the dikes will come from within the disposal area.

### PROJECT COSTS:

	Authorized Cost	Current Estimate
Total Estimated Project Cost	\$521,200	\$585,700
Estimated Federal Cost	\$390,900	\$439,300
Estimated Non-Federal Cost	\$130,300	\$146,400

For additional information on this project, contact

At the Corps of Engineers:  
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Phone: (504)865-1121

At LA Dept. of Natural Resources:  
John Radford, Project Engineer  
Jim Buchtel, Project Engineer  
ATTN: Coastal Restoration Division  
Phone:(504)342-4500



Expenditures Thru July 1994            \$3,386  
Scheduled for Fiscal Year 94           \$50,000

<b>PROJECT SCHEDULE:</b>	<b>Activity</b>	<b>Start</b>	<b>Complete</b>
	Planning & Design	Feb 1994	Jun 1995
	Easement Acquisition	Apr 1995	Jul 1995
	Environmental Permitting	Sep 1994	Apr 1995
	Cost Sharing Agreement		Mar 1995
	Award Const Contract		Sep 1995
	Precon Monitoring	Jul 1995	Sep 1995
	Construction	Oct 1995	Dec 1995

**PROJECT STATUS:** Cost increase is due to additional project management costs, by both Federal and Local Sponsor. Planning and design did not start on schedule. Original schedule assumed that land acquisition would not be required. This is not the case.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267  
Federal Project No. FM 231



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396  
State Project No. MR-8/9a



Date: September 21, 1994

## Pass a Loutre Crevasse Plaquemines Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III)(Priority List 3).

**PROJECT LOCATION:** The project is located in the Mississippi River Birds Foot Delta, in Plaquemines Parish, Louisiana. It is comprised of 1,869 acres of fresh/intermediate marsh.

**PROJECT PURPOSE:** The area north of Pass a Loutre and east of the Mississippi River no longer receives marsh-nourishing sediment from the river due to the enhancement of the bank line. The mouth of Pass a Loutre is routinely used as a hopper dredge disposal area, with the deposited material retained in the channel bed until the low water season, when it is scoured away and carried to the mouth. Once there, the material is generally reworked by the high wave energy and fails to develop new sub-aerial delta. A crevasse would allow the sediments to enter and be deposited in the shallow open water area between Pass a Loutre and Raphael Pass. Initially, about 80 acres of new marsh will be created as a result of construction of the crevasse, and an additional 80 acres will be gained when the channel is again dredged for channel maintenance. Over the 20-year life of the project, the crevasse will create approximately 1,000 acres of emergent marsh. A net gain of 1,043 acres is expected at the end of the project life.

**PROJECT FEATURES:** A crevasse channel with a 430-foot bottom width and an invert elevation of -6.0 feet NGVD will be dredged by a hydraulic cutter-head pipeline dredge. About 380,000 cubic yards of material will be excavated from the northern band of Pass a Loutre and placed to elevation +2.5 feet NGVD in an unconfined, shallow-open-water disposal area located north of the channel cut. This material should settle to an elevation between +1.5 and +2.0 feet NGVD, which is conducive to marsh development to reestablish wetlands lost to subsidence and erosion. The excavation would be repeated, probably at the project mid-life (ten years after construction), for channel maintenance.

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
ATTN: CELMN-PP  
Phone: (504)865-1121

At LA Dept. of Natural Resources:  
John Radford, Project Engineer  
Jim Buchtel, Project Engineer  
ATTN: Coastal Restoration Division  
Phone:(504)342-4500

**PROJECT COSTS:**

	Authorized Cost	Current Cost
Total Estimated Project Cost	\$808,400	\$860,400
Estimated Federal Cost	\$606,300	\$645,300
Estimated Non-Federal Cost	\$202,100	\$215,100
Expenditures Thru July 1994	\$6,485	
Scheduled for Fiscal Year 94	\$20,000	

**PROJECT SCHEDULE:**

Activity	Start	Complete
Planning & Design	Feb 1994	Jun 1995
Easement Acquisition	Apr 1995	Jul 1995
Environmental Permitting	Sep 1994	Apr 1995
Cost Sharing Agreement		Mar 1995
Award Const Contract		Sep 1995
Precon Monitoring	Jul 1995	Sep 1995
Construction	Oct 1995	Dec 1995

**PROJECT STATUS:** Cost increase is due to additional project management costs, by both Federal and Local Sponsor. Planning and design were late in starting due to manpower constraints.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267

State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396

Federal Project No. FM 203

State Project No. TV-3

Date: September 21, 1994

## Vermilion River Cutoff Shoreline Protection & Restoration Project Vermilion Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III).

**PROJECT LOCATION:** The Vermilion River Cutoff, near Intracoastal City, LA, connects the Vermilion River and the Gulf Intracoastal Waterway with Vermilion Bay for navigation purposes. The project area is on the east and west sides of the Cutoff, in the vicinity of Onion Lake and Onion Bayou.

**PROJECT PURPOSE:** Erosion of the west bank of the Vermilion River Cutoff has occurred to the extent that the land bridge between the Cutoff and Vermilion Bay, to the west, is breached in several places. Erosion on the east bank is also occurring at an accelerated rate, and concern is that the land bridge between the Cutoff and Onion Lake, to the east, will also eventually breach. The project will stabilize the west side of the Cutoff by hardening the remaining land bridges, and using sediment trapping fences on the Vermilion Bay side of the west bank to rebuild deteriorated land bridges.

**PROJECT FEATURES:** The revised project design includes protecting the east side of the Vermilion River Cutoff with rock to prevent further erosion; hardening the points on existing land bridges on the west bank of the Cutoff with rock; and constructing sediment trapping fences on the Vermilion Bay side to help stabilize and protect land bridges from wave action in the Bay. The initial plan was revised when field investigations indicated that protection of the east bank of the Cutoff would best be accomplished with measures on the east bank; and that cutting off the west bank with a continuous dike would stop the flow of desirable nutrients and sediments from the Cutoff into Vermilion Bay through the breaches in the west bank land bridges.

<b>PROJECT COSTS:</b>	Total Estimated Project Cost	\$2,500,000
	Estimated Federal Cost	1,875,000
	Estimated Non-Federal Cost	625,000
	Expenditures through Fiscal Year (FY) 1993	222,200
	Scheduled Expenditures for FY 1994	71,000

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
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Phone: (504)865-1121

At LA Dept. of Natural Resources:  
Wayne Talbot, Acting Engineer Manager  
Mac Sayes, Project Engineer  
ATTN: Coastal Restoration Division  
Phone: (504)342-4500

Coastal Wetlands Planning Protection Act - Vermilion River Cutoff Erosion Protection

**PROJECT STATUS:** With the concurrence of the Local Sponsor, LA DNR, the project was modified and redesign began in January 1993. The Cost Sharing Agreement was executed on April 17, 1993. NEPA (permitting) efforts are complete and easement acquisition began in late January 1994. Negotiations to date have failed to identify and locate all potential landowners and condemnation proceedings to obtain clear title will probably begin in November 1994. Construction is scheduled to begin in May 1995.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267  
Federal Project No. FM 202



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396  
State Project No. MR-3



Date: September 21, 1994

## West Bay Sediment Diversion Plaquemines Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III). (Priority List 1)

**PROJECT LOCATION:** The project diversion site is located on the west bank of the Mississippi River at Mile 4.7 Above Head of Passes (AHP). It would divert sediments into West Bay located on the west side of the River, in Plaquemines Parish.

**PROJECT PURPOSE:** The project would recapture a small portion of the Mississippi River's land building capacity that is currently being lost. Sediment diversion is an effective measure that can be implemented to create, nourish, and maintain wetlands in the West Bay area. The project would create approximately 9,831 acres of fresh to intermediate marsh over the 20-year life of the project.

**PROJECT FEATURES:** The project consists of a conveyance channel for large scaled uncontrolled diversion of the sediments from the Mississippi River. The diversion channel would be constructed in two phases: (1) Initial construction of an interim channel to accommodate a discharge of 20,000 cubic feet per second (cfs) at the 50% duration stage on the river after a period of intensive monitoring of diversion operations. Diversion of the Mississippi River flow would induce shoaling in the main channel and the adjacent anchorage area. Dredging of the channel is accomplished under the ongoing O&M program for the river, but dredging of the anchorage area would be an added feature/cost to the CWPPRA project.

<b>PROJECT COSTS:</b>	<b>Authorized Cost</b>	<b>Current Estimate</b>
Total Estimated Project Cost	\$8,517,100	\$20,242,700
Estimated Federal Cost	\$6,387,800	\$15,182,000
Estimated Non-Federal Cost	\$2,129,300	\$5,060,700

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
ATTN: CELMN-PP  
Phone: (504)865-1121

At LA Dept. of Natural Resources:  
John Radford, Project Engineer  
Max Sayes, Project Engineer  
ATTN: Coastal Restoration Division  
Phone: (504)342-4500

Expenditures Thru July 1994      \$413,820  
Scheduled for Fiscal Year 94      \$100,000

<b>PROJECT SCHEDULE:</b>	<b>Activity</b>	<b>Start</b>	<b>Complete</b>
	Planning & Design	Feb 1993	On Hold
	Easement Acquisition	On Hold	On Hold
	Environmental Permitting	Feb 1993	On Hold
	Cost Sharing Agreement		On Hold
	Award Const Contract		On Hold
	Pre-con Monitoring	On Hold	On Hold
	Construction	On Hold	On Hold

**PROJECT STATUS:** Most of the increase in the project cost is for the estimated cost of dredging the anchorage. The cost of relocation of the pipeline has also increased substantially. A WES model study provided a basis for estimates of the shoaling in the anchorage and main channel. In addition to the issues of impacts to navigation, the issues of state-owned water bottom and reclamation of land must be resolved before design and permitting efforts continue, and before easement acquisition can be initiated. The State of Louisiana is currently working on resolutions to these issues.

# Project Fact Sheet



U.S. Army Corps of Engineers  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267  
Federal Project No. FM 215



State of Louisiana  
Dept. of Natural Resources  
P.O. Box 94396  
Baton Rouge, LA 70804-9396  
State Project No. TE-23



Date: September 21, 1994

## West Belle Pass Headland Restoration Lafourche Parish, LA

**PROJECT AUTHORITY:** The project was authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Public Law 101-646, Title III). (Priority List 2)

**PROJECT LOCATION:** The project area is 2,459 acres of coastal wetlands located just west of Port Fourchon, in Lafourche Parish, LA. The project area is bounded by Timbalier Bay on the west, Bayou Lafourche and Belle Pass on the east, and the Gulf of Mexico on the South.

**PROJECT PURPOSE:** Timbalier Bay is encroaching into the marshes on the west side of Bayou Lafourche, and wave action is eroding its banks. Openings in the banks are causing tidal scour in the interior marshes. The project will reduce the encroachment of Timbalier Bay with the use of dedicated dredged materials to create wetlands, and the construction of dams and controls on channel cross sections. The rate of tidal exchange will be lessened, allowing new and existing marsh to stabilize; and shoreline erosion along the west banks of Bayou Lafourche and Belle Pass will be reduced.

**PROJECT FEATURES:** Approximately 2,700,000 cubic yards of material will be dredged from Bayou Lafourche and used to build about 184 acres of marsh on the west side of Belle Pass. A water control structure will be placed in the Evans Canal, and plugs will be placed on other canals. Rip rap will be used on the west side of Belle Pass and Bayou Lafourche from the jetty north approximately 17,000 feet. Full implementation of the project depends upon the State of Louisiana not renewing, or otherwise clearing oyster leases in the project area.

### PROJECT COSTS:

	Authorized Cost	Current Cost
Total Estimated Project Cost	\$4,854,100	\$5,020,000
Estimated Federal Cost	\$3,640,750	\$3,765,000
Estimated Non-Federal Cost	\$1,213,350	\$1,255,000

For additional information on this project, contact

At the Corps of Engineers:  
Dom Elguezabal, Sr. Project Manager  
Beth Cottone, Project Manager  
ATTN: CELMN-PP  
Phone: (504)865-1121

At LA Dept. of Natural Resources:  
John Radford, Project Engineer  
Jim Buchtel, Project Engineer  
ATTN: Coastal Restoration Division  
Phone: (318)893-3643



## Coastal Wetlands Planning Protection Act - West Belle Pass Headland Restoration

Expenditures Thru July 1994	\$267,698
Scheduled for Fiscal Year 94	\$150,000

**PROJECT  
SCHEDULE:**

Activity	Start	Complete
Planning & Design	Feb 1994	Dec 1994
Easement Acquisition	Nov 1994	Dec 1994
Environmental Permitting	Feb 1994	Nov 1994
Cost Sharing Agreement		Aug 1994
Award Const Contract		Mar 1995
Precon Monitoring	Feb 1995	Mar 1995
Construction	Mar 1995	Jul 1995

**PROJECT STATUS:** The cost increase is due to the addition of project management and Local Sponsor costs that were not included in the original estimate. Design and permitting efforts were held up while LA DNR and the Corps sought to work out a solution to the oyster lease problems. We are near agreement on a plan of action that involves acquiring some leases. A schedule for the remainder of work will be prepared when we have a better handle on the duration of activities that must be accomplished to prepare for acquisition of the leases. Design and permitting efforts will resume shortly.