

BREAUX ACT
Coastal Wetlands Planning, Protection and Restoration Act

TASK FORCE MEETING
13 February 2008

Minutes

I. INTRODUCTION

Colonel Alvin Lee convened the 68th meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force. The meeting began at 9:40 a.m. on February 13, 2008 at the LA Department of Wildlife and Fisheries, Louisiana Room, 2000 Quail Drive, Baton Rouge, LA. The agenda is shown as Enclosure 1. The Task Force was created by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA, commonly known as the Breaux Act), which was signed into law (PL 101-646, Title III) by President George Bush on November 29, 1990.

II. ATTENDEES

The attendance record for the Task Force meeting is presented as Enclosure 2. Listed below are the six Task Force members.

Mr. Jim Boggs, U.S. Fish and Wildlife Service (USFWS)
Mr. Garrett Graves, State of Louisiana, Governor's Office of Coastal Activities (GOCA)
Mr. Rick Hartman, National Marine Fisheries Service (NMFS), substituting for Mr. Christopher Doley, NMFS
Mr. William Honker, U.S. Environmental Protection Agency (USEPA)
Colonel Alvin Lee, Chairman, U.S. Army Corps of Engineers (Corps)
Mr. Britt Paul, Natural Resources Conservation Service (NRCS), substituting for Mr. Kevin Norton, NRCS

III. OPENING REMARKS

Colonel Lee announced that Agenda Item 9 (Additional Agenda Items) would be moved after Agenda Item 6 (Report: Request for Phase II Authorization and Approval of Phase II Increment 1 Funding).

Colonel Lee presented Mr. Sam Hamilton, USFWS, with a certificate of commendation for exemplary service to the CWPPRA Program from September 2003 to February 2008 as the Department of the Interior representative on the Task Force.

Colonel Lee presented Mr. Gerry Duszynski, Louisiana Department of Natural Resources (LDNR), with a certificate of commendation for exemplary service to the CWPPRA Program from January 2004 to January 2008 as LDNR representative on the Technical Committee.

Colonel Lee presented Ms. Sidney Coffee, America's Wetland Foundation, with a certificate of commendation for exemplary service to the CWPPRA Program from January 2004 to January 2008 as representative of the Governor of Louisiana on the Task Force.

Colonel Lee acknowledged two new members on the Task Force: Mr. Garrett Graves, representative for the Governor of Louisiana, and Mr. Jim Boggs, representative for the Department of the Interior.

IV. ADOPTION OF MINUTES FROM OCTOBER 2007 TASK FORCE MEETING

Colonel Lee called for a motion to adopt the minutes from the October 25, 2007 Task Force Meeting.

Mr. Honker moved to adopt the minutes and Mr. Hartman seconded. The motion was passed by the Task Force.

V. TASK FORCE DECISIONS

A. Decision: Request for Change of Scope for Castille Pass Sediment Delivery (AT-04) (Agenda Item #9a)

Mr. Hartman reported that the change in project scope for the Castille Pass Sediment Delivery Project results in a benefits increase greater than the cost increase. According to the SOP, Task Force approval of the benefits increase and cost-effectiveness of the project is required. The project information has been provided to the Task Force. Mr. Hartman requested that the Task Force approve the change in project scope.

Mr. Honker moved to approve the change in project scope for the Castille Pass Sediment Delivery Project. Mr. Hartman seconded. The motion was passed by the Task Force.

B. Decision: Request for Phase II Authorization and Approval of Phase II Increment 1 Funding (Agenda Item #6)

Ms. Melanie Goodman, Corps, stated that the Technical Committee recommends that the Task Force approve Phase II Increment 1 funding for the Bayou Dupont Sediment Delivery System Project, the Raccoon Island Shoreline Protection/Marsh Creation - CU 2 Project, and the Whiskey Island Back Barrier Marsh Creation Project. The current total estimate of these three projects is \$59.9 million. Upon Task Force approval of these three projects, there would be a remaining balance of \$14.2 million.

Ms. Goodman added that in addition to the recommendation, the Technical Committee has asked the Task Force to consider funding the next project on the list, the South Shore of the Pen Shoreline Protection Project, and consider the possibility of changing the project scope to remove the marsh creation portion that may be funded with the Corps' Fourth Supplemental funds. The Technical Committee has also asked the Task Force to consider approving Increment 1 funding for the South Lake DeCade Project.

Mr. John Jurgensen, NRCS, presented an overview of the ten projects up for Phase II authorization and Increment 1 funding.

A. Bayou Dupont Sediment Delivery System Project: The project goals are to utilize a borrow site located in the Mississippi River to create approximately 500 acres of marsh. The borrow site will be monitored with the hopes of using that information for future projects. The project will benefit 326 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$25.9 million. This project is ranked 7th on the prioritization list.

B. Raccoon Island Shoreline Protection and Marsh Creation – CU 2 Project: The goal of this project is to build a marsh platform to create 68 acres of marsh. Project features include 4,800 linear feet (lf) of bayside containment with tidal openings, 6,100 lf of island side containment, and vegetative plantings. The project will benefit 55 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$9.2 million. This project is ranked 6th on the prioritization list.

C. Whiskey Island Back Barrier Marsh Creation Project: Project features include approximately 300 acres of intertidal marsh creation and the construction of three one-acre ponds and 5,800 lf of tidal creeks. The project will utilize both mechanical construction and natural formation to achieve the tidal creeks. The project also includes 13,000 lf of dune with sand fencing and vegetative plantings. The project will benefit 272 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$24.9 million. This project has the highest prioritization score.

D. South Shore of the Pen Shoreline Protection and Marsh Creation Project: Project features include approximately 12,000 lf of shoreline protection and 175 acres of marsh creation with an additional 132 acres of marsh nourishment. The project will benefit 211 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$26.1 million. This project is ranked 5th on the prioritization list.

E. Castille Pass Channel Sediment Delivery Project: Project features include hydraulically dredging material from Castille Pass, East Pass, and Natal Pass to construct 25,000 lf of containment dikes in an effort to channelize freshwater delivery into Four League Bay. The project will benefit 577 acres of marsh over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$18.5 million. This project is ranked 4th on the prioritization list.

F. South Lake DeCade Freshwater Introduction – CU 1 Project: The project consists of approximately 9,000 lf of rock revetment along the south embankment of Lake DeCade. The project will benefit 202 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$3.0 million. This project is ranked 3rd on the prioritization list.

G. Barataria Basin Landbridge, Phase 3 – CU 7 Project: Project features include construction of approximately 23,000 lf of rock dike/revetment along the west bank of Bayou Perot and the north shore of Little Lake. The project also includes organism access/drainage openings. The

project will benefit 180 acres over the project's 20-year life. The Phase II Increment 1 fully-funded cost is \$25.9 million, and this project is ranked 9th on the prioritization list.

H. Ship Shoal: Whiskey West Flank Restoration Project: Project features include 500 acres of intertidal, supratidal, and dune habitat; 203 acres of subtidal habitat; and placement of approximately 4 million cubic yards of sand. The project will benefit 195 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is approximately \$48 million. This project is ranked 2nd on the prioritization list.

I. GIWW Bank Restoration of Critical Areas in Terrebonne Project: This project includes the installation of approximately 9,000 lf of foreshore rock dike. The project will benefit almost 80 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$10.9 million. This project is ranked 10th on the prioritization list.

J. Freshwater Bayou Bank Stabilization - Belle Isle Canal-Lock Project: Project features include a 40,000 lf rock dike to stop shoreline erosion along the eastern bank of Freshwater Bayou. The project will benefit 241 acres over the 20-year project life. The Phase II Increment 1 fully-funded cost is \$33.4 million. This project is ranked 8th on the prioritization list.

Colonel Lee opened the floor to comments from the Task Force.

Mr. Hartman moved to approve the Technical Committee's recommendation to fund the Bayou Dupont Sediment Delivery System Project, Raccoon Island Shoreline Protection Project, and Whiskey Island Back Barrier Marsh Creation Project for Phase II Increment 1 funding. Colonel Lee put the motion on hold until all Task Force and public comments had been given.

Mr. Paul commented on the South Shore of the Pen Shoreline Protection and Marsh Creation Project. He said that the NRCS has been working with the Corps to accomplish a large part of this project with the Corps' Fourth Supplemental funds.

Colonel Lee opened the floor for public comments on the Bayou Dupont Sediment Delivery System Project.

Mr. P.J. Hahn, Director of Plaquemines Parish Coastal Restoration, spoke in favor of the Bayou Dupont Sediment Delivery System Project.

Ms. Marnie Winter, Director of Jefferson Parish's Environmental Department, supports the Bayou Dupont Sediment Delivery System Project. The project will lead to opportunities to get river sediment into Jefferson, Plaquemines, and Lafourche Parishes and test the technology to see how far it can be taken.

Ms. Vickie Duffourc, with the Bayou Segnette Boaters Association and homeowner on the west bank of Jefferson Parish, said that the Boaters Association supports the Bayou Dupont Sediment Delivery Project.

Colonel Lee opened the floor for public comments on the Raccoon Island Shoreline Protection and Marsh Creation Project.

Mr. Edmond Mouton, speaking on behalf of Mr. Brandt Savoie, Deputy Assistant Secretary of the Louisiana Department of Wildlife and Fisheries (LDWF), strongly supports the Raccoon Island Shoreline Protection and Marsh Creation Project.

Ms. Leslie Suazo, Director of Coastal Restoration for Terrebonne Parish, gave her support for the Raccoon Island Shoreline Protection and Marsh Creation Project.

Colonel Lee opened the floor for public comments on the Whiskey Island Back Barrier Marsh Creation Project.

Mr. Edmond Mouton, speaking on behalf of Mr. Brandt Savoie, Deputy Assistant Secretary of the LDWF, supports the Whiskey Island Back Barrier Marsh Creation Project.

Ms. Leslie Suazo, Director of Coastal Restoration for Terrebonne Parish, gave her support for the Whiskey Island Back Barrier Marsh Creation Project.

Colonel Lee opened the floor for public comments on the South Shore of the Pen Shoreline Protection and Marsh Creation Project.

Ms. Marnie Winter, Director of Jefferson Parish's Environmental Department, would like for the South Shore of the Pen Project to be broken into two separate projects. CWPPRA could fund the shoreline protection component and the Corps' Fourth Supplemental could hopefully fund the marsh creation component. This is a critical area and the project will protect Lafitte and the west bank of the New Orleans Metropolitan area. This would be a good way to leverage different funding sources and get a project on the ground in 2008. Funding the shoreline protection component for \$10 million would leave \$3 million in reserves. She asked the Task Force to support this project.

Ms. Vickie Duffourc, with the Bayou Segnette Boaters Association and homeowner on the west bank of Jefferson Parish, said that the Task Force should fund one phase of the South Shore of the Pen Project, if at all possible. She said that Congress has clearly agreed in the Fourth Supplemental that the Barataria Landbridge is a crucial land mass for the protection of west Jefferson Parish. This is an opportunity to highlight what CWPPRA funds and a chance to call attention to the funding shortfalls. The combination of the Bayou Dupont Sediment Delivery Project and the South Shore of the Pen Project would be a great addition to the landbridge.

Colonel Lee opened the floor for public comments on the Castille Pass Channel Sediment Delivery Project.

Mr. Edmond Mouton, speaking on behalf of Mr. Brandt Savoie, Deputy Assistant Secretary of the LDWF, supports the work done by the Federal and State agencies on the Castille Pass Channel Sediment Delivery Project.

Colonel Lee opened the floor for public comments on the South Lake DeCade Freshwater Introduction Project.

Ms. Leslie Suazo, Director of Coastal Restoration for Terrebonne Parish, said that the solution to leaving money on the table for other projects that will undoubtedly ask for additional funding in the future is to unfortunately skip over the South Shore of the Pen and other worthy projects to fund the South Lake DeCade Freshwater Introduction Project. The South Lake DeCade Project does not have any landowner issues; in fact, the landowner is anxious and willing to be a partner in the construction of the project. There will still be enough money left on the table to provide a cushion.

Colonel Lee opened the floor for public comments on the Barataria Basin Landbridge Phase 3- CU 7 Project.

Mr. Nic Matherne, from Lafourche Parish Coastal Zone Management, stated the importance of the Barataria Basin Landbridge Project. Saltwater is coming in and CU 7 is a vital part in protecting the freshwater source. Although the project is further down on the priority list, he asked the Task Force to consider the importance of protecting the freshwater supply before it is too late.

Colonel Lee opened the floor for public comments on the Ship Shoal: Whiskey West Flank Restoration Project.

Mr. Edmond Mouton, speaking on behalf of Mr. Brandt Savoie, Deputy Assistant Secretary of the LDWF, supports the work performed by the Federal and State agencies on the Ship Shoal: Whiskey West Flank Restoration Project.

Colonel Lee opened the floor for public comments on the GIWW Bank Restoration of Critical Areas in Terrebonne Project. No public comments were made.

Colonel Lee opened the floor for public comments on the Freshwater Bayou Bank Stabilization, Belle Isle Canal to Lock Project. No public comments were made.

Colonel Lee opened the floor for Mr. Hartman's previous motion.

Mr. Hartman restated his motion to approve the Technical Committee's recommendation to fund the Bayou Dupont Sediment Delivery System Project, Raccoon Island Shoreline Protection Project, and Whiskey Island Back Barrier Marsh Creation Project for Phase II Increment 1 funding. Mr. Honker seconded. The motion was passed by the Task Force.

Mr. Paul asked the Task Force to consider breaking the South Shore of the Pen Project into two increments: one for shoreline protection and one for marsh creation. CWPPRA could fund the shoreline protection component for \$8.8 million and the Corps is interested in funding the marsh creation part with Fourth Supplemental funds. He would also like to fund the South Lake DeCade Project for \$3 million which had support from four agencies in the Technical

Committee vote. Even though the Castille Pass Sediment Delivery Project is next on the list, there is not enough money available to fund it. If the South Shore of the Pen Shoreline Protection Component and the South Lake DeCade Project were funded, there would be \$2 million left in the program.

Mr. Honker asked the Corps about the feasibility of splitting the South Shore of the Pen Project into separate components. Ms. Goodman replied that the Corps' Project Delivery Team is recommending the South Shore of the Pen Marsh Creation alternative as the preferred alternative for use of the Fourth Supplemental funds. The recommendation must be approved by the Mississippi Valley Division. Ms. Goodman added that there is some risk in splitting the project because there is no guarantee that the Corps' Supplemental funds will be approved for use on the marsh creation component. The marsh creation and shoreline protection components can stand alone as two separate projects that have certain benefits, but together have a synergistic effect. There is no approved decision; the Corps is moving in the direction of the recommendation.

Mr. Hartman asked Ms. Goodman when the final decision would be made. Ms. Goodman replied that it could take about three months to get final approval from the Division. She added that they will do their best to get it done by the next Technical Committee meeting in April.

Mr. Honker asked if the Fourth Supplemental money was in hand. Ms. Goodman replied that theoretically the money is there, but an approved project decision document is required before the funds can be committed.

Mr. Hartman said that although there may be potential cost savings, this would be a precedent the Corps might not want to set. Mr. Hartman asked if the Task Force goes in this direction, would NRCS be spending any more money on re-engineering and design. Ms. Goodman replied that it depends; NRCS and the Corps use very similar rules and guidelines to design projects, but some adjustments to the plans and specs would have to be made. The Corps is looking into whether Corps funds can be transferred to NRCS for project construction. The Corps would still have to sign a cost-share agreement and land rights issues would have to be in accordance with Corps' requirements under the Fourth Supplemental.

Mr. Paul said that it would be smart for the Task Force to separate out the shoreline protection portion of the South Shore of the Pen Project and approve that as a project.

Mr. Hartman pointed out that NMFS thinks that both projects, South Shore of the Pen and South Lake DeCade, have merit. Five of the 20 projects scheduled to begin construction this year involve hydraulic dredging. Construction for these five projects totals \$100 million. There are only two or three primary companies that do this kind of work. Considering the lack of competition and the high costs of projects, Mr. Hartman expressed concern that if there are cost overruns and the bids come in high, the Task Force will either have to borrow future years' money or they will not be able to accept bids on some of those projects. Given that it is not known whether Fourth Supplemental funds will be available for the South Shore of the Pen

Project and several bid openings will start soon, it would be fiscally conscientious and conservative to table this discussion until the next Technical Committee meeting.

Mr. Graves said that while he appreciates NOAA's sensitivity to the funding issue and cost overruns and NOAA's perspective of waiting for the Corps' to make a decision on the Fourth Supplemental, NRCS made a good point that the Task Force has an opportunity to influence the Corps in the use of their Fourth Supplemental funding. The State would prefer to proceed in a synergistic manner where greater benefits can be realized for the use of these funds. Mr. Graves added that it is important to keep in mind that the Task Force is expected to receive some excess funds from previous years' projects totaling \$5 million; these funds could serve as an emergency reserve for any dredging cost overruns.

Colonel Lee asked Ms. Goodman to identify the risk of breaking the South Shore of the Pen Project into separate portions. Mr. Paul interjected that he does not see this as a risk; if the Fourth Supplemental does not come through, then the Task Force can always approve the dredging component at a later date. Ms. Goodman replied to Colonel Lee's question and said that there are three different project scenarios: fund the full project with both shoreline protection and marsh creation for \$26.1 million, fund the shoreline protection component for \$10.6 million, or fund the marsh creation component for \$16.6 million. Ms. Goodman added that the only risk at this point is if the marsh creation portion is not funded by the Fourth Supplemental. However, this portion of the project would still be on the books for CWPPRA to consider construction approval in the future.

Mr. Paul believes the Task Force should fund the piece that will help the project receive the Fourth Supplemental funding. Ms. Goodman added that she is optimistic that the Corps can show that the Fourth Supplemental funds are not being used to augment the CWPPRA Program. By funding the shoreline protection component, there is a level of certainty that a project in the landbridge area will be constructed under the CWPPRA Program, and it helps make a case to include the marsh creation portion under the Fourth Supplemental as a stand-alone project.

Mr. Honker asked about the benefits of the shoreline protection portion of the South Shore of the Pen Project. Mr. Paul replied that there would be 57 net acres benefited for the shoreline protection component and 102 acres for the marsh creation portion.

Mr. Graves said that the State supports funding the South Lake DeCade Project. The vulnerability of the area and the landowner's generosity makes the timing critical. The cost of this project will likely go up in the future.

Mr. Paul noted that funding these two projects would leave a cushion of \$7 million available for bid cost overruns. Ms. Goodman added that three projects that have completed construction and will be returning funds to the program. The Highway 82 Hydrologic Restoration and the Delta Management at Fort St. Phillip Projects will return approximately \$600,000. The South White Lake Shoreline Protection Project has approximately \$5 million that can be returned to the Construction Program.

Mr. Hartman said that he thinks the South Lake DeCade Project is a good program, but he would be remiss in not pointing out that the Task Force is setting a dangerous precedent by reaching down the list to fund a project because it fits the amount of money available. Mr. Paul does not feel that this would be dangerous because the project received four agency votes and is the next project down on the list.

Mr. Honker added that the benefits from the South Lake DeCade Project look good for the money especially compared to the shoreline component of the South Shore of the Pen Project. He feels that these are both opportunities to leverage funding from other sources to get these projects underway. While Mr. Honker appreciated Mr. Hartman's concerns with cost overruns, he is in favor of maximizing the use of the money at hand.

Mr. Paul moved to approve Phase II Increment 1 funding of \$8.8 million for the South Shore of the Pen Shoreline Protection component and \$3.0 million for the South Lake DeCade Project. Mr. Honker seconded. The motion was passed by the Task Force. Ms. Goodman added that after this Task Force decision, \$2.45 million remains available. This amount along with the \$5.6 million to be returned to the program brings the total surplus to \$8 million.

VI. INFORMATION

A. Status of Breaux Act Program Funds and Projects (Agenda Item #3)

Ms. Gay Browning, Corps, presented a status on the current funding situation. The Task Force approved the FY08 Planning budget for \$4.996 million on October 25, 2007. The Planning Program has a current surplus of \$1.2 million. The Construction Program has received a total of \$714.4 million in Federal funds from FY92 to FY07 with \$76.3 million (Federal) anticipated in FY08. The Federal and non-Federal FY08 anticipated funding is \$89.2 million. Total obligations are \$630.4 million, and total expenditures are \$381.3 million. There are 145 active projects: 74 have completed construction, 17 are currently under construction, and 54 have not yet started construction. Twenty projects are scheduled to begin construction in FY08.

Ms. Goodman continued the presentation on the current funding status. Ms. Goodman stated that as of February 10, 2008, the unencumbered Federal balance in the Construction Program is \$59.6 million. There is a potential for funds to be returned to the program from deauthorized projects. This would bring the unencumbered Federal funding potential balance to \$63.2 million. The Task Force committed \$15.0 million to additional O&M and other projects at the October 25, 2007 meeting, leaving a current balance of \$70.1 million (Federal and non-Federal) in the Construction Program with the potential to increase to \$74.2 million once funds are returned to the program. Total cumulative funds into the program from FY92 to FY08 are \$948.5 million. The cumulative obligations for FY92 to FY08 are \$234.7 million. Unencumbered funds which are available for funding decisions at today's Task Force meeting is \$75.4 million. There are \$15.5 million (Federal and non-Federal) in unencumbered funds for FY00 to FY08.

Ms. Goodman presented the projected funding situation for the CWPPRA program. The projected total program funding is \$2.45 billion, including \$5 million a year for the Planning

Program. Currently, the total cost for all projects on PPLs 1-17, including Planning and O&M, is \$1.97 billion. There is \$1.13 billion committed for PPLs 1-17, not including increments for O&M and monitoring that have not been funded to date. Total anticipated program funding is estimated to be \$2.45 billion. The total cost to fully fund all projects on PPLs 1-17 through FY19 is \$2.05 billion; this number includes Planning, Construction, and O&M cost as well as money returned to the program from deauthorized projects. The potential future Construction Program surplus through FY19 is \$396 million. The difference between the committed and available funds is \$1.32 billion. Ms. Goodman added that these numbers show that the CWPPRA program is reaching its limit in the ability to fund new projects.

B. Report: PPL-14 South Shore of the Pen Shoreline Protection and Marsh Creation Project (BA-41) Fax Vote (Agenda Item #4)

Ms. Goodman reported that the Task Force approved a change in project scope for the South Shore of the Pen Shoreline Protection and Marsh Creation Project via fax vote. The approved change includes increasing the net wetland benefits from 116 to 211 acres and increasing the total fully-funded project cost estimate by approximately 69 percent from \$17.5 million to \$29.6 million.

C. Report: PPL-13 Whiskey Island Back Barrier Marsh Creation Project (TE-50) Fax Vote (Agenda Item #5)

Ms. Goodman reported that the Task Force approved a change in project scope for the Whiskey Island Back Barrier Marsh Creation Project via fax vote. The approved change includes a 48-acre dune feature gulfward of the originally approved marsh creation feature, which results in an increase in net wetland benefits from 300 acres to 316 acres. The fully-funded cost estimate increased approximately 28 percent from \$21.8 million to \$27.9 million.

D. Discussion: Lake Chapeau Hydrologic Restoration and Marsh Creation (TE-26) Project Brief (Agenda Item #9b)

Mr. Hartman asked Mr. David Burkholder, LDNR, to brief the Task Force on the Lake Chapeau Hydrologic Restoration and Marsh Creation Project.

Mr. Burkholder stated that additional O&M funding is needed to repair a problem with one of the rock weirs on the northeast shoreline of Point Au Fer Island along Four League Bay. A 60 foot wide, 7 to 8 foot deep breach was recently observed at this location in November 2007. Conceptual plans and details of the repair were developed based on surveys that were completed two weeks ago. The proposed repair plan consists of a rock dike that would extend from the end of the existing weir, tie-in to the shoreline, and then extend about 250 feet to the north along the existing shoreline. This maintenance event was originally scheduled to take place in FY08, but the cost is estimated at about \$490,000 instead of the \$190,000 originally anticipated. The estimated timeline for repair is to have engineering and design (E&D) completed in March 2008 with the request for CWPPRA Construction funds made in April 2008. The bids will go out in April 2008 and construction is estimated to be completed during the summer of 2008.

Mr. Hartman added that they intend to use about \$26,000 of the already appropriated O&M funds to complete the E&D with the understanding that they will comply with the SOP for requesting additional O&M funds. He will request a fax vote from the Technical Committee and Task Force so that construction can begin as soon as possible.

E. Discussion: Status of Unconstructed Projects (Agenda Item #7)

Ms. Goodman and Mr. Paul briefed the Task Force on five unconstructed projects that have been experiencing project delays.

1. West Point a la Hache Outfall Management Project (BA-04c), PPL-3, NRCS – Mr. Paul stated that the revised Wetland Value Assessment (WVA) has been reviewed by the State. The WVA will be sent to the CWPPRA agencies for review next week. A proposed change of scope should be available for consideration by the next Technical Committee meeting.

2. Brown Lake Hydrologic Restoration Project (CS-09), PPL-2, NRCS – Mr. Paul stated that the revised WVA has been reviewed by the agency groups, but the NRCS and LDNR project team must meet to discuss the project's future.

3. Periodic Introduction of Sediment and Nutrients at Selected Diversion Sites Demonstration Project (MR-11), PPL-9, USACE – Ms. Goodman stated that the Corps and State are preparing a preliminary design report that would meet the preliminary design requirements. The findings from the preliminary design are that the project is not recommended for implementation as a demonstration project, that the project is not feasible with the funds available, and that the difficulty of introducing sediment into diversions is more complicated than originally thought. A rough draft of the report has been submitted to the State.

Colonel Lee asked about the timeframe for report completion. Ms. Goodman said that the Corps should be able to make a request to deauthorize the demonstration project at the next Technical Committee meeting.

Mr. Honker asked about the project funding. Ms. Goodman replied that the project was funded for \$1.5 million. Ms. Browning added that \$40,000 has been spent on the project.

4. Mississippi River Sediment Trap Project (MR-12), PPL-12, USACE – Ms. Goodman reported that there has been interest in moving the sediment trap upriver. The Corps believes that the sediment trap should be placed in a wide area of the river where the sediment naturally falls out. The project is at a standstill because there has not been an agreement on identifying the disposal areas of the marsh creation sites in the Delta that would benefit from the sediment trap. There have also been requests to examine whether or not the models are sufficient to study the efficiency of a sediment trap near Empire. The Corps proposes to schedule a meeting with all CWPPRA agencies, the Planning and Evaluation Subcommittee, and the Academic Advisory Workgroup to discuss locating the sediment trap near Empire. This project also has induced shoaling issues.

Mr. Honker asked for more information on the induced shoaling issue. Colonel Lee said that the Mississippi River Commission (MRC) has requested that the Corps provide them with an update on all planned diversions to ensure they know the impacts on the Mississippi River tributary system. The MRC is concerned that induced shoaling would have detrimental impacts to the O&M requirements and could potentially increase the flood risk in the tributaries. The Corps is looking at the induced shoaling issue systematically.

5. Benney's Bay Diversion Project (MR-13), PPL-10, USACE – Ms. Goodman stated that the volume of induced shoaling associated with the project makes it very expensive to complete. New projects on the Mississippi River and Tributaries (MRT) are responsible for the incremental increase in O&M requirements. If a diversion project induces 9 million cubic yards of additional sedimentation annually, then that new project must bear the cost of removing that material from the navigation channel. The Corps has acknowledged that they need to work together with the State to figure out the modeling needs. Ultimately the MRC has to approve new projects if the project alters the Mississippi River.

Colonel Lee added that the MRT funding and the FY09 President's budget is about seven percent below what it was last year. Also, fuel and dredging costs are increasing. The Corps has a commitment to keep navigation open on the MRT and to make sure there is adequate funding for the projects that have the potential to impact the MRT.

Mr. Honker noted the irony that induced shoaling from freshwater diversion adds sediment to the river bottom, yet the only place the hydrologists can come up with to put a sediment trap is down at the mouth of the river. Maybe money needs to be taken from the sediment trap project and put towards maintenance dredging on the freshwater diversions. He recommended that the Task Force revisit this issue at the next meeting.

Ms. Goodman said that the thought behind the current location of the sediment trap was that it would trap material before reaching the Bird's Foot Delta into South Pass and would centralize where the material drops out, thereby reducing O&M costs for the lower part of the river. Another big issue is the limit on how much dredging can be done in a given timeframe. There is a small window of time when dredging can occur. As Mr. Hartman pointed out, there are only a few dredges available to physically do the work. Ms. Goodman said that diversion projects need to be approached systematically by taking the navigation industry and the MRC into consideration. The Corps needs to be a major leader in developing models to determine the feasibility and capacity of the river to provide sediment in the optimal locations. It is also important to forecast induced shoaling impacts in the future so that funding needs can be considered.

Mr. Graves asked what would happen if the same model was applied to the MRT project. If the MRT project cuts off sediment delivery to the lower river system, is there mitigation occurring and are the increased costs being addressed? Ms. Goodman replied that this is a circular argument and that some people look at LCA and CWPPRA as mitigation and that is money the Federal government is putting in as a result of the impacts of human-induced land loss. Colonel Lee added that there have also been some MRT appropriated projects such as Davis Pond.

Ms. Goodman said that a feasibility report and EIS were developed for the MRT project. To her knowledge, there has not been any specific requirement for compensation because most of the damage was caused long ago. For example, if the Corps issues a permit for someone to dig out a pipeline canal and they place spoil on the canal banks that causes secondary impacts resulting in the destruction of flotant marsh or subsidence, should the oil companies be required to restore the impacted area?

Mr. Graves said that the Task Force needs to be careful moving forward because this issue will be exacerbated in the future with the implementation of larger scale LCA diversions. He added that the maritime industry and navigation is extremely important to Louisiana and the other states that benefit.

Colonel Lee said that one of the main goals of the Corps is to balance the needs of navigation with the needs of ecosystem restoration and flood damage reduction.

Colonel Lee opened the floor for public comments on the unconstructed projects.

Mr. Mel Landry, Barataria-Terrebonne National Estuary Program, commented on the Mississippi River Sediment Trap Project. He feels that it is important to have the materials necessary to perform large pipeline sediment delivery and dedicated dredging projects to support a more strategic and offensive implementation of projects. This project needs to be moved upriver to an area that provides cost-effective materials for the restoration projects in the Barataria and Pontchartrain Basins. He would like his organization to be included in the discussions on project location and construction.

F. Report: Public Outreach Committee Quarterly Report (Agenda Item #8)

A USGS representative was not present to provide the Public Outreach Committee Quarterly Report.

VII. Additional Agenda Items

Colonel Lee gave a briefing on the Mississippi River Gulf Outlet (MRGO) closure. The Corps' Chief of Engineers signed the recommendation to close the MRGO on January 29, 2008. The Assistant Secretary of the Army for Civil Works is currently reviewing the report. The report will be sent to Congress and the MRGO will be fully deauthorized. The report recommends a full rock closure at Bayou La Loutre. The closure of the MRGO will result in the removal of an alternate route for navigation, so emergency repairs will be performed on the IHNC Lock to improve reliability. The closure will begin this summer and be completed before the hurricane season in 2009.

Mr. Graves congratulated the Corps for acting quickly and decisively on the controversial MRGO Project. The report included mitigation measures for the Inner Harbor Canal Lock, renovations and dredging at Baptiste Collette Bayou to ensure that there are navigation alternatives.

VIII. Request for Public Comments

Dr. John Lopez, Lake Pontchartrain Basin Foundation, said that the cost per acre for all projects that requested Phase II construction approval ranges from \$22,000 to \$252,000, with an average of \$104,000 per acre. The average cost per acre of the approved projects is \$90,000. If \$500 million were available to fund the CWPPRA Program, there is potential to preserve or build 7 to 10 square miles of wetlands. He added that Louisiana is losing 24 square miles per year and encouraged the agencies to ask themselves if it is worth \$100,000 per acre when considering the issuance of permits. Dr. Lopez added that the coastal levee alignments that are up for discussion might include 500 to 1,000 square miles of wetlands. He asked the agencies to put that into perspective of the 10 square miles that this program might address in the next 10 to 20 years. Dr. Lopez also asked the agencies to consider the potential mitigation for flood protection. He does not want to underestimate the importance of the 10 square miles the CWPPRA Program can save. He asked the Task Force to consider when was the last time the prioritization process had been reviewed or re-assessed and if it was fully embracing the benefit that might be derived by wetlands flood protection.

IX. CLOSING

A. Announcement: Priority Project List 18 Regional Planning Team (RPT) Meetings

Ms. Goodman announced that the RPT meetings would take place on February 19th at the Rockefeller Refuge, February 20th in Morgan City, and February 21st in New Orleans. The Coast-wide RPT Voting meeting will be held on March 5th in Baton Rouge.

B. Announcement: Dates of Upcoming CWPPRA Program Meetings

Ms. Goodman announced that the next Technical Committee meeting will be on April 16, 2008 at 9:30 a.m. at the U.S. Army Corps of Engineers, New Orleans District, District Assembly Room, 7400 Leake Avenue, New Orleans, LA. The Technical Committee will select ten candidate projects from the 20 nominee projects for PPL18. The next Task Force meeting will be held on June 4, 2008 at 9:30 a.m. at the Estuarine Fisheries and Habitat Center, 646 Cajundome Blvd., Lafayette, LA.

C. Adjournment

Colonel Lee adjourned the meeting at 12:00 p.m.