

BREAUX ACT
Coastal Wetlands Planning, Protection and Restoration Act

TASK FORCE MEETING
28 October 2009

Minutes

I. INTRODUCTION

Colonel Alvin Lee convened the 73rd meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force. The meeting began at 9:45 a.m. on October 28, 2009 at the U.S. Army Corps of Engineers Office, District Assembly Room, 7400 Leake Avenue, New Orleans, 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 present.

Mr. Jim Boggs, U.S. Fish and Wildlife Service (USFWS)
Mr. Christopher Doley, National Marine Fisheries Service (NMFS)
Mr. Jerome Zeringue, State of Louisiana, Governor's Office of Coastal Activities [Mr. Zeringue sat in for Mr. Garrett Graves]
Colonel Alvin Lee, Chairman, U.S. Army Corps of Engineers (USACE)
Mr. Kevin Norton, Natural Resources Conservation Service (NRCS)
Dr. Jane Watson, U.S. Environmental Protection Agency (EPA) [Dr. Watson sat in for Mr. William Honker]

III. OPENING REMARKS

Colonel Lee presented Dr. Jane Watson with a Certificate of Appreciation for exemplary service to CWPPRA from June 2008 to November 2009 as representative for the Administrator of the EPA on the Task Force.

Mr. Thomas Holden, USACE, gave an overview of the agenda items. He stated that Agenda Items 7(a) and 7(c) have been removed by request of the State and that some of the requested budget amounts under Agenda Item 7 have been updated as related to Agenda Item 6. Mr. Holden also noted that Agenda Item 14 was different than usual and may warrant discussion.

Colonel Lee opened the floor to comments from the Task Force. There were no further comments.

Mr. Norton made a motion to accept the agenda. Mr. Zeringue seconded. The motion was passed by the Task Force.

IV. ADOPTION OF MINUTES FROM JUNE 2009 TASK FORCE MEETING

Colonel Lee called for a motion to adopt the minutes from the June 3, 2009 Task Force Meeting. Mr. Holden presented the meeting minutes and reviewed the Task Force's decisions from that meeting.

Colonel Lee opened the floor to comments from the Task Force. There were no further comments.

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

V. TASK FORCE DECISIONS

A. Agenda Item #4 – Report/Discussion/Decision: FY10 Planning Budget Approval including the PPL 20 Process and Presentation of the Public Outreach Committee Report and the FY10 Outreach Budget

1. Mr. Travis Creel, USACE, reviewed the Technical Committee recommendation that the PPL 20 Planning Process Standard Operating Procedures (SOP) include selecting three nominees in the Barataria, Terrebonne, and Pontchartrain Basins, and two nominees in all other basins, except Atchafalaya where only one nominee would be selected. If only one project is presented at the Regional Planning Team (RPT) Meeting for the Mississippi River Delta Basin, then an additional nominee would be selected for the Breton Sound Basin. He explained that electronic voting had been discussed with the parishes, but that the parishes would prefer a face to face RPT meeting as conducted in the past so the electronic voting recommendation has been removed. He also presented a newly recommended process to vote on all basins up front with any tie held as a re-vote between the two tied projects and a second tie resulting in carrying the additional nominee forward. In the event of a double tie, 21 projects will be carried forward instead of the usual 20.

Mr. Darryl Clark, USFWS, asked about reordering the nominees in a tie situation. Mr. John Jurgensen, NRCS, explained that the RPT does not have a set amount of votes like the Task Force and Technical Committee. Mr. Creel further answered that if there is a tie then there will be a re-vote on the two tied nominees and that if there is a tie again, then both nominees will carry forward. Colonel Lee clarified that the 21 nominees will only carry forward after a second tie.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs made a motion to approve the Technical Committee's recommendation for the FY 10 Planning Budget including the PPL 20 Process. Mr. Zeringue seconded. The motion was passed by the Task Force.

2. The Task Force considered the Technical Committee's recommendation to approve the FY10 Planning Budget in the amount of \$4,913,588.

Mr. Boggs made a motion to approve the Technical Committee's recommendation for the FY 10 Planning Budget in the amount of \$4,913,588. Mr. Zeringue seconded. The motion was passed by the Task Force.

3. Mr. Holden reported that the Technical Committee tasked the P&E Subcommittee to look at ways to reduce the FY11 Planning Budget with a recommendation to the Technical Committee by the September 3, 2010 meeting. The task included reviewing ways to further reduce the Planning Budget moving forward, looking at the Outreach Budget, and considering GIS and web-based information and expenditures. Mr. Holden asked if there was any guidance from the Task Force on this item.

Colonel Lee stated that it is a good action moving forward.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

4. Mr. Wilson introduced Ms. Susan Bergeron, the new Outreach Committee Coordinator, to present the quarterly CWPPRA Outreach Committee report. Ms. Bergeron gave a presentation of upcoming activities planned for 2010 and the 20th anniversary of the CWPPRA Program. She stated that the Outreach Committee wants to show people what is going on with a project after dedication and is striving for more public involvement at the dedications. She introduced Ms. Cheryl Brodnax who is working on the Outreach Committee's Portfolio of Success. Ms. Bergeron also listed the various partnership projects the Committee has underway, including creating eight barrier island posters, a new educational CD, and partnering with organizations such as the Barataria-Terrebonne National Estuary Program (BTNEP), USDA-Natural Resources Conservation Service (NRCS), National Park Service and the Louisiana Science Teachers Association. Ms. Bergeron also shared an example of non-cost, eco-tourism outreach efforts where a tour guide gives tours that go past CWPPRA projects, including areas of wetland restoration. She also stated that the Outreach Committee had worked to give a Louisiana Outdoor Writers Association award to those writing about coastal restoration.

Ms. Bergeron asked the Task Force help to figure out ways to better reach the public and to help evaluate the Outreach Committee's strategic plan. She also introduced Ms. Susan Laudeman with the Historic New Orleans Collection and a partnership program called "In the Blink of an Alligator's Eye Wetlands Vanish" where the Collection is gathering oral histories related to coastal land loss and restoration by having children interview the eldest person in their family

Mr. Wilson asked if there were any further Task Force questions or comments.

Mr. Doley stated that he appreciated the solicitation of input from the Task Force regarding outreach programs and strategies. Mr. Wilson responded that the Outreach Committee is attempting to strike a balance between the need for restoration and the success of CWPPRA. He stated that the successes need to be known, but not emphasized to the point that further restoration resources seem unnecessary. He suggested that further Task Force input be gathered offline and that while each agency has its own specific outreach focus, the Outreach Committee is looking to find common goals.

Mr. Doley said that the next step is to work through comments on the strategic plan.

Colonel Lee asked that the Task Force and Technical Committee be given a copy of the Outreach Committee's current strategic plan before the Task Force provides guidance. He further stated that outreach problems include how to communicate the successes and importance of CWPPRA both within and outside of Louisiana.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public.

Mr. Lee Forbes with KBR stated that he finds it amazing that everyone still thinks there is only an economic benefit in saving the Louisiana coast and that the value stretches across the entire Mississippi River Valley and U.S. He stated that the rest of the country does not feel money is being well spent in Louisiana and that CWPPRA needs a national campaign, perhaps a one minute commercial stating that saving the Louisiana coastline matters to the entire country. He stated examples of national spending such as the Great Lakes, the Everglades and Iraq where local benefits have a country-wide impact.

Mr. Doley asked Ms. Bergeron if the Outreach Committee was reaching out to the America's Wetlands campaign. Ms. Bergeron responded that the Save America's Wetland campaign is a partner and that maybe the Outreach Committee should ask them to highlight CWPPRA more often.

5. The CWPPRA Outreach Committee requested Task Force approval for the FY10 Outreach Committee budget in the amount of \$487,148. Mr. Wilson presented the budget and stated that the overall request is \$29,000 less than the FY 09 budget. He also clarified that the budget is in two parts, \$416,748 for operations and \$70,000 for agency participation for a total request of \$487,148. Mr. Wilson also stated that the *Watermarks* publication has been reduced from three times to twice a year and emphasized that the Committee is making an effort to reevaluate the distribution list to ensure that only those who want the publication are receiving it. He also said there has been discussion on making *Watermarks* digital, but the consensus was to leave it as a hard copy publication.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public.

Mr. Nic Matherne with the Lafourche Parish government stated that they have been looking at going electronic for newspapers and have found that all members of the public have access to the internet through public libraries.

Mr. Boggs made a motion to approve the Outreach Committee FY 10 budget in the requested amount of \$487,148. Mr. Doley seconded. The motion was passed by the Task Force.

Colonel Lee opened the floor to comments from the Task Force regarding the FY 10 Planning Budget.

Mr. Norton stated concern that the Public Outreach Committee status is presented to the Technical Committee, but that the Technical Committee does not have a say in the Outreach budget. He suggested that the Outreach Committee go through the same process as the Planning and Evaluation (P&E) Subcommittee for budget approvals.

Mr. Scott Wilson, with the United States Geological Survey (USGS), answered that in the past, the Outreach budget went through the Technical Committee, but that the Technical Committee had cut their budget by 50 percent so it was decided that the Outreach budget go directly to the Task Force because there was concern that the engineers were not prioritizing outreach activities. Therefore, the new procedure allows the Technical Committee and P&E Subcommittee to comment, but not reduce the Outreach budget before it is presented to the Task Force. He recommended that the Task Force put a direct cap on the Outreach budget rather than allowing the Technical Committee to reduce it at their discretion.

Mr. Norton suggested that there be more of a process to vet the Outreach budget. Mr. Wilson responded that such vetting would be better served by having the Outreach Committee Representatives review the budget rather than the Technical Committee.

Mr. Norton re-emphasized that the surplus amount in the CWPPRA Program budget is being lost by overspending. Mr. Wilson replied that in the past there were no other programs, such as America's Wetlands, conducting outreach activities.

Mr. Zeringue stated that he can appreciate the engineers not prioritizing money for outreach activities, but that it is still good to let the P&E Subcommittee look at the Outreach budget and provide input.

Colonel Lee agreed that a vetting process is needed for the Outreach budget before it is presented to the Task Force. He recommended that the Outreach Committee Members develop a process to review the Outreach strategic plan and make recommendations to the Task Force regarding reevaluating changes to that strategy. He also added that the P&E Subcommittee and Technical Committee may have good input.

Mr. Norton stated that CWPPRA is a heavy construction program, but that now all agencies have outreach staff that can better balance outreach versus engineering. The Technical Committee could be reintegrated into the process to vet and discuss the Outreach budget.

Colonel Lee recommended that the Outreach Committee modify the process to track its budget similar to the P&E Subcommittee and that while cutting the budget will remain with the Task Force, the Technical Committee and P&E Subcommittee will evaluate the budget before it is presented to the Task Force. Mr. Doley supported the recommendation.

Mr. Norton proposed a motion to ask the Technical Committee to work with the Outreach Committee and propose an amendment to the Standard Operating Procedures at the next Task Force Meeting, to pass the Public Outreach Committee budget through the Technical Committee on a similar path to the P&E Subcommittee, and to include a review of the Outreach Committee's strategic plan. Mr. Boggs seconded. The motion was passed by the Task Force.

Mr. Doley asked to clarify the motion such that the Technical Committee be tasked with recommending cost savings measures in the Outreach budget in time for the June 2010 Task Force meeting so that action could be taken in time for FY 11. Mr. Holden agreed that the timeline change was fine.

B. Agenda Item #5 – Discussion/Decision: Annual Request for Incremental Funding for Administrative Costs for Cash Flow Projects

Ms. Gay Browning, USACE, gave an overview of the annual request for cash flow projects.

Mr. Holden stated that the Technical Committee recommends the administrative cost request be approved in the amount of \$23,337.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs moved to approve the annual request for incremental funding for administrative costs for cash flow projects in the amount of \$23,337. Mr. Doley seconded. The motion was passed by the Task Force.

C. Agenda Item #6 – Report/Discussion: Status of FEMA Claims

Mr. Garrett Broussard with the Louisiana Office of Coastal Protection and Restoration (OCPR) gave a report on the status of past and present FEMA claims. He explained that FEMA makes a field trip with CWPPRA representatives to the project and then writes a Project Worksheet (PW) for each project, which is a scope of work with cost estimate. FEMA then determines whether to obligate or decline funds. If funds are declined, there is an appeal process. He further explained FEMA terminology: “obligated” is when FEMA approves the PW, “processing” is prior to a FEMA decision, “retracted” is when a project has been discussed with FEMA but does not fit into the FEMA regulations so a PW is never written, “rejected” is when funds are denied but an appeal can be made, and “declined” means that a PW has been rejected and the State is in the process of deciding whether or not to appeal.

Mr. Broussard stated that after Hurricane Katrina four projects had PW's: three were retracted and one (Hopedale) was obligated. At this time the Hopedale project is 100 percent complete. After Hurricane Rita 15 projects had PW's: four were declined, one was retracted, and eight were obligated. Of the eight obligated, Sabine Structures, Holly Beach Sand, Cameron-Creole Structures, Cameron-Creole Breaches, Marsh Island, and East Sabine Lake are 100 percent complete. Humble Canal is getting ready for construction and East Mud Lake should start construction by January 1, 2010. The State is in the process of obtaining a PW for the Cameron-Creole Levees and should receive the PW soon. He explained that other barrier island project claims were declined because there was no maintenance program for them, but that the Timbalier Barrier Island Project was within 12 months of construction so it is under appeal right now; the State is expecting an approximate claim of \$7 million. Both the Cameron-Creole Breaches and East Mud Lake Projects requested funding from CWPPRA because of delays with FEMA, but after the request from CWPPRA was made FEMA obligated funding so the CWPPRA money was never used and is currently still in the O&M budgets. These unused amounts are \$2,778,715 and \$155,304 which can be returned to CWPPRA. No FEMA claims were made after Hurricane Gustav.

After Hurricane Ike, 17 total claims were made. Four are in the PW process, 11 have been declined, and two have been obligated. Originally, FEMA approved none of the claims, but Brady Canal and the Freshwater Introduction South of Highway 82 are Category B so they have been approved. The State is deciding whether to appeal the 11 declined projects.

Colonel Lee asked if the CWPPRA requested funds in the amounts of \$2.7 million and \$155,000 were fully reimbursed by FEMA. Mr. Broussard answered that FEMA obligated the money for the projects so the CWPPRA funds were never used.

Mr. Doley asked if the approved money was not needed, is there a process for putting that money back into the CWPPRA budget? Ms. Browning answered that money in the approved budget is not yet obligated and the sponsoring agency should request a reduction of project budget by that amount. She stated that this was the first time this had happened so the process was unclear.

Mr. Boggs made a motion to return the unused O&M funds in the amounts of \$2,778,715 and \$155,304 back into the CWPPRA budget. Dr. Watson seconded. The motion was passed by the Task Force.

Mr. Norton suggested that in the future the Task Force create a protocol for the sponsoring agency and State to request a return of money before the Task Force return the funds to the CWPPRA budget.

Mr. Holden agreed that a process needs to be developed to accommodate FEMA funding in the future to include a sponsor recommendation and address any dual compensation issues.

D. Agenda Item #7 – Discussion/Decision: Request for Operation and Maintenance (O&M) Incremental Funding

Mr. Holden explained that updated information was available for Agenda Item 7 based on a teleconference with the State and that the requested amounts for item 7(a) Freshwater Introduction South of Highway 82 has been removed based on the FEMA funding discussion in Agenda Item 6.

PPL 9+ Projects Requesting Approval for FY12 Incremental funding

Mr. Holden presented the requests for O&M incremental funding for the following projects:

1. Freshwater Introduction South of Highway 82 (ME-16), PPL-9, USFWS – Request removed from agenda.
2. Four Mile Canal Terracing and Sediment Trapping (TV-18), PPL-9, NMFS – Requesting approval for FY12 incremental funding request amount \$12,649.
3. Coast-wide Nutria Control Program (LA-03b), PPL-11, NRCS – Requesting approval for FY12 incremental funding request amount \$2,266,205.

Ms. Browning clarified that the Four Mile Canal and Coast-wide Nutria Control Projects are asking for yearly funding.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Norton made a motion to approve the request for O&M incremental funding for the Four Mile Canal Terracing and Sediment Trapping (TV-18) in the amount of \$12,649 and for the Coast-wide Nutria Control Program (LA-03b) in the amount of \$2,266,205. Mr. Boggs seconded. The motion was passed by the Task Force

PPL 1-8 Projects Requesting O&M Budget Increases and FY12 Incremental Funding

Mr. Holden presented the PPL 1-8 Projects requesting O&M budget increases totaling \$6,352,096 and FY 12 incremental funding in the amount of \$4,434,834, for the following projects. He clarified that the revised Agenda Item 7(b) still includes four projects, but that the amounts for three have changed due to the State's analysis as presented in Agenda Item 6. Mr. Holden clarified that the Technical Committee has not voted on the changed budget request amounts and that the State will explain the revised amounts to the Task Force.

Mr. David Burkholder, OCPR, stated that the issue of dual compensation in the Stafford Act for FEMA claims has resulted in a decrease of the O&M amounts requested.

1. GIWW to Clovelly Hydrologic Restoration (BA-02), PPL-1, NRCS – Mr. Burkholder explained that the storm damage was primarily erosion around one of the structure sites. The O&M is to repair a large breach along the lake rim between the structures, rock displacement and settlement at a number of the structures, and the rock dike along the lake. They have revised the amount based on removal of the storm related damage cost estimate. The revised requested amounts are: Budget increase amount of \$795,124 and Incremental funding amount of \$649,022.

Colonel Lee opened the floor to comments from the Task Force on the GIWW project.

Mr. Doley asked if the non-hurricane driver is rock settlement. Mr. Burkholder answered: Yes, and added that the driver is anticipated rock settlement. Mr. Burkholder also said that this project has had minimal maintenance to date, but that rock costs have risen.

2. Point au Fer Island Canal Plugs (TE-22), PPL-2, NMFS – Mr. Holden stated that the requested amounts are as shown in the original agenda and have not changed. These amounts are: Budget increase amount of \$2,309,159 and Incremental funding of amount \$2,255,062.
3. Brady Canal Hydrologic Restoration (TE-28), PPL-3, NRCS – Mr. Burkholder presented the reduced request amounts. He explained that this project has an approved FEMA claim for damage erosion around one of the structures so that amount has been subtracted from the O&M request. The remaining O&M action is along the Jug Lake Rim which has been exposed to wind on both sides and has become narrow presenting a breach danger. This O&M activity was not originally anticipated as maintenance for the project. Other project maintenance includes repairing breaches along canals in the project area and storm damage related repairs at the project control structures. The revised requested budget amounts are: Budget increase amount of \$1,845,463 and Incremental funding amount of \$1,128,972.

Colonel Lee asked if the O&M budget request is for canal breaches and rock work along Jug Lake. Mr. Burkholder answered: Yes.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

4. Cote Blanche Hydrologic Restoration (TV-04), PPL-3, NRCS – Mr. Burkholder stated that the request stems from not having enough money left to do a second lift on the rock dike. This project sustained minor storm damage at the weir structures which has been FEMA approved and that amount has been subtracted from the budget request for revised requested budget amounts of: Budget increase amount of \$1,402,350 and Incremental funding amount of \$401,778.

Colonel Lee clarified that this request is for a second lift for the rock dike because the original contract cost increased and the project ran out of money.

Colonel Lee opened the floor to comments from the Task Force. There were no comments.

Mr. Holden stated that while the Technical Committee has not reviewed the revised request amounts, the Task Force has been presented with an analysis of the changes today.

Mr. Clark stated that the Technical Committee members have discussed the changed amounts and have no issues with reducing the requested amounts.

Colonel Lee advised that the Task Force could either approve the revised requested amounts or send the revisions back to the Technical Committee and hold a fax vote at a later time.

Mr. Norton suggested that the Task Force move forward with approving the budget requests. He asked if the State would fund the FEMA claim work and then be reimbursed by FEMA and if the FEMA and other O&M repairs would be done at the same time. Mr. Burkholder answered that the State was trying to find the money to conduct all of the work at the same time and that this split funding will make the FEMA process cleaner and remove any potential dual compensation issues.

Mr. Holden stated that he objected to recommending budget requests for FEMA work at the last Technical Committee Meeting due to the potential dual funding issue and would have liked more time to review the revised amounts. Mr. Holden believes the State has made a sincere effort to address this issue and that his objection point has been addressed satisfactorily.

Mr. Doley asks what happens if FEMA does not approve the funds. Mr. Norton pointed out that if FEMA declines the request, then the project funding can be dealt with through CWPPRA because any dual compensation issue would be resolved.

Mr. Holden reviewed the budget increase and incremental funding request amounts in Agenda Item 7 (b).

Mr. Doley pointed out that \$10 million is 1 percent of the remaining \$1 billion left in the CWPPRA Program budget.

Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs moved to approve the requested PPL 1-8 Projects O&M budget increases totaling \$6,352,096 and FY 12 incremental funding in the amount of \$4,434,834. Mr. Doley seconded. The motion was passed by the Task Force.

PPL 9 Project Requesting Approval for O&M Budget Increase and FY 12 Incremental Funding

Mr. Holden stated that the PPL 9 Project request for approval of an O&M budget increase and FY12 incremental funding for Holly Beach Sand Management (CS-31), PPL-11, NRCS, has been removed at the request of the State based on the FEMA claim as discussed above so no action is required by the Task Force.

E. Agenda Item #9 – Discussion/Decision: Request for FY12 Project-Specific Monitoring Funds for Coast-wide Nutria Control Program (LA-03b)

The Task Force considered the Technical Committee's recommendations to approve a request for specific monitoring funds for the Coast-wide Nutria Control Program in the amount of \$85,170. Mr. Greg Steyer, USGS, stated that the funding request was to continue the nutria monitoring program.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs moved to approve the Technical Committee's recommendation to approve the request for \$85,170 for specific monitoring funds for the Coast-wide Nutria Control Program (LA-03b). Mr. Zeringue seconded. The motion was passed by the Task Force.

F. Agenda Item #10 – Discussion/Decision: Request for FY12 Coast-wide Reference Monitoring System (CRMS) – Wetland Monitoring Funds

At the September 29, 2009 Technical Committee Meeting, the Technical Committee tasked the P&E Subcommittee and the Academic Advisory Group to work with Mr. Greg Steyer to develop options to decrease the cost of the CRMS program to the original budget and report on findings at the fall 2010 Technical Committee meeting. Following a presentation by USGS on the status/progress of CRMS over the past year, the Task Force will vote on the Technical Committee's recommendation to approve the CRMS FY 12 monitoring funds in the amount of \$7,500,000.

Mr. Greg Steyer, with USGS the Federal sponsor (with OCPR) on the CRMS project, gave an overview of the budget. He stated that it is a cash flow project so an annual budget request is made. The 2004 to 2006 request was based on expenditures to date, but this year's request of \$7.5 million is not based on the actual expenditures. He explained that the budget was set up to be a three year cash flow, but that as costs have risen, they now only request a two year budget each time. Last year monitoring costs rose similar to construction costs, so the program is now looking at ways to reduce the scope such as reducing data types and other reductions based on data driven decisions. The program is also looking at ways to use remote sensing technologies to gather data since hydrologic data is the most costly portion of the program in addition to integrating other program support to obtain additional funding and data. The entire 389 site program has complete construction. Mr. Steyer explained that accretion data at some swamp sites and floating marshes are not providing data as expected so the program is also looking at methods of reducing sites that are not providing useful data.

Mr. Steyer explained that one focus of CRMS is to obtain better data and find ways to better deliver that information. There has been a large investment into data visualization tools on the CRMS website, including a Google application and training on how to use the website. In the past, the program has focused on site-specific information, but over the past year has been moving toward providing project scale information, expanding types of applications, and presenting data differently based on partner feedback. CRMS is focusing on status and trends and will work with the P&E and Academic Advisory Group to look at cost-cutting measures based on the Technical Committee's recommendation.

Mr. Doley asked if the increase in cost has reached the 25 percent threshold to request a change in project scope from the Task Force. Mr. Steyer answered that a programmatic threshold was set at the beginning of the CRMS program based on 8.8 percent of total construction dollars through 2009, but not through 2019. He explained that one of the goals of the programmatic budget was to look at system level needs of other programs and reduce costs based on contributions from other programs. He stated that now the program is not over the 25 percent threshold, but that costs moving forward are double from what they were before and the 25 percent will be met if other programs do not contribute.

Mr. Doley asked what other programs are expected to contribute because it appears that CWPPRA is now bearing all of the CRMS costs. Mr. Steyer answered that the Louisiana Coastal Area (LCA) is integrating CWPPRA into their plans, but is only at the planning stage. Also, monitoring is being conducted under other programs that CWPPRA is currently using. He agreed that CWPPRA should not bear the burden of all costs, but that the CRMS program is only at 3.8 percent of construction costs and not the 8.8 percent that was originally intended when the program was first initiated in the 1990's. He emphasized that CRMS is looking at all possible avenues to engage other partners to contribute.

Mr. Rick Hartman, NMFS, asked if CRMS is gathering information that can be used to make better budget and management decisions. Mr. Steyer answered: Yes, but that there was not previously a report card process which is now being developed. Mr. Steyer added that data sets are now available to make data driven decisions and representative project level evaluations with help and input from CRMS partners and the Technical Committee.

Mr. Clark stated that he appreciated CRMS working with the other committees, but expressed concern that it is difficult for a project manager to determine if a project is working if there is no CRMS station located in the vicinity of a project and that this information is critical when requesting O&M funds. He said that more stations are needed near projects to help determine project performance. Mr. Steyer answered that after 2003, for projects PPL 9 and above, when an agency evaluated project monitoring needs they could have determined whether or not to incorporate CRMS monitoring and that some agencies added such monitoring to their projects and some did not.

Mr. Doley stated that CWPPRA items are not discussed on a basin level and that the program is vulnerable with such a causal relationship between the CRMS data and project performance. He stated that CRMS indices indicate what is happening in the system, but not how an individual project is impacting the system. Mr. Steyer answered that in the past different data were being measured, but now CRMS is getting better information because they are measuring the same variables.

Mr. Doley stated that it is difficult to show project progress and there is not enough data to determine the investment return on projects. Mr. Steyer answered that regional based targets would help and that there has been discussion of setting broader targets at the State and Regional level.

Mr. Zeringue stated that he understands there is vulnerability in the data, but that the Task Force needs to work with the CRMS program to determine those vulnerabilities and fix the problems.

Mr. Doley clarified that he did not want to lose CRMS, but that more monitoring is needed on project-specific activities and it is uncertain where funding for project based monitoring will come from.

Mr. Zeringue agreed that efficiency needs to be maximized for project monitoring.

Mr. Clark recommended that project managers and agencies evaluate their projects and when asking for O&M funds, determine if the data needed to show project success can be obtained from the current CRMS monitoring or if more stations should be requested.

Colonel Lee agreed that this was a good discussion and recommended the Task Force review the initial assumptions for the CRMS program and determine if these assumptions are materializing since construction has been completed on all CRMS stations.

Mr. Steyer added that CRMS construction costs are different since the contractor that builds the stations also conducts the monitoring. He stated that monitoring costs have leveled, but have not decreased since prior to the 2005 hurricanes. He said the CRMS program is looking at ways to reduce sample frequency without diminishing quality data and will work with other committees to find solutions.

Colonel Lee asked what type of surveying is conducted. Mr. Steyer answered that surveying for benchmark and marsh elevations is conducted on the ground and that surveying was initiated on the front end of the program and is revisited every five years due to subsidence.

Ms. Browning asked about the change in budget request from three years to two years. Mr. Steyer clarified that costs are still on a three year basis, but that since costs have increased the \$14 million really only represents two years worth of budget.

Mr. Doley stated concern over the large cost increase. Mr. Steyer answered that the budget is currently less than anticipated and that it is not practical to ask for a future increase in budget without knowing what those future costs will be.

Mr. Doley recommended that the Technical Committee or Academic Advisory Group evaluate the CWPPRA monitoring program and determine if it is sufficient to meet CWPPRA program goals focusing on project based needs and costs. Dr. Michelle Fischer, the Academic Advisory Chair, stated that additional budget would be required to perform a comprehensive reevaluation of the CWPPRA monitoring program.

Colonel Lee restated that the question remains: Does the monitoring meet the management goals and needs of the CWPPRA program? Mr. Doley added that CRMS is part of the monitoring program, but CRMS may not be meeting all CWPPRA monitoring needs.

Mr. Hartman recommended that this item be sent to the Technical Committee for action and that additional funding would not be needed for the Academic Advisory Group if a Monitoring Work Group could be created within the Planning budget to find ways to expand monitoring to be more project-specific.

Mr. Clark added that project managers should be asked for input on monitoring needs for their projects.

Mr. Hartman stated that the Technical Committee should conduct an evaluation of monitoring needs at a program level before focusing on project-specific needs.

Mr. Boggs moved to recommend that the CWPPRA monitoring needs evaluation be referred to the Technical Committee for additional analysis and that a scope of work, cost estimate, and schedule be presented to the Task Force at its January 2010 meeting with a report to follow at the June or fall Task Force Meeting. Mr. Doley seconded. The motion was passed by the Task Force

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs moved to approve the FY 12 Coast-wide Reference Monitoring System (CRMS) Wetlands Monitoring Funds in the amount of \$7,500,000. Mr. Norton seconded. The motion was passed by the Task Force.

G. Agenda Item #11 – Discussion/Decision: Status of Unconstructed Projects

Request for Approval for Final Deauthorization

Colonel Lee presented the request for final deauthorization for the following two projects:

1. Mississippi River Sediment Trap (MR-12), PPL-12, USACE – The purpose of the project is to create a sediment trap in the bed of the Mississippi River by dredging an area that would force sediment deposition. The sediment deposited into the trap would then be mined to create marsh.
2. Castille Pass Channel Sediment Delivery (AT-04), PPL-9, NMFS – The purpose of the project is to re-establish sedimentation processes that would promote sub-delta and marsh development in the area by dredging a system of distributary channels through Castille Pass.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Norton moved to approve final deauthorization of the Mississippi River Sediment Trap (MR-12) and Castille Pass Channel Sediment Delivery (AT-04) Projects. Mr. Boggs seconded. The motion was passed by the Task Force.

Request for Approval to Initiate Deauthorization

Colonel Lee presented the request to initiate deauthorization of the PPL 2 Brown Lake Hydrologic Restoration Project (CS-09) sponsored by NRCS. The purpose of the project is to restore, to the extent possible, the altered hydrology of approximately 2,800 acres of wetlands in the area of Brown Lake.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Norton moved to approve to initiate deauthorization on the Brown Lake Hydrologic Restoration Project (CS-09). Mr. Zeringue seconded. The motion was passed by the Task Force.

H. Agenda Item #12 – Discussion/Decision: Request for Operations and Maintenance (O&M) Budget Increase and Incremental Funding to Temporarily Remove the Bayou Sauvage National Wildlife Refuge Hydrologic Restoration Phase I (PO-16) and Phase II (PO-18) Pump Discharge Pipes in Preparation for the Lake Pontchartrain and Vicinity Hurricane Protection Levee Enlargement

Mr. Clark gave a brief project overview. The USACE is requiring that the USFWS remove two discharge pipes that cross the hurricane protection levee. In return, the USACE will remove the existing pump stations and reconstruct new pumping stations after refurbishment of the levee. The USACE will also put in new discharge pipes. The requested amounts are:

Phase I: Budget increase of \$50,000 and Incremental funding of \$50,000

Phase II: Budget increase of \$50,000 and Incremental funding of \$50,000

Mr. Clark commented that the USFWS contributed about a quarter million dollars to fix these pumping stations after Hurricane Katrina.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs moved to approve the request for O&M budget increase and incremental funding to temporarily remove the Bayou Sauvage National Wildlife Refuge Hydrologic Restoration Phase I (PO-16) and Phase II (PO-18) Pump Discharge Pipes in preparation for the Lake Pontchartrain and Vicinity Hurricane Protection Levee Enlargement in the amounts of \$100,000 for each Phase. Mr. Doley seconded. The motion was passed by the Task Force.

I. Agenda Item #13 – Discussion/Decision: Request to Change Project Scope to Remove a Water Control Structure at the Lake Chapeau Hydrologic Restoration and Marsh Creation Project (TE-26)

Colonel Lee presented the request to change the project scope and stated that the request was to use existing project funds.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Zeringue moved to approve the request to change project scope to remove a water control structure at the Lake Chapeau Hydrologic Restoration and Marsh Creation Project (TE-26). Mr. Boggs seconded. The motion was passed by the Task Force.

J. Agenda Item #14 – Discussion/Decision: Request to Change Project Scope for the West Belle Pass Barrier Headland Project (TE-52), due to a project cost increase of over 25 percent

Mr. Rick Hartman and Cheryl Brodnax, with NMFS, gave an overview of the requested change. At the 30 percent design meeting a design was selected that exceeded the 25 percent allowance from Phase Zero. A scope change was requested at the previous Technical Committee meeting to give the project an opportunity to proceed to the 95 percent design. The Economic Work Group submitted a draft cost estimate yesterday that was within the 25 percent allowance so a scope increase may not be necessary. However, final numbers are not yet available from the Work Group.

Mr. Hartman clarified that the request is for contingent approval in case the final Economic Work Group estimate surpasses the 25 percent threshold which would require waiting for voting approval because this is a time critical barrier shoreline project.

Mr. Norton recommended that the Task Force table the motion until the QA process has been completed and then the Task Force could conduct a fax vote. He stated that he did not want to delay the project, but wanted to vote on numbers that were more certain.

Colonel Lee agreed and asked how much longer it would take to get final numbers. Mr. Holden answered that it would take a few more days.

Mr. Hartman stated that the 95 percent review meeting will be held November 2, 2009 and that a request in change in scope can still be made up until the next Technical Committee meeting per the CWPPRA SOP. Ms. Brodnax said that the final information would be available before binder materials are due for the next Technical Committee meeting.

Mr. Norton moved to table the motion on the request for a change in project scope for the West Belle Pass Barrier Headland Project (TE-52) due to a project cost increase of over 25 percent until additional information can be obtained. Dr. Watson seconded. The motion was passed by the Task Force.

K. Agenda Item #15 – Discussion/Decision: Request to Change Project Scope for the South Grand Chenier Hydrologic Restoration Project (ME-20), due to a project cost increase of over 25 percent

Mr. Clark gave an overview of the impacts of the requested change in project scope, including the cost and benefit impacts and acreage changes. He stated that the final cost numbers

have not been received from the Environmental Work Group and that the fully funded cost estimate may increase. Mr. Clark added that the project changes includes removal of one freshwater introduction site and an increase in marsh creation which means that the benefits are likely to increase as well. He said that this request is for the 95 percent design and that the meeting on the 95 percent design will take place November 3, 2009.

Colonel Lee asked if the fully funded budget request has been approved by the Economic Work Group. Mr. Clark responded: Yes.

Colonel Lee asked if the additional benefits were still expected with the removal of the freshwater introduction. Mr. Clark answered that the project had two freshwater introduction areas and one was removed. The project scope change is due to the costs and while the costs have increased, the increased marsh creation component will increase the benefits which are not expected to go over 25 percent.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs moved to approve the change in project scope for the South Grand Chenier Hydrologic Restoration Project (ME-20). Mr. Norton seconded. The motion was passed by the Task Force.

L. Agenda Item #17 – Discussion/Decision: Revision of CWPPRA Standard Operating Procedure Requirement for 30 percent and 95 percent Design review requirements

Mr. Holden summarized the proposed SOP requirement revisions.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Boggs moved to approve the SOP change to the requirements for 30 percent and 95 percent design review requirements. Mr. Doley seconded. The motion was passed by the Task Force.

VI. INFORMATION

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

Ms. Browning briefed the Task Force on the current and projected funding situation. Three projects began construction in 2009, and 13 are scheduled to begin in 2010. The unencumbered Federal and non-Federal funding in the Construction Program as of September 2009 is negative \$5.9 million and with potential returned funds of approximately \$27 million, \$21 million, but that these amounts will be affected by Task Force decisions made at this meeting. The program carries over available funds each year. Ms. Browning gave an overview and comparison of obligated program funds, unobligated balances and unencumbered funds.

Mr. Doley asked what drives the unobligated balance. Ms. Browning answered that getting contracts in place does and that projects have become larger as the program has grown which increases the obligated funds.

Ms. Browning then gave an overview of total anticipated funds over the CWPPRA program life and how available funds may adjust based on future projects, today's decisions, and projections made by the Department of the Interior.

Colonel Lee opened the floor to comments from the Task Force. There were no comments.

Mr. Creel presented an overview of committed funds and what-if scenarios based on future funding projections, budget increases, deauthorizations, and past years' budgets. The available program funds, or the gap between total funding and total costs, are decreasing.

Colonel Lee opened the floor to comments from the Task Force. There were no comments.

Mr. Creel continued that if the two deauthorizations on today's agenda are approved then the available funds amount of \$22 million would increase to \$102 million. He also stated that there is a potential to remove the West Bay Project which would further increase the available funds to \$213 million. If the West Bay Project remains, but the Maurepas Swamp Project is removed, the available funds would increase to \$247 million and if both projects are removed, this number increases to \$358 million. Overall, the available funds decrease as PPL 19 projects are added.

Mr. Clark commented that many of the costs presented include Phase I projects being fully funded and that not all of these costs have been approved. He stated that the Task Force is approving more projects for engineering and design than there is money to construct and that there are going to be projects not chosen for construction. Therefore, the numbers do not mean the program is running out of money next year because there are projects under design that will not be constructed, but that the costs represented assume all projects will be constructed.

Mr. Norton commented that some projects, such as the Maurepas Swamp Project, are also anticipated to be assumed by other programs and will not be constructed with CWPPRA funds.

Colonel Lee stated that it is difficult to have cash flow projects on an annual basis and represent how those funding decisions will affect the overall CWPPRA program. He said that this presentation was not meant to cause alarm, but just make the Task Force aware of where the overall program budget stands.

Mr. Doley commented that the program has about \$1 billion left over the next ten years and that the Task Force needs to be thoughtful as to how that money is spent based on past spending because the program only has a finite amount of funding.

Colonel Lee stated that it is important to drive down the unobligated funds balance and keep the program moving forward because when this balance is great, questions arise as to why funds are not being used.

Mr. Holden recommended that the Technical Committee start evaluating the O&M funds required once a project is constructed because currently the O&M funds are evaluated incrementally. Once a project is authorized for construction, the O&M funds should be considered over the project life.

B. Agenda Item #8 – Report: Coast-wide Nutria Control Program – Annual Report

Mr. Edmond Mouton with the Louisiana Department of Wildlife and Fisheries (LDWF) presented the annual report on the LA-03b Coast-wide Nutria Control Program (CNCP). The 2008-2009 total tails collected was 334,038 worth \$1,670,190 in incentive payments. The 2009 Vegetative Damage Survey yielded 20,333 acres of nutria damage coast-wide which is a 12 percent decrease from 2008 (23,141 acres).

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

C. Agenda Item #16 – Report: NRCS and Louisiana OCPR Request for Task Force Fax Vote to begin Construction of the PPL 17-Sediment Containment Demonstration Project (LA-09)

Mr. John Jurgensen, NRCS, reported that the Technical Committee voted by email to recommend Task Force approval of a construction project sponsored by the NRCS and the OCPR. The Task Force approved the Technical Committee's recommendation to approve construction of the Sediment Containment Demonstration Project (LA-09) in order to avoid delaying North American Waterfowl Conservation Act (NAWCA) Hanson Marsh Hydrologic Restoration Project construction activities.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

D. Agenda Item #18 – Report: Status of the PPL 1 – West Bay Sediment Diversion Project (MR-03)

Mr. Creel gave a status report on the West Bay Work Plan and ongoing beneficial use dredging activities in the Pilottown Anchorage Area (PAA). He stated that Work Plan efforts are on schedule and submission dates are expected to be met. He added that monthly project reports will be submitted and that a special Technical Committee briefing will take place on December 1, 2009.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public. There were none.

Mr. Creel continued that dredging for the project commenced on September 20, 2009 at the PAA and that dredging will move to deep draft for the remainder of the dredge cycle. The dredged material will be placed in an island formation perpendicular to flow. He stated that the work is expected to be completed before the dredging contract ends on December 15, 2009.

Colonel Lee opened the floor to comments from the Task Force. There were no comments. Colonel Lee opened the floor to comments from the public.

Mr. Sean Duffy, Gulf States Maritime Association (GSMA), asked if the islands will be placed in the receiving area and if there will be monitoring that will allow the effectiveness of those islands to be determined. Mr. Creel responded that he was unsure and would have to get the answer for Mr. Duffy after the meeting.

Mr. Duffy then asked how many acres were being created during this dredge cycle. Mr. Creel responded that he was unsure and would follow up with Mr. Duffy after the meeting. Colonel Lee responded that another project has currently dredged eight million cubic yards of material and created 800 acres of marsh with that material. Colonel Lee estimates that the PAA dredging would create approximately 100 acres of marsh. He continued that Ms. Cherie Price, USACE, will have to give the true numbers for the project, but the belief is that the perpendicular island will perform similar to the shreds that were originally in the project and that they may even see better performance, but will have to monitor the area to be sure.

Mr. Duffy asked how much dredged material has been removed. Mr. Creel answered that as of October 24, 2009, 1.4 million cubic yards has been dredged.

Mr. Duffy then stated that he is looking at the amount of acres created through the beneficial use of dredged material versus the lack of accretion due to the diversion itself. He stated that GSMA is working with the maritime industry and are in the process of following up on a letter sent to the delegation to get USACE permission to dredge in the PAA. GSMA is seeking authority and appropriations from a RAMP fund for beneficial use that is a trust with a \$5 billion surplus that may be able to help CWPPRA maintain the diversion. He stated that he is glad there is beneficial use happening and that it is good to have the Anchorage restored.

VII. ADDITIONAL AGENDA ITEMS

There were no additional agenda items.

VIII. REQUEST FOR PUBLIC COMMENTS

No additional public comments were made.

IX. CLOSING

A. Announcement: Dates of Upcoming CWPPRA Program Meetings

Mr. Creel announced that the next Technical Committee Meeting will be held on December 2, 2009 in Baton Rouge. The next Task Force Meeting will be held on January 20, 2010 in New Orleans. The PPL 19 Public Meetings will be held November 17, 2009 at 7:00 p.m. at the Vermilion Parish Police Jury Courthouse Building, Courtroom #1, 2nd Floor, 100 North State Street, Abbeville, LA and on November 18, 2009 at 7:00 p.m. at the USACE, 7400 Leake Avenue, New Orleans, LA in the District Assembly Room.

B. Announcement: Scheduled Dates of Future Program Meetings

Mr. Creel announced that the schedule for upcoming 2010 meetings is listed in the agenda.

C. Adjournment

Colonel Lee adjourned the meeting at 2:50 p.m.