

**BREAUX ACT**  
**Coastal Wetlands Planning, Protection and Restoration Act**

**TASK FORCE MEETING**  
**08 June 2011**

**Minutes**

**I. INTRODUCTION**

Colonel Edward Fleming convened the 78<sup>th</sup> meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force. The meeting began at 9:45 a.m. on June 8, 2011, at the Estuarine Fisheries and Habitat Center, 646 Cajundome Blvd., Lafayette, 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 who were present.

Mr. Jim Boggs, U.S. Fish and Wildlife Service (USFWS)  
Mr. Christopher Doley, National Marine Fisheries Service (NMFS)  
Mr. Jerome Zeringue (sitting in for Mr. Garrett Graves), State of Louisiana, Governor's Office of Coastal Activities (GOCA)  
Colonel Edward Fleming, Chairman, U.S. Army Corps of Engineers (USACE)  
Mr. Britt Paul (sitting in for Mr. Kevin Norton), Natural Resources Conservation Service (NRCS)  
Mr. William Honker, U.S. Environmental Protection Agency (EPA)

**III. OPENING REMARKS**

Colonel Fleming welcomed everyone and asked the Task Force members to introduce themselves. He added that he is proud to be a part of CWPPRA because it is an excellent example of how the State and Federal Governments can solve problems together. He suggested that this model be replicated in other areas.

Colonel Fleming then gave an update on the recent high water event. He stated that the USACE opened the Bonnet Carré Spillway on May 9<sup>th</sup> and Morganza Floodway on May 19<sup>th</sup>. He added that the USACE continues to monitor the spillways and make adjustments accordingly. At this point, the system is working as it was designed to work. He added that we are seeing historic record levels of flow down the Mississippi River and that the focus should remain on inspections of levees and structures that were or may have been damaged by the high water. As the water recedes, the impacts will need to be assessed; the USACE intends to work closely with local parishes and entities. He added that over the past couple of weeks, the teamwork among agencies

has been precedent setting. He also thanked the Governor for his leadership, support, guidance, and direction during this event. He thanked the Office of Coastal Protection and Restoration (OCPR), Mr. Graves, Mr. Zeringue, and the Department of Transportation and Development as well. Colonel Fleming encouraged the agencies to continue working closely together. He pointed out that during this event, the USACE has worked closely with the State Police and other entities that the USACE would not normally coordinate with. He added that events like this bring folks together for a common interest and emphasized that despite the record high water during this time, teamwork helped prevent some of the negative impacts seen during past events.

Mr. Doley commended the USACE and State for their hard work and stated that he was proud of their efforts. Mr. Honker agreed and added that the EPA is part of the post-flood recovery group.

Mr. Zeringue reiterated that there has been much support and cooperation between the State and USACE and that this effort is an impressive and unprecedented example of Federal and local cooperation. Mr. Boggs echoed these sentiments.

Mr. Paul stated that he appreciated the conference calls that were used to keep agencies informed. Colonel Fleming highlighted the hard work done by the U.S. Geological Survey (USGS), who placed sensors in the Morganza Floodway, some of which provided real time data.

Colonel Fleming noted that this may be Mr. Boggs' last Task Force Meeting since he has moved to Arkansas. Mr. Boggs will continue to attend until his replacement is announced. Mr. Boggs replied that he was proud to be in attendance.

Colonel Fleming opened the floor to comments from the Task Force regarding any changes or additions to the agenda.

*Mr. Zeringue made a motion to discuss Agenda Item No. 13 after Agenda Item No. 8. Mr. Boggs seconded. The motion was passed by the Task Force.*

*Mr. Honker made a motion to accept the agenda with the change. Mr. Boggs seconded. The motion was passed by the Task Force.*

#### **IV. ADOPTION OF MINUTES FROM JANUARY 19, 2011 TASK FORCE MEETING**

Mr. Thomas Holden, USACE, presented the minutes from the January 19, 2011 Task Force Meeting. Colonel Fleming asked for any changes or comments on the minutes from the January 19, 2011 Task Force meeting. There were no comments or objections. Colonel Fleming stated that the minutes for the January 19, 2011 Task Force meeting are adopted.

#### **V. TASK FORCE DECISIONS**

**A. Agenda Item #8 – Decision: Fiscal Year (FY) 12 Planning Budget Approval, including the Project Priority List (PPL) 22 Process, and Presentation of FY12 Outreach Budget**

Mr. Holden presented the Technical Committee recommendation to approve the PPL 22 Planning Process Standard Operating Procedures (SOP) to include selecting three nominees in the Barataria, Terrebonne, and Pontchartrain Basins, and two nominees in all other basins, and if no projects are presented at the Regional Planning Team (RPT) meeting for the Mississippi River Delta Basin, then an additional nominee be selected for the Breton Sound Basin. He also presented the Technical Committee's recommendation to approve the FY12 Planning budget in the amount of \$5,152,641. Mr. Holden explained that the Planning process and budget are equivalent to last year's, with two extra budget placeholders: one for the Report to Congress in the amount of \$110,000 and one for the Outreach Committee Budget in the amount of \$452,400.

Mr. Holden then read the Technical Committee recommended motion for approval as follows:

The CWPPRA Technical Committee recommends Task Force approval for the PPL 22 Planning process and the FY12 Planning budget, which includes placeholders for the Outreach and Report to Congress budgets, in the amount of \$5,152,641. The FY12 Outreach Committee budget placeholder is in the FY11 budgeted amount of \$452,400, and the Report to Congress placeholder is in the FY09-FY10 amount of \$110,000. The final Outreach budget and work plan, and the final Report to Congress budget and format will be reviewed by the Technical Committee on or before the September Technical Committee meeting for final recommendation to the Task Force on or prior to its October 2011 meeting.

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

Mr. Doley asked Ms. Gay Browning, USACE, if there was carryover from previous years' Planning budget funds to cover the additional funding requests. She answered, yes.

Colonel Fleming opened the floor to comments from the public. There were no public comments.

*Mr. Honker made a motion to approve the Technical Committee's recommendation for the PPL 22 Process SOP, to include selecting three nominees in the Barataria, Terrebonne, and Pontchartrain Basins, and two nominees in all other basins, and if no projects are presented at the RPT meeting for the Mississippi River Delta Basin, then an additional nominee be selected for the Breton Sound Basin, and to approve the Technical Committee's recommendation for the FY12 Planning budget in the total amount of \$5,152,641, as stated above. Mr. Paul seconded. The motion was passed by the Task Force.*

**B. Agenda Item #10 – Decision: Request to expend up to \$60,000 of project funds to acquire geotechnical data outside of the project boundary for the PPL 16 - Madison Bay Marsh Creation and Terracing Project (TE-51)**

Mr. Brad Inman, USACE, presented the Technical Committee's recommendation to approve the request to expend up to \$60,000 of existing project funds to acquire geotechnical

data in an area outside of the approved project boundary. He added that the Technical Committee unanimously recommended approval of this request.

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

Colonel Fleming opened the floor to comments from the public.

Mr. Nic Matherne, Terrebonne Parish Government, stated that they love this project, wish to see it built quickly and effectively, and would appreciate Task Force approval of today's request. He added that spending a little extra money now will ensure that the project is more cost effective in the future.

*Mr. Doley made a motion to approve the Technical Committee's recommendation to expend up to \$60,000 of existing project funds to acquire geotechnical data in an area outside of the approved project boundary for the PPL 16 - Madison Bay Marsh Creation and Terracing Project (TE-51). Mr. Honker seconded. The motion was passed by the Task Force.*

**C. Agenda Item #12 – Decision: Request for a Change in Scope and Name Change for PPL 17- Caernarvon Outfall Management/Lake Lery Shoreline Restoration Project (BS-16)**

Mr. Robert Dubois, USFWS, gave a status update of the project. The USFWS and OCPR are requesting a project scope change, name change, and cost estimate increase due to changes from the original project. These changes involve deleting the freshwater introduction feature because it has been incorporated into the USACE's 4<sup>th</sup> Supplemental Caernarvon Project. The revised CWPPRA project will extend the shoreline protection/marsh creation features westward to meet the USACE project so as not to leave a gap in the shoreline protection. The scope change includes increased shoreline restoration, to include stabilization of 37,500 linear feet (vs. 32,000 feet) of the western Lake Lery shoreline; removal of the freshwater introduction feature; and changes to the marsh creation component to restore a net 453 acres (vs. 652 acres) of marsh via dredged material. The request also includes a name change to rename the project "South Lake Lery Shoreline and Marsh Restoration Project" to avoid confusion. A cost estimate increase is also requested from \$25,137,149 to an estimated \$43,624,191. The Technical Committee has recommended approval of this request.

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

Mr. Darryl Clark, USFWS, pointed out that the Technical Committee is recommending the name and scope change.

Colonel Fleming asked why the marsh creation acreage had decreased. Mr. Dubois answered that the USACE project will include those portions of the CWPPRA project being removed.

Colonel Fleming opened the floor to comments from the public. There were no public comments.

*Mr. Boggs made a motion to approve the Technical Committee's recommendation to change the project name to "South Lake Lery Shoreline and Marsh Restoration Project"; to change the scope to include removal of the freshwater introduction feature, stabilization of 37,500 linear feet (vs. 32,000 feet) of the western Lake Lery shoreline and to restore a net 453 acres (vs. 652 acres) of marsh via dredged material; and to increase the cost estimate from \$25,137,149 to \$43,624,101 for the PPL 17 – Caernarvon Outfall Management/Lake Lery Shoreline Restoration Project (BS-16). Mr. Honker seconded. The motion was passed by the Task Force.*

**D. Agenda Item #13 – Decision: Request for Transfer of the PPL 11 – Grand Lake Shoreline Protection, Tebo Point Project (ME-21a)**

Mr. Holden presented the Technical Committee's recommendation to transfer Federal sponsorship of the Tebo Point Project from the USACE to the NRCS, adding that EPA, NMFS, USFWS, NRCS, and OCPR voted in favor of the transfer at the Technical Committee meeting, while the USACE did not vote, but expressed opposition. He pointed out that at the January 2011 Task Force meeting, there was a decision by the Task Force to extend Phase II funding for the project until December 2011. He stated that it appears to the administrative group that this is a financial matter and that the State may not be able to vote. He added that the matter may need to be remanded to the Technical Committee to formulate a SOP as to how future project transfers should be handled because there is currently no guidance available.

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

Mr. Zeringue asked for clarification as to the State's participation regarding a transfer of funding. Mr. Holden offered that a transfer of the funds from one Federal agency to another would be a financial decision for Federal agency vote, with the State abstaining.

Colonel Fleming stated that since there are no procedures currently in place, if the transfer is approved, then the Technical Committee may have to go back and create an SOP to make sure that procedures to transfer money in the future are in place.

Mr. Zeringue moved to honor the Technical Committee's recommendation since there is currently no process in place for a transfer. Mr. Honker suggested that further discussion take place before a motion is made, but did agree that clarification is needed as to transferring a project and perhaps the broader question as to when the State is and is not allowed to vote. Mr. Honker added that it is not clear that this is a financial issue and something more concrete should be clarified in the procedures to address potential future transfers.

Mr. Paul agreed that it is not a financial issue at this stage because they are only transferring funds, but not adding, changing, or approving funds. Mr. Holden responded that the January Task Force meeting vote was linked to a continuation and extension of finances. Mr. Paul reiterated that the financial decision to extend the funding was made at the last Task Force meeting and is not under debate at this point.

Colonel Fleming stated that if this recommendation is to only transfer the project, a recommendation to transfer funds can be made later. He added that there is not a finance issue at this point; therefore, it is the Chair's decision that the State can vote.

Mr. Paul clarified that the project has been approved for Phase II for several years and that at the last Task Force meeting there was discussion reflecting Task Force encouragement for the two agencies to work out a cost share agreement. He added that an update of those negotiations may be in order.

Colonel Fleming responded that unfortunately for this project, the State and USACE are at a point where they are still in disagreement. He added that though he may be slightly biased, he feels that there is no better public engineering organization in this country than the USACE and that for the USACE to not be a Federal partner on a project is to that project's detriment. However, this impasse does not mean that the State and USACE will not continue to work on agreements for other projects. He stated that he does not support this transfer, and though not voting, cannot recommend an affirmative vote be taken on this motion. He continued that CWPPRA is a great example of a way to get projects done and that the purpose of CWPPRA is to make an impact on coastal losses and that if the best way to fulfill that purpose is to transfer this project, then, though he disagrees with the motion, he understands the other agencies' position.

Mr. Zeringue stated that he also appreciates the USACE's position, but that from the State perspective, this motion is not about taking an agency off of a project, but about moving a project forward. He added that this motion does not please him and pledged to work with the other agencies and the USACE to resolve these issues so that no more project transfers occur in the future. He stated that the USACE does good work and that he understands the Colonel's concerns and will work to avoid any further votes like this.

Mr. Honker stated that resolving the cost share agreement issue is vitally important and that whatever decision is made today, it is still critical that this issue be resolved. He offered that the EPA would be happy to help reach resolution on this. He added that the prospect of moving future projects from one agency to another is not acceptable to him in concept and that all of the agencies are partners and must find a resolution.

Mr. Doley shared Mr. Honker's sentiments. He stated that a lot of work has been done on the cost share agreement and that NMFS will help as much as they can to help find a resolution because this is a critical matter facing the Task Force as a partnership. He added that from his perspective, this issue must be resolved because it is not in the best interests of CWPPRA to not have the USACE as a part of project construction activities. While Tebo Point is a small project that needs to move forward, this motion is not an indication of a lack of resolve to fix the cost share issue.

Mr. Boggs agreed with Colonel Fleming regarding the resources of the USACE and added that CWPPRA would be a smaller program without the USACE's participation in engineering and design.

Mr. Paul stated that this transfer will hopefully not remove the USACE from the CWPPRA process, but is only an issue of holding up this individual project. He added that this project has been designed, is ready, and needs to move forward while the cost share issue continues to be resolved. Mr. Holden responded that the USACE will work with the NRCS for an orderly transition if the decision is made to transfer the project.

Colonel Fleming opened the floor to comments from the public.

Mr. Mark Schleifstein, with the Times-Picayune, asked if the Task Force could explain the cost share agreement problem. Colonel Fleming answered that the two main issues delaying an agreement involve indemnification and the State's desire to approve or deny expenditures of Federal funds.

Mr. Zeringue clarified that there are also other issues involving intellectual property and Federal programming funds. He added that these are issues that have been addressed again and again over the years and need to be resolved so as to not delay future agreements.

Mr. Doley asked if a future decision on the fund transfer would be needed since there is no SOP for this action. Colonel Fleming answered, yes. Mr. Paul clarified that funds need to be transferred for the project to move forward. Colonel Fleming replied that he was following the Technical Committee's recommendation. Mr. Paul suggested that the fund transfer was implied by the Technical Committee because the funds are part of the project.

Colonel Fleming asked Mr. Holden to read the Technical Committee's recommendation so that the Task Force could amend the motion if necessary. Mr. Holden then read the Technical Committee's recommendation as follows:

The Technical Committee recommends to the Task Force to transfer the Grand Lake Shoreline Protection, Tebo Point (ME-21a) Project from the USACE to the NRCS.

*Mr. Paul made a motion to amend the Technical Committee's recommendation to transfer the PPL 11 – Grand Lake Shoreline Protection, Tebo Point Project (ME-21a) from the USACE to the NRCS, to include the transfer of project funds. Mr. Honker seconded. The motion was passed by the Task Force.*

*Mr. Zeringue made a motion to approve the amended motion to transfer the PPL 11 – Grand Lake Shoreline Protection, Tebo Point Project (ME-21a) from the USACE to the NRCS, including the transfer of project funds. Mr. Paul seconded. The motion was passed by the Task Force.*

## **VI. INFORMATION**

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

Ms. Browning briefed the Task Force on the status of CWPPRA accounts in the Planning and Construction Programs and overall available and projected funding in the CWPPRA Program. The current Planning Program funding is \$5,052,673, with a current surplus of \$498,000.

She then discussed the current Construction Program funding. Total Federal funds from FY92 to FY11 are \$1,039.6 million. Total obligations to date are \$952 million; total expenditures to date are \$672.6 million. The FY11 Federal funding received was \$77.4 million and the anticipated FY12 Federal funding is \$79.5 million. At present, there are 149 active projects: 91 are completed construction, 11 are currently under construction, and 47 have not yet started construction. In FY11, there were originally eight projects scheduled to begin construction: two are currently scheduled to begin in FY11, two have completed construction, and four are scheduled to complete construction this year. There are 11 projects scheduled to begin construction in FY12; of those 11, two are non-cash flow projects approved for construction, five are cash flow projects which are already approved and funded for Phase II construction, and four are cash flow projects which will be requesting Phase II approval in January 2012.

The current unencumbered Federal funding balance as of today is negative \$2.7 million. The potential balance with anticipated returned construction funds (of approximately \$25 million) is \$22 million and the balance with the \$15 million set-aside funds is \$7.3 million. Therefore, the total FY11 “available” funding, including the non-Federal cost share and return of construction funds is estimated to be \$7.3 million. With today’s funding request of \$323,747, the available balance would be approximately \$7.0 million going into the October Task Force meeting.

Right now, based on Department of Interior projections through FY20, the total Program funding is estimated to be \$2.3 billion. The total cost for all projects on PPL 1 to 20, including Planning, is \$2.49 billion. The cost required for projects which have been approved for construction is \$1.48 billion, with a gap between the current funding and the cost for unapproved estimates of \$1.018 billion. Therefore, the difference between funding into the Program and the current project estimate is a need of \$189.6 million through FY19. However, the estimate includes two large projects (Maurepas and Rockefeller), one that is expected to decrease in amount and one that may not be constructed under the CWPPRA Program. With these changes, there would be \$2.24 billion, which would be enough funding to do all projects now as approved or unapproved. However, of the \$144 million for West Bay, only \$50 million is currently included in the estimate. Therefore, the question is how many more PPLs can be approved and a determination will have to be made as to whether or not new projects will be approved. She cautioned that the Federal funding can increase or decrease.

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

Colonel Fleming opened the floor to comments from the public. There were no public comments.

#### **B. Agenda Item #4 – Report: Review of Navigation Channel Agreements**

Mr. Zeringue provided a policy brief regarding the State's position on sponsoring coastal restoration projects located along Federally authorized navigation channels. The State will present a white paper at the next Coastal Protection and Restoration Authority (CPRA) meeting explaining its position as to how to approach projects that include a Federal obligation, i.e. maintenance of navigation channels. The State believes that CWPPRA dollars are a valuable asset that should not be used to fund Federal obligations. If the Federal agencies do not have the funding to conduct these activities, CWPPRA should not fund it. Therefore, the State will not support future PPL projects that have a significant component of channel. He recognized that many question what happens if CWPPRA will not undertake these projects. He stated that the issue has been put on the radar of the Federal delegation and that they are working to secure the necessary authorizations and funding to aid the USACE in this work. However, he added that burdening CWPPRA with Federal obligation projects dilutes CWPPRA's ability to build other important projects. He stated that using CWPPRA to fund such projects does not solve the Federal funding problem. He added that the State will present the white paper to the Task Force and Technical Committee when it is completed.

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

Mr. Paul asked if the policy would be retroactive. Mr. Zeringue responded that it would only apply to future projects and that the State would continue to meet its obligations on existing projects.

Colonel Fleming opened the floor to comments from the public.

Mr. Randy Moertle, McIlhenny Company and Little Lake Land Company, passed out a map of Federal navigation channels in the State of Louisiana. He pointed out that many are in the coastal zone and many are already handled by CWPPRA projects next to navigation channels. He added that the State has a 2012 Plan with shoreline protection projects and yet, those projects along navigation channels will be excluded. He stated that shoreline protection is important and that those people with shoreline protection projects will be penalized. He explained that he has not talked to anyone in favor of this policy position. He believes that this is a poor position and that they thought the Gulf of Mexico Ecosystem Task Force would address this issue, but they did not. He has been told that the Harbor Maintenance Trust Fund and Inland Waterways Trust Fund will help, but he does not believe that either of those funds will address this issue. He added that he thinks the State does a wonderful job and represents the citizens well, but that this policy is wrong when there is a long history of fixing things along navigation channels. He pointed out that State refused to support a project where shoreline protection is only 17% of the total project cost and would help to protect other components of the project. He questioned why the State is taking such a hard line position when the shoreline protection cost percentage is so low on such important projects. He recommended the State policy be that if 25% or less of the project is shoreline protection or restoration, the State move forward on the project instead of

cutting a project off at the knees. The public has asked for a plan and timeline as to how these issues will be addressed. He added that asking for money for the USACE is nonsense and that money will not be given to the USACE for shoreline protection. He stated that the public wants to be an advocate for the State and not in opposition, but that if the white paper does not give a clear plan, everyone will be fighting on this issue. He added that no one is in support of this policy and that it seems to be unilateral. He asked that the State consider developing some sort of guideline to continue moving this issue forward. He gave the example of the Cole's Bayou Project, which is getting beat to death from the inside, and pointed out that it is not their fault that it is a Federal navigation channel. He explained that he does not intend to fight, but that the State's hardline position is unnecessary.

Mr. Zeringue responded that he appreciates Mr. Moertle's concern over how these channels have impacted interior areas, but believes that the Federal Government should take responsibility of the operation and maintenance (O&M) for Federal channels and that CWPPRA will not be successful if it takes on another entity's responsibility. He added that expecting CWPPRA to continue to fund navigation channel projects is not a solution. He suggested Mr. Moertle bring this matter up at the next CPRA meeting.

Mr. Moertle stated that he appreciates Mr. Zeringue's comments, but thinks that the result of this policy is that some really great strategic opportunities for projects are being missed. He added that large acreages are being lost by not doing shoreline protection and that CWPPRA should be more proactive in protecting areas rather than waiting until areas are gone and then trying to rebuild.

Mr. Paul stated that at the Technical Committee meeting, it was suggested that some navigation channel percentage be considered. Mr. Zeringue replied that that is a good idea and that the CPRA Board is the final decider of how the policy will look. He added that the OCPR will give some suggestions and that there may be some funding percentage, or other measure of evaluation, guidance in the white paper.

Mr. Honker asked if the policy was addressing O&M and construction costs. Mr. Zeringue responded, yes, but only for future projects.

### **C. Agenda Item #5 – Report: Public Outreach Committee Report**

Ms. Susan Testroet-Bergeron, USGS, presented the Public Outreach Committee quarterly report. There was a partnering activity this period with the Carmelite Sisters at Mount Carmel. One of the Sisters' missions is education and therefore, they helped with mailing the Partners in Restoration Books. They have also offered further assistance. Ms. Testroet-Bergeron also thanked Mr. Honker and his staff for conducting inreach activities, wherein the agency goes into itself to teach its staff about CWPPRA. She added that Administrator Lisa Jackson and Mr. John Hankinson from the Gulf Restoration Task Force visited Bayou Dupont to demonstrate what a CWPPRA project can do. She continued that in February, the Outreach Committee took a group of teachers to the old river control structure. She thanked the USACE for their help in this effort to educate the teachers as to how the Mississippi River has helped build Louisiana. The Outreach Committee also participated in the USACE partnering conference. She commended Colonel Fleming on doing a great job of bringing together people who are working together in the

community. The Outreach Committee has also been working with the Louisiana Public Broadcasting Station in Baton Rouge and they have a new website where they interviewed Mr. Boggs, Garrett Graves, Steve Mathies, and Rachel Sweeney. The station is trying to plan a documentary of what is going on in the CWPPRA Program. The Outreach Committee also has a new tri-fold exhibit and banner. They are trying to maintain the branding effort by using consistent colors and schemes. They also have a new CWPPRA video. Ms. Testroet-Bergeron then played the video for the Task Force and added that the video can be found on YouTube. She added that hopefully the video conveys the message of how special the CWPPRA Program is and that it is running out of money.

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

Mr. Zeringue expressed appreciation for the Outreach Committee's efforts. Mr. Doley added that they had done a nice job on the video.

Colonel Fleming opened the floor to comments from the public. There were no public comments.

#### **D. Agenda Item #6 – Report: Email/Fax Vote Results**

Mr. Inman reported on two fax votes as presented below.

- a. **Request Denied by Technical Committee Email Vote for Change in Scope for the PPL 13 – Bayou Sale Shoreline Protection Project (TV-20):** At the April 8, 2011 Technical Committee meeting, NRCS and OCPR requested a project scope change to separate the Bayou Sale Shoreline Protection Project into three segments and proceed with the design to 30% and 95% of Segment 1, which consists of 23,082 feet out of the original 35,776 feet of shoreline protection. NRCS and OCPR also requested a cost estimate increase from the original \$23,082,000 to an estimated \$64,825,325 due to the plethora of pipelines and flow lines within the project area necessitating unconventional construction techniques. At the April 8, 2011 meeting, the Technical Committee recommended to de-authorize the Bayou Sale Shoreline Protection Project. This recommendation did not follow the CWPPRA SOP; therefore, the Technical Committee voted via email on April 19, 2011 to make a recommendation to the Task Force to deny the requested scope change and cost estimate increase. NRCS may now redesign the project within 100% of its original budget and proceed to 30% design or recommend de-authorization.
- b. **Request Approved by Task Force Vote for O&M Incremental Funding and Budget Increase for the PPL 10 – Lake Borgne Shoreline Protection (PO-30):** The EPA, through OCPR, requested approval for O&M Incremental funding and budget increase for the Lake Borgne Shoreline Protection Project. During the September 28, 2010 Technical Committee meeting, EPA made an initial request for an O&M budget increase in the amount of \$3,349,711, and an Increment 1 funding increase in the amount of \$3,356,181. The Technical Committee deferred making a decision until the project's alternatives had been analyzed. At the December 8, 2010 Technical Committee meeting, a \$3 million dollar "set-aside" was approved for the project. The project team has completed the alternatives analysis, selected the preferred alternative, and developed

a revised project cost estimate. The Technical Committee recommended Task Force approval of EPA’s request for O&M and funding. The Task Force voted via email on May 10, 2011 to approve the request for an O&M budget increase in the amount of \$3,327,676, and a Phase 2 Increment 1 funding increase in the amount of \$3,333,417.

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

Colonel Fleming opened the floor to comments from the public. There were no public comments.

**E. Agenda Item #7 – Report: Selection of Ten Candidate Projects and Three Demonstration Projects to Evaluate for PPL 21**

Mr. Holden reported that at the April 8, 2011 Technical Committee meeting, the Technical Committee selected 10 candidate projects and three demonstration projects as PPL 21 candidates for Phase 0 analysis as listed below. He added that one project under question was the Cole’s Bayou Marsh Creation and Restoration and that the State has said it will support the project if it is approved.

Region	Basin	PPL 21 Nominees
1	Pontchartrain	Fritchie Marsh Creation and Terracing
1	Pontchartrain	LaBranche Central Marsh Creation
2	Breton Sound	Lake Lery Shoreline Marsh Creation
2	Breton Sound	White Ditch Marsh Creation Sediment Delivery
2	Barataria	Northwest Turtle Bay Marsh Creation and Shore Protection
2	Barataria	Bayou Grand Cheniere Marsh Creation
2	Barataria	Bayou L’Ours Terracing
3	Teche-Vermilion	Southeast Marsh Island Marsh Creation and Nourishment
3	Teche-Vermilion	Cole’s Bayou Marsh Creation and Restoration
4	Calcasieu-Sabine	Oyster Bayou Restoration

PPL 21 Demonstration Project Nominees	
Demo	Automated Marsh Planting (formerly called “Alternative to Manual Planting”)
Demo	Deltalok
Demo	Habitat Enhancements through Vegetative Plantings Using Gulf Saver Bags

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

Colonel Fleming opened the floor to comments from the public. There were no public comments.

**F. Agenda Item #9 – Report: Status of the PPL 8 – Sabine Refuge Marsh Creation Project, Cycles IV and V (CS-28-4&5)**

Mr. Holden referred to page nine of the January Task Force meeting minutes, where a cost share agreement was contingent on the Tebo Point cost share agreement being resolved. The intent was to use the Tebo Point agreement to move forward, but that since there has been no

success on that matter, there is no cost share agreement for this project. He added that the next dredging cycle has been delayed until August 2012 and the project is expected to return \$8 million to the general program revenue.

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

Mr. Doley asked if there could be a motion to extend the January Task Force decision to provide an additional six months to allow for a cost share agreement to be put into place for this project.

Mr. Paul asked if six months was enough time to reach the next dredge cycle. Mr. Holden answered, if a cost share agreement is in place, it would be a matter of when the dredge cycle is available. Mr. Honker clarified if the motion was for six months or for the January 2012 Task Force meeting. Mr. Doley agreed to use the January Task Force meeting.

Colonel Fleming opened the floor to comments from the public.

Donald Voros, USFWS project leader for the Southwest Louisiana Refuges Complex , stated that they are the recipients of the work that the Task force does and thanked the Task Force for their efforts. He highlighted that a multi-million dollar pipeline, paid for by CWPPRA, was put in north of the Sabine National Wildlife Refuge and was dedicated to building marshes at the Sabine Refuge. He hopes that the pipeline is continued for this use. He pointed out that you have to take money when it is available and that CWPPRA money is a steady flow with which to build marshes. He explained that this area does not have levees, but only marsh speed bumps to stop hurricane storm surges and that they need to perpetuate and continue to rebuild these marsh areas after storm events. He expressed hope that this project can proceed in the next year.

*Mr. Doley made a motion to amend the January 2011 Task Force motion to extend the decision deadline until the January 2012 Task Force meeting. Mr. Boggs seconded. The motion was passed by the Task Force.*

#### **G. Agenda Item #11 – Report: Status of the PPL 1 – West Bay Sediment Diversion Project (MR-03)**

Ms. Lauren Averill, USACE, provided a status update on the West Bay Project and Closure Plan. The project is currently in the design process and Phase I condemnation is underway to obtain a base survey in order to design the alternatives. They currently have not been able to finalize the alternative designs because they have not been able to get a survey of the area. The condemnation process can take up to six months. They are also working with OCPR to obtain a survey of the area within 30 days through State authorities. Once the survey is conducted, the design alternatives will be finalized and presented to the Task Force for voting. Once the design is selected, then Phase II condemnation will take place to get the land for closure construction. The condemnation process will have schedule impacts. Currently, closure is expected for the low water season of 2013. OCPR will conduct a final receiving area survey after the current high water recedes. They hope to have this information by the September Technical Committee meeting. They are also working with the Engineer Research and Development Center

(ERDC) to determine shoaling impacts and also hope to have that information by the September Technical Committee meeting.

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

Colonel Fleming opened the floor to comments from the public.

Mr. P.J. Hahn, Plaquemines Parish Government, suggested October 6, 2011 for a site visit and asked that the Task Force members start checking their calendars for availability. Colonel Fleming asked if the site visit is for the Task Force or Technical Committee members and Mr. Hahn replied that as many folks as possible should attend. Colonel Fleming stated that it is something they should start working on.

## **VII. ADDITIONAL AGENDA ITEMS**

### **A. Agenda Item #14a – Request for O&M Estimate Increase and Funding Approval for the PPL 9 – Black Bayou Culverts Hydrologic Restoration Project (CS-29)**

Mr. Paul gave an overview of the request for an O&M budget increase and funding approval. The project originally included construction of box culverts under Highway 384. Some leakage has been detected under the structure so the Task Force approved funds to put cofferdams on each side to dewater the structure and determine the source of the leakage. A cofferdam was constructed on the east side, but when they attempted to place a cofferdam on the west side, they found that the channel is more degraded than originally thought. Today's request is for additional funds to continue the leakage investigation. The contract is temporarily suspended while additional funding is pursued. NRCS and OCPR are requesting a \$323,747 O&M estimate increase and funding approval of the completion of the ongoing inspection and design repair contract. NRCS and OCPR are also requesting the transfer of an already approved \$50,600 in the contingency category to the O&M estimate. The Technical Committee recommended approval of this request via email vote on May 25, 2011.

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

Colonel Fleming opened the floor to comments from the public. There were no public comments.

*Mr. Paul made a motion to approve the Technical Committee's recommendation to approve the request for a \$323,747 O&M estimate increase and funding approval and a transfer of an already approved \$50,600 in the contingency category to the O&M estimate. Mr. Boggs seconded. The motion was passed by the Task Force.*

## **B. Agenda Item #14b – New U.S. Geological Survey (USGS) Land Change Map Presentation**

Mr. Matthew Anderson, Deputy Director of the USGS National Wetlands Research Center (NWRC), presented the new USGS Land Change Map. Louisiana wetlands are critical to the U.S. and the State of Louisiana, hence it is important to track their condition. The USGS has been tracking the Louisiana coast since 1932. From 1932 to 2010, the Louisiana coast has lost 1,883 square miles.

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

Colonel Fleming asked if a reason is known for the areas that show an increase in land. Mr. Anderson answered that generally they can associate locations with times and events to reach some estimates. Mr. Honker added that the loss is approximately 25%.

Mr. Anderson continued that since 1932, Louisiana has lost a land area the size of Delaware and loses an average area the size of Manhattan every year. Between 1985 and 2010, approximately a football field sized area is lost every hour. He added that the coastal parishes have experienced the most severe land loss. He stated that it is important to track the land loss in order to determine the cause of the loss. He added that the Coast-wide Reference Monitoring System (CRMS) is a valuable resource to evaluate project-level impacts and that the Task Force should consider continuing and perhaps expanding CRMS. He stated that the new land map is available online and in booklet format.

Colonel Fleming acknowledged the great work that the USGS has done and stated that the USACE will use the new land map as a tool as they move forward looking at projects.

Colonel Fleming opened the floor to comments from the public. There were no public comments.

## **C. Agenda Item #15 – Additional Item**

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

Mr. Honker asked if it was necessary to direct the Technical Committee to develop an SOP for future project transfers. Colonel Fleming answered that it would be better to make a motion and take a vote.

Mr. Paul suggested modifying the procedure to transfer a project from one program to another. Mr. Holden responded that the vote taken today on the Tebo Point Project would be used as precedent to create a procedure.

*Mr. Honker made a motion to direct the Technical Committee to develop a standard operating procedure to address the situation where a project is transferred from one Federal sponsor to another and to report back at the January 2012 Task Force meeting. Mr. Zeringue seconded. The motion was passed by the Task Force.*

## VIII. REQUEST FOR PUBLIC COMMENTS

There were no additional public comments.

## IX. CLOSING

### A. Announcement: Date of Upcoming CWPPRA Project Meeting

Mr. Inman announced that the next Technical Committee meeting will be held September 20, 2011 at 9:30 a.m. at the LA Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, Louisiana, in the Louisiana Room.

### C. Announcement: Scheduled Dates of Future Program Meetings

September 20, 2011	9:30 a.m.	Technical Committee	Baton Rouge
October 12, 2011	9:30 a.m.	Task Force	New Orleans
November 16, 2011	7:00 p.m.	PPL 21 Public Meeting	Abbeville
November 17, 2011	7:00 p.m.	PPL 21 Public Meeting	New Orleans
December 13, 2011	9:30 a.m.	Technical Committee	Baton Rouge
January 19, 2011	9:30 a.m.	Task Force	New Orleans

### C. Adjournment

Colonel Fleming called for a motion to adjourn the meeting. Mr. Honker so moved and Mr. Zeringue seconded. Colonel Fleming adjourned the meeting at 11:58 a.m.