

BREAUX ACT
Coastal Wetlands Planning, Protection and Restoration Act

TASK FORCE MEETING
12 October 2011

Minutes

I. INTRODUCTION

Colonel Edward Fleming convened the 79th meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force. The meeting began at 9:40 a.m. on October 12, 2011, at the U.S. Army Corps of Engineers 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 who were present.

Mr. Darryl Clark (sitting in for Jim Boggs), U.S. Fish and Wildlife Service (USFWS)

Mr. Christopher Doley, National Marine Fisheries Service (NMFS)

Mr. Kirk Rhinehart, Louisiana Office of Coastal Protection and Restoration (OCPR)
(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 Ms. Gay Browning will be retiring from the USACE in December and presented her with a certificate of appreciation.

The members of the Technical Committee thanked Ms. Browning for her support and service to the CWPPRA Program.

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

Mr. Rhinehart made a motion to accept the agenda as presented. Mr. Clark seconded. The motion was passed by the Task Force.

IV. ADOPTION OF MINUTES FROM JUNE 8, 2011 TASK FORCE MEETING

Colonel Fleming presented the minutes from the June 8, 2011 Task Force meeting and asked if there were any changes or comments. There were no comments or objections.

Mr. Paul made a motion to accept the minutes from the June 8, 2011 Task Force meeting as presented. Mr. Honker seconded. The motion was passed by the Task Force.

V. TASK FORCE DECISIONS

A. Agenda Item #5 – Report/Decision: 2012 Report to Congress

Mr. Brad Inman, USACE, explained that at the June 8, 2011 meeting, the Task Force approved the Fiscal Year (FY) 2012 Planning budget, which included an \$110,000 placeholder for the 2012 Report to Congress pending further discussion. The Technical Committee and Planning & Evaluation (P&E) Committee met on August 23, 2011 and discussed the direction of the Report to Congress. Mr. Inman presented the Technical Committee recommendation to approve utilizing the \$110,000 placeholder to create the 2012 Report to Congress, which will be a concise (10-15 pages) document concentrating on projects and providing monitoring information. An outline prepared by EPA, U.S. Geological Survey (USGS), and USFWS will be provided by the next Technical Committee and Task Force meetings.

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

Mr. Clark stated support for the Technical Committee recommendation to have a shorter report and added that USFWS is willing to work with EPA and USGS to have an outline by the December Technical Committee meeting.

Mr. Honker stated that while shorter may be better, the 2012 Report to Congress must be substantive. Congress is interested in the status of the CWPPRA Program since the Program's authorization only runs through 2018. Congress will also be seeing other Gulf Coast restoration legislation such as the Gulf Coast Ecosystem Restoration Task Force and Mabus Report.

Colonel Fleming added that it is also critical to tie data collection from the Coast-wide Reference Monitoring System (CRMS) and project-specific monitoring into the 2012 Report to Congress to highlight the success of the CWPPRA Program.

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 recommendation to utilize the \$110,000 placeholder to create the 2012 Report to Congress, which will be a concise (10-15 pages) document concentrating on projects and providing monitoring information. An

outline will be provided by the December Technical Committee and January Task Force meetings. Mr. Clark seconded. The motion was passed by the Task Force.

B. Agenda Item #6 – Report/Decision: Outreach Committee Quarterly Report and 2012 Outreach Budget

Ms. Susan Bergeron, USGS, provided the Outreach Committee quarterly report. Since the last report, the Outreach Committee has attended several conferences and events, including the National Conference on Ecosystem Restoration in Baltimore, the Gulf of Mexico Alliance all hands meeting (a joint meeting with the Hypoxia Task Force), participation with the Association of Fish and Wildlife Agencies, connecting with the legislative group working on the Wallop-Breaux Act, a trip with the Minority Education through Travel and Learning in the Sciences (METALS) to Grand Isle, and the Environmental Education Commission Awards at the Governor's Mansion. Scott Wilson conducted outreach at the Louisiana Coastal Builders Coalition by explaining CWPPRA financing and bid processes. Ms. Bergeron thanked Susan Hennington who accompanied her to the La Fete d'Ecologie, a Barataria-Terrebonne National Estuary Program (BTNEP) event. She also thanked the State and the National Oceanic and Atmospheric Administration (NOAA) for bringing the Secretary of Commerce down to announce some new CWPPRA barrier island projects. She also highlighted that outside of the Outreach Committee, the WYES public education television station has created a website called Reshaping Greater New Orleans and is now looking at coastal restoration issues. A link to the website can be found on the LaCoast webpage. The USGS also has a new online video showing their latest land loss maps. She then thanked Ms. Browning for her hard work.

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

Mr. Clark thanked the Outreach Committee for their hard work.

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

Mr. Inman explained that the Task Force approved the FY12 Planning budget with a placeholder for the 2012 Outreach budget pending further discussion. The Technical Committee and P&E Committee met on August 23, 2011 and discussed the Outreach Committee budget and work plan. The Technical Committee recommends approval of the Outreach budget and work plan.

Mr. Clark made a motion to approve the Technical Committee recommendation to approve the Outreach Committee work plan and budget in the amount of \$452,400. Mr. Honker seconded. The motion was passed by the Task Force.

C. Agenda Item #11 – Decision: Annual Request for Incremental Funding for FY14 Administrative Costs for Cash Flow Projects

Ms. Browning presented the request for funding approval in the total amount of \$14,730 for administrative costs for cash flow projects beyond Increment 1, as listed below.

- Black Bayou Hydrologic Restoration (CS-27), PPL 6, NMFS
Incremental funding amount (FY14): \$1,396
- Cameron Creole Plugs (CS-17), PPL 1, USFWS
Incremental funding amount (FY14): \$1,396
- Freshwater Bayou Bank Stabilization (ME-13), PPL 5, NRCS
Incremental funding amount (FY14): \$1,396
- Lake Chapeau (TE-26), PPL 3, NMFS
Incremental funding amount (FY14): \$1,338
- Sabine Structures (Hog Island) (CS-23), PPL 3, USFWS
Incremental funding amount (FY13 & FY14): \$2,000
- BA2-GIWW to Clovelly (BA-02), PPL 1, NRCS
Incremental funding amount (FY14): \$1,301
- Brady Canal (TE-28), PPL 3, NRCS
Incremental funding amount (FY14): \$1,301
- Point au Fer (TE-22), PPL 2, NMFS
Incremental funding amount (FY14): \$1,301
- Cote Blanche (TV-04), PPL 3, NRCS
Incremental funding amount (FY14): \$1,301
- CRMS (LA-30), USGS
Incremental funding amount (FY14): \$2,000

Mr. Inman presented the Technical Committee recommendation to approve the 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. There were no public comments.

Mr. Paul made a motion to approve the Technical Committee recommendation for incremental funding for FY14 administrative costs for cash flow projects in the total amount of \$14,730 for the projects listed above. Mr. Clark seconded. The motion was passed by the Task Force.

D. Agenda Item #12 – Decision: Request for Funding for the CWPPRA Program’s Technical Services

Michelle Fisher, USGS, presented the USGS and Coastal Protection and Restoration Authority (CPRA) request for funding for CWPPRA Program technical services in the amount of \$186,018 for FY12. She explained that the budget was based on last year’s breakdown, with some items moved from the Planning budget to the Construction budget. Mr. Inman presented the Technical Committee recommendation to approve the 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. There were no public comments.

Mr. Honker made a motion to approve the Technical Committee recommendation for funding for CWPPRA Program technical services in the amount of \$186,018. Mr. Clark seconded. The motion was passed by the Task Force.

E. Agenda Item #13 – Decision: Request for Monitoring Incremental Funding and Budget Increases

Ms. Dona Weifenbach, CPRA, presented the Technical Committee recommendation to approve requests for FY14 incremental funding in the total amount of \$23,255,765 and monitoring budget increases totaling \$56,351,583. She presented each group of projects as follows.

- a. PPL 9+ Projects requesting approval for FY14 incremental funding in the total amount of \$143,526 for the following projects:
 - Delta Management at Fort St. Philip (BS-11), PPL-10, USFWS
Incremental funding amount (FY12-14) (Vegetation, 1 Report): \$51,226
 - Coastwide Nutria Control Program (LA-03b), PPL-11, NRCS
Incremental funding amount: \$92,300

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. Clark made a motion to approve the Technical Committee recommendation for requests for FY14 incremental funding in the total amount of \$143,526 for the projects listed above. Mr. Honker seconded. The motion was passed by the Task Force.

- b. PPL 9+ Projects requesting approval for a monitoring budget increase in the total amount of \$1,769,619 and FY14 incremental funding in the total amount of \$496,830:
 - Freshwater Introduction South of Hwy 82 (ME-16) PPL-9, USFWS
(land/water years 1, 10, 20)
Budget increase amount: \$139,395
Incremental funding amount (FY12-14): \$70,288
 - East Sabine Hydrologic Restoration (CS-32), PPL-10, USFWS
(land/water years 1, 10, 20, and 2 continuous recorders for 2 years)
Budget increase amount: \$ 188,133
Incremental funding amount (FY12 – FY14): \$ 72,329
 - Dedicated Dredging on the Barataria Basin Landbridge (BA-36), PPL-11,
USFWS (land/water years 1, 10, 20, and topographic surveys years 3, 5,
20, and 3 reports)

Budget increase amount: \$443,810

Incremental funding amount (FY12 – FY14): \$99,703

- Raccoon Island Shoreline Protection/Marsh Creation (TE-48) PPL-11, NRCS
Budget increase amount: \$217,791
Incremental funding amount (FY12 – FY14): \$80,755
- Goose Point/Point Platte Marsh Creation (PO-33), PPL-13 USFWS (land/water years 1, 10, 20)
Budget increase amount: \$111,665
Incremental funding amount (FY12 – FY14): \$29,891
- Lake Hermitage Marsh Creation (BA-42), PPL-15, USFWS (land/water years 1, 10, 20, and topographic surveys years 3, 5, 20 and 3 reports)
Budget increase amount: \$260,740
Incremental funding amount (FY12 – FY14): \$62,161
- North Lake Mechant Marsh Creation (TE-44), PPL-10, USFWS (land/water years 1, 10, 20; vegetative survey)
Budget increase amount: \$211,498
Incremental funding amount: \$29,212
- West Lake Boudreaux Shore Protection and Marsh Creation (TE-46), PPL 11, USFWS (land/water years 1, 10, 20, 3 vegetation, and 3 reports)
Budget increase amount: \$196,587
Incremental funding amount: \$52,491.00

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. Honker made a motion to approve the Technical Committee recommendation for requests for FY14 incremental funding in the total amount of \$496,830 and monitoring budget increases totaling \$1,769,619 for the projects listed above. Mr. Clark seconded. The motion was passed by the Task Force.

- c. PPL 1-8 Project requesting approval for a monitoring budget increase and FY14 incremental funding:
 - Naomi Outfall Project (BA-03c), PPL-5, NRCS (vegetation in 2012 and one continuous recorder through 2022)
Budget increase amount: \$104,545
Incremental funding amount: \$34,786

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 recommendation for FY14 incremental funding in the amount of \$34,786 and monitoring budget increase of \$104,545 for the Naomi Outfall Project (BA-03c). Mr. Rhinehart seconded. The motion was passed by the Task Force.

d. CRMS-Wetlands

Budget Increase (through FY18-19) in the amount of \$54,477,419

Incremental funding (FY 12-14) in the amount of \$22,580,623

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

Mr. Honker stated that there have been some preliminary discussions and questions regarding the value of the data and information provided by the CRMS system. He asked if a decision on the budget could be deferred or if an amount less than the three year funding could be authorized.

Mr. Doley asked what the cost drivers are for these increases. Ms. Weifenbach responded that they have been collecting data for five years and that the budget request is based on the actual cost for gathering CRMS data. Last year there was a review of the CRMS system and it was determined that all 391 collection sites are required to properly monitor individual projects and the CWPPRA Program as a whole, per the legislative mandate.

Colonel Fleming asked about concerns regarding contractor support. Ms. Weifenbach clarified that the current three-year contract ends July 31, 2012 and that they are developing a request for proposals to have a new contract in place before then. They are hoping to have a new three year contract with a two year extension. Presently, the contractor has 40 permanent trained staff and five field offices to collect the CRMS data.

Colonel Fleming asked how much money is currently set aside for CRMS. Ms. Weifenbach answered that the CRMS budget is \$60 million and they are requesting a \$54 million increase for authorization. The currently funded amount is \$43.7 million and expenditures to date are \$40.2 million, leaving a balance of \$3.5 million. The incremental funding request for FY 12-14 is \$22 million. Mr. Clark clarified that they have \$3.5 million on hand and the additional \$22 million will cover 2012 to 2014. Ms. Weifenbach responded, yes, and stated that they need additional authorization for at least one more year to cover the three year contract.

Mr. Rhinehart pointed out that it took a while to ramp up the CRMS Program. Thus, they did not spend their full budget in the first couple of years and maintained a year to year budget, only requesting what was needed. Now that the system is established, they have actual costs to maintain the program and are requesting the actual budget that will be needed. He then asked about the types of products that would be produced by the CRMS Program. Ms. Weifenbach explained that USGS is developing report cards and indices to evaluate data at project, basin, and coast-wide levels.

Mr. Greg Steyer, USGS, explained that prior to CRMS, they were only conducting project level monitoring. They are now developing a process of multi-level indicators to evaluate change over time rather than just specific values for project areas. The Monitoring Work Group will meet on November 4th to review the report carding to develop the indices that can then be synthesized into project, basin, and coast-wide level evaluations. These will then be packaged for use on the CRMS website.

Colonel Fleming asked if they are paying for monitoring twice with CRMS and project specific monitoring. He would like to see a CRMS based assessment on the success of CWPPRA and be able to show from a programmatic perspective what impact CWPPRA is having on the coastline.

Mr. Steyer agreed that is the target, but stated that the difficulty is that there are no defined success criteria. Index development is the first critical piece, but unlike areas where there are Federal criteria, such as levels of dissolved oxygen in a stream, ecological indices do not have pre-defined metrics so it is more difficult to measure success. The next stage of reporting is to determine what those success criteria are. The Monitoring Work Group has been battling with this criteria definition for years. They are trying to determine what variables would be most representative of how well the Program has performed and those discussions are ongoing. He emphasized that the data collected now are used in the planning process, for modeling, and in design.

Mr. Clark asked about the status of the report. Mr. Steyer responded that it will be provided to the Monitoring Work Group on Monday in time for the November 4th meeting.

Mr. Paul asked if the data will be available for use in the upcoming Report to Congress. Mr. Steyer answered, yes, they can either add links to the CRMS website or create two page vignettes for example projects.

Mr. Doley asked if they are optimistic they will be able to develop recommendations for whether they are meeting targets. Mr. Steyer answered that they are already using the 2006 to 2009 data to understand the distribution of variables being measured across the coast and are using this to set up a percentile regime to determine if areas fall within a lower 25%, middle 50%, or top 25%.

Mr. Rhinehart stated that there is an economy of scale that would be lost if they were to authorize less than the requested three years of funding for the CRMS Program. He added that the three years of funding seems right to bring the CRMS Program to the point where they will be getting the information the Task Force is asking for. He cautioned that the CRMS Program is viewed nationally as a leading example and that it would be bad for CWPPRA's reputation to step back now. He suggested that they review the funding each year when the next out-year is requested and that the Technical Committee do a better job of relaying CRMS information to the Task Force.

Mr. Paul suggested that it would help to have a presentation on the CRMS data at a basin level. He encouraged approving the funding request and then continuing to evaluate funding as new data is received.

Colonel Fleming asked what the ramifications would be if nothing was decided today. Ms. Browning clarified that \$16 million was authorized for the Program, but not approved to be spent. This \$16 million is remaining from the total \$60 million ceiling that has been approved for CRMS. Today's request is for permission to spend that \$16 million and for an additional amount of \$6 million for a total of \$22 million needed for the three-year increment. The \$54 million is requested to increase the total ceiling budget for the life of CRMS through FY18-19. Mr. Clark responded that \$6 million additional funding was more palatable than \$22 million.

Mr. Doley clarified that the \$22 million will fund FY12, FY13, and FY14. Mr. Steyer agreed.

Mr. Paul asked for a presentation at a future Task Force meeting looking at basin level CRMS data. Mr. Steyer responded that they currently conduct agency road shows or they could present at agency headquarters.

Mr. Honker pointed out that CRMS is new type of monitoring system that has not really been done before. He expressed hope that with more experience and better technology, the system could be made more economical in the future.

Mr. Doley expressed support for CRMS, but with the reservation that the data coming from CRMS be used as envisioned. He suggested that a CRMS discussion be added to the Task Force meeting agenda on a regular basis to be more heavily utilized for planning, prioritization, and evaluating CWPPRA Program success. Mr. Steyer agreed that CRMS data should be used in planning, engineering, design, operation and maintenance (O&M), and monitoring, but that it is not currently being utilized by all agencies. He suggested more participation in the CRMS dataset trainings.

Mr. Doley asked to see how CRMS data is working with project specific monitoring to evaluate the bigger picture perspective.

Colonel Fleming directed that a CRMS report be on every Task Force meeting agenda starting with the January meeting. He stressed that he does not want a report of details, but rather an overall report regarding trends, objectives, and the success of the Program. Mr. Doley and Mr. Honker agreed.

Colonel Fleming opened the floor to comments from the public.

Ms. Browning stated that when CRMS first began, projects did not request specific monitoring, but now project sponsors are re-evaluating project monitoring needs. She cautioned that project specific monitoring requests may rise in the future. Colonel Fleming cautioned that it appears the monitoring is overlapped and CWPPRA is paying twice.

Dr. Jenneke Visser, Academic Advisory Committee, clarified that project specific monitoring is additional monitoring on projects that are not covered by CRMS sites and that no double monitoring is taking place. CRMS sites are randomly distributed and measure a limited suite of factors. Project specific monitoring is just additional parameters for specific project types. She added that recently the floristic quality index from CRMS was published in a scientific journal and that she thinks the Task Force will be very impressed at how well the data show how projects are working.

Mr. Clark clarified that the USFWS projects that requested additional monitoring had no CRMS sites within the project areas and that other agencies may make similar requests. He added that USFWS cut costs by using existing aerial flights and not requesting additional flights.

Mr. Chad Courville, Miami Corporation, stated that they use the CRMS data on a weekly basis. From a landowner perspective, it is a good tool and vital to their planning efforts. He asked if the CRMS staff could review their holdings and evaluate their property to help plan for the future.

Mr. Clark made a motion to approve the Technical Committee recommendation for FY 12-14 incremental funding in the amount of \$22,580,623 and budget increase (through FY 18-19) in the amount of \$54,477,419 for the CRMS Program. Mr. Rhinehart seconded. The motion was passed by the Task Force.

F. Agenda Item #14 – Decision: Request for O&M Incremental Funding and Budget Increases

Mr. David Burkholder, CPRA, presented the Technical Committee recommendation to approve requests for FY14 incremental funding in the total amount of \$3,662,273 and O&M budget increases totaling \$206,774, broken down as follows:

- a. PPL 9+ Projects requesting approval for FY14 incremental funding in the total amount of \$2,160,568 for the following projects:
 - Four Mile Canal Sediment Trapping (TV-18), PPL-9, NMFS
Incremental funding amount (FY13) (O&M and State Insp): \$4,269
Incremental funding amount (Federal S&A): \$28,556
 - Pass Chaland to Grand Bayou Pass Barrier Shoreline Restoration (BA-35), PPL-11, NMFS
Incremental funding amount (FY12 – FY14) (O&M and State Insp): \$13,971
 - Little Lake Shoreline Protection/Dedicated Dredging near Round Lake (BA-37), PPL-11, NMFS
Incremental funding amount (FY13 – FY14) (O&M and State Insp): \$11,505
Incremental funding amount (FY13 – FY14) (Federal S&A): \$2,965
 - Coast-wide Nutria Control Program (LA-03b), PPL-11, NRCS
Incremental funding amount: \$2,091,621
 - South White Lake Shoreline Protection (ME-22), PPL-12, COE

Incremental funding amount (O&M and State Insp): \$5,761
Incremental funding amount (Federal S&A): \$1,920

- b. PPL 1-8 Projects requesting approval for FY14 incremental funding in the amount of \$1,080,114 for the following projects:
- Point au Fer Canal Plugs (TE-22), PPL-2, NMFS
Incremental funding amount (FY13 & FY14) (O&M and State Insp): \$13,239
Incremental funding amount (Federal S&A):\$ 2,277
 - Lake Chapeau Sediment Input & Hydrologic Restoration (TE-26), PPL-3, NMFS
Incremental funding amount (FY13 & FY14) (O&M and State Insp): \$1,016,267
Incremental funding amount (Federal S&A): \$26,520
 - Black Bayou Hydrologic Restoration (CS-27), PPL-6, NMFS
Incremental funding amount (FY12 – FY14) (O&M and State Insp): \$21,811
- c. PPL 9+ Project requesting approval for an O&M budget increase and FY14 incremental funding:
- Pelican Island and Pass La Mer to Chaland Pass (BA-38), PPL-11, NMFS
Budget increase amount: \$180,966
Incremental funding amount: \$325,347
- d. PPL 1-8 Project requesting approval for an O&M budget increase and FY14 incremental funding:
- Highway 384 Hydrologic Restoration (CS-21), PPL-2, NRCS
Budget increase amount: \$25,808
Incremental funding amount: \$96,244

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 recommendation for FY14 incremental funding in the total amount of \$3,662,273 and O&M budget increases totaling \$206,774 for the projects listed above. Mr. Honker seconded. The motion was passed by the Task Force.

G. Agenda Item #15 – Decision: Request for a Time Extension for PPL 8 – Sabine Refuge Marsh Creation Project Cycles 4 and 5 (CS-28)

Mr. Inman presented the Technical Committee recommendation to approve a one-year time extension from January 2012 to January 2013 for the Project cost-share agreement deadline.

He explained that in June 2011, the Task Force extended the Project cost-share agreement deadline to January 2012 and now the Federal project sponsors, USACE and USFWS, are requesting an additional one-year extension.

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. Clark made a motion to approve the Technical Committee recommendation for a one-year time extension for the PPL 8 – Sabine Refuge Marsh Creation Project (CS-28) cost-share agreement deadline. Mr. Doley seconded. The motion was passed by the Task Force.

H. Agenda Item #16 – Decision: Request to Increase the Construction Budget for the PPL 11 – Raccoon Island Shoreline Protection/Marsh Creation Project (TE-48)

Mr. Paul explained that due to time delays associated with the BOEMRE Memorandum of Agreement and changing site conditions, NRCS is requesting approval for an increase in the construction budget for the Project in the amount of \$2,475,000 (\$2,200,000 for construction contract and \$275,000 for supervision and inspection). Mr. Inman presented the Technical Committee recommendation to approve the increase in construction budget.

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 recommendation for an increase in the construction budget for the PPL 11 – Raccoon Island Shoreline Protection/Marsh Creation Project (TE-48) in the amount of \$2,475,000 (\$2,200,000 for construction contract and \$275,000 for supervision and inspection). Mr. Honker seconded. The motion was passed by the Task Force.

I. Agenda Item #17 – Decision: Request for a Change in Scope, Budget Increase and Incremental Funding Approval for the PPL 3 – Cameron-Creole Maintenance Project (CS-04a)

Mr. Burkholder presented the NRCS and CPRA request for a change in scope to include operation of the water control structures as a project feature. Due to the change in the scope, they also requested a budget increase and incremental funding approval. The budget increase needed to fund this additional work is \$233,607 and the incremental funding approval needed is \$525,807. Mr. Inman presented the Technical Committee recommendation to approve the change in scope, budget increase in the amount of \$233,607, and incremental funding in the amount of \$525,807.

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

Mr. Honker cautioned that there is a longer-term issue here. As older projects approach their 20-year life, decisions will have to be made as to whether to continue funding such projects. He suggested charging the Technical Committee with developing a decision structure to be used as a tool for making logical decisions on such projects in the future.

Mr. Clark asked what year 20 for this project is. Mr. Paul answered, 2017. Mr. Clark clarified that USFWS was conducting operations of the structures, but that the USFWS refuges have lost funding and staff and no longer have the resources to continue those activities. He added that he has a letter from the refuge complex manager outlining these reasons for Task Force review.

Mr. Doley asked who will conduct the actual maintenance. Mr. Burkholder responded that the work will be bid to a contractor.

Colonel Fleming stated that he has directed the Technical Committee to plan a course of action as to how to address projects that are reaching their 20-year life span so that some recommendations can be made as to how to move forward on such projects. The Technical Committee will need to look at options and be aware of safety, funding, and authority issues. While not applicable to this project, future action will need to be taken.

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 recommendation for a scope change, budget increase in the amount of \$233,607, and incremental funding in the amount of \$525,807 for the PPL 3 – Cameron-Creole Maintenance Project (CS-04a). Mr. Clark seconded. The motion was passed by the Task Force.

J. Agenda Item #18 – Decision: Request for a Change in Scope for the PPL 18 – Grand Liard Marsh and Ridge Restoration Project (BA-68) Due to Estimated Budget Increase

Mr. Rick Hartman, NMFS, presented the NMFS and CPRA request for a change in project scope due to an estimated cost increase. The Project was approved for engineering and design on PPL 18. The original approved total project cost is \$31,390,699. The current estimated fully funded project cost is \$44,705,498. The sponsors wish to proceed to final design pending approval of this change in scope. Mr. Inman presented the Technical Committee recommendation to approve the change in scope.

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. Doley made a motion to approve the Technical Committee recommendation for a scope change due to an estimated cost increase from \$31,390,699 to the current estimated fully funded project cost of \$44,705,498 for the PPL 18 – Grand Liard Marsh and Ridge Restoration Project (BA-68). Mr. Honker seconded. The motion was passed by the Task Force.

K. Agenda Item #19 – Decision: Request to Initiate De-authorization of the PPL 14 – Riverine Mining – Scofield Island Restoration Project (BA-40)

Mr. Hartman presented the NMFS and CPRA request that formal de-authorization procedures be initiated. The Project was authorized for engineering and design on PPL 14. A Preliminary Design Review was held on March 16, 2010. Currently, CPRA intends to construct the Scofield Island Project using State funds. Mr. Inman presented the Technical Committee recommendation to approve de-authorization Project.

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. Doley made a motion to approve the Technical Committee recommendation to initiate de-authorization for the PPL 14 – Riverine Mining – Scofield Island Restoration Project (BA-40). Mr. Rhinehart 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. Gay Browning, USACE, provided an overview of the status of CWPPRA accounts and available funding in the Planning and Construction Programs. The FY12 Planning budget was approved in June. Funding authorization for the CWPPRA Program was received through March 2012 earlier this week. There is currently a budget surplus of \$428,000. Based on the June Department of Interior forecast, the FY12 anticipated Federal funding is \$79.8 million. At present, there are 149 active projects, 93 completed construction, 9 under construction, and 47 not yet started construction. Eight projects were scheduled to begin construction in FY11, but only one project started; four projects were completed in FY11. Thirteen projects are scheduled to start in FY12. Of these 13, two are non-cash flow with construction funding in place, 10 are cash flow projects with already approved Phase II funding, and one cash flow project will be requesting Phase II funds in January 2012.

There is \$100.8 million going into today's meeting which includes money coming back from de-authorizing construction funding, the estimated FY12 funding, and money set aside for one project. Today there are requests for \$60.8 million in estimate/budget increases and \$31.6 million in funding approvals.

Through FY11, \$1.260 billion in work allowance has been received, including both Federal and Non-Federal. There are currently \$1 billion in obligations and \$169 million carryover in unobligated funds for approved projects. The unencumbered amount is negative \$2.4 million. Based on the June forecast through FY20, the total Program is estimated at \$2.310 billion in funding. The total cost, at present, if all projects were constructed at the current estimates, both approved and placeholder estimates, is \$2.4898 billion. Therefore, an additional \$179.8 million would be needed. Today's estimate is based on the June forecast, but the December forecast could change.

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

Mr. Clark pointed out that when the Program went into a cash flow state, it meant that more projects went into engineering and design than can be constructed. There is not currently enough money in the Program to construct of all of the projects.

Mr. Browning thanked everyone for their compliments this morning and recognized the hard work of the financial team. She added that working with CWPPRA has been a pleasure.

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

B. Agenda Item #4 – Report: Task Force Fax Vote Approvals

- a. Request Approved by Task Force Fax Vote for Operation and Maintenance (O&M) Incremental Funding and Budget Increase for the PPL 1 -- GIWW to Clovelly Hydrologic Restoration Project (BA-02).** Mr. Inman explained that NRCS and CPRA requested approval for O&M Incremental funding and budget increase for the GIWW to Clovelly Hydrologic Restoration Project (BA-02). CPRA had a low bid on an O&M contract for this project and wanted to award the contract as soon as possible. NRCS and CPRA requested an O&M budget increase in the amount of \$1,430,354 and Incremental funding increase in the amount of \$1,463,340. At the September 20, 2011 meeting, the Technical Committee recommended the proposal for Task Force approval. The Task Force approved the request via fax vote on October 5, 2011.
- b. Request Approved by Task Force Fax Vote to Allow Completion of Engineering and Design (Phase 1) for the PPL 16 -- Alligator Bend Shoreline Protection Project (PO-34).** Mr. Inman explained that NRCS and CPRA requested approval to proceed to the 95% review for the Project. On August 18, 2011, NRCS and CPRA conducted a Preliminary (30%) Design Review, and with concurrence from CPRA, are prepared to continue design efforts associated. At the January 21, 2009 Task Force meeting, the Project was approved for a change in scope and continuation of design efforts to the 30% level, but the Task Force stipulated that further approval would be required from the Task Force prior to additional work. Therefore, NRCS and CPRA requested a Task Force fax vote for approval to proceed to the 95% review. At the September 20, 2011 meeting, the Technical Committee recommended

the proposal for Task Force Fax Vote approval. The Task Force approved the request via fax vote on October 5, 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.

C. Agenda Item #7 – Report: Coast-wide Nutria Control Program (CNCP) – Annual Report

Mr. Edmond Mouton, Louisiana Department of Wildlife and Fisheries, presented the annual Coast-wide Nutria Control Program report. The project area extends south of I-10 from Texas to Baton Rouge and south of I-12 from Baton Rouge to Mississippi. The program goal is to remove 400,000 nutria per year via a payment incentive for returned tails. The cost was \$4.00 per tail, but was increased to \$5.00 per tail in year five of the program. There is an application process to be part of the program and then upon approval, a card is issued allowing an individual to trap in a particular area. The total number of tails collected for the 2010-2011 season was 338,512 and \$1,692,560 was paid out. There were 287 participants in the program.

The 2011 Vegetative Damage Survey yielded 6,296 acres of nutria damage coast-wide which is a 26% decrease from 2010 (8,475 acres). The 2010-2011 season had 10 total damage sites which were all classified as minor damage, indicating recovery in these areas. There was very little damage west of Vermillion Bay and most of the damage was in the southeastern part of the State.

Over the nine years of the program, the amount of damaged acres has decreased from a high of 100,000 acres to less than 7,000 acres, with a total of 2,909,542 tails collected. The highest parish for collection is Terrebonne with Plaquemines Parish in second. The highest harvest is in fresh marsh and swamp, followed by intermediate, brackish and then salt marsh. The method of take was 70% steel shot and 30% trapped.

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

Mr. Rhinehart asked why there is no damage in the western part of the State. Mr. Mouton replied that while historically, the western part of the State had a high population, they have seen a decline in recent years, but are not sure why. Factors could include disease, a shift in agriculture, storms, and/or drought.

Mr. Rhinehart asked if the overall population is decreasing. Mr. Mouton responded that the remaining damage is minor, indicating lower population densities. He added that while the harvest in Terrebonne Parish has always been high, the Plaquemines Parish harvest has increased since Hurricane Katrina, during which time the population was left alone and apparently recovered.

Mr. Rhinehart asked if the program could be spread to every two to three years once the nutria population is depressed. Mr. Mouton replied that it is possible, but that the program is not at that point yet since the populations still need to be kept down in fragile fresh marsh areas.

Mr. Rhinehart cautioned that as the nutria population decreases, trappers will have to make more effort to collect the same numbers and that the price per tail may have to be increased to maintain participation. Mr. Mouton responded that they have seen a reduction in active participants, but that there is a shift to where a smaller group of trappers bring in the majority of tails and other trappers drop out of the program.

Mr. Clark stated that pelt prices are rising closer to \$5.00 each. Mr. Mouton replied that fur prices are rising because they are being exported to China and that as a result they may see more trapping efforts this coming year.

Colonel Fleming opened the floor to comments from the public.

Mr. Bergeron stated that there is an upcoming fashion show in Lafayette highlighting nutria fur products. She will send out information about the event via a Newsflash.

D. Agenda Item #8 – Report: Status of the PPL 1 – West Bay Sediment Diversion Project (MR-03)

Mr. Nick Sims, USACE, provided a status update on the West Bay Project and Closure Plan. They are currently moving forward with closure activities. There has been some delay since the landowner would not allow right of entry to obtain bank surveys. The State has allowed the USACE to use a State statute for entry. A letter allowing this was received on October 7th. The USACE will next send a notification letter to the landowner regarding the bank surveys, which should take approximately three months to complete. It will then take another six months to evaluate the three design alternatives. After the design is chosen, then land will have to be obtained for closure construction under a condemnation process which will take another nine to 12 months. A site visit was conducted at the Project on October 4th. Hard information is being received regarding how much land is being created by the West Bay Diversion. Data from the State survey of the receiving area should be available in the next few weeks. The Engineering Research and Development Center (ERDC) is conducting a sediment diversion work plan looking at the percentage of sediment in the Pilottown Anchorage Area (PAA) attributable to the West Bay Diversion. The data collection for this is complete and preliminary results from the geomorphic assessment show that the area along the right descending bank saw shoaling prior to construction of the West Bay Diversion and that shoaling significantly increased since the deepening of the navigation channel. Preliminary estimates are that 18 to 40% of the sediment is from the West Bay Diversion. Final results are expected by the December 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.

Captain Mark Delesdernier, landowner, stated that he is the landowner who has not allowed access to his property. He added that he will go to Federal court to obtain an injunction to stop closure of the West Bay Diversion if necessary. When the USACE came to him about this project, he allowed them to use his property, he is not making any profit from the diversion, but other people's land is being replenished because of it. He has lived in the PAA all of his life and while the PAA is a superior anchorage area because it is away from all the population during hurricane season for all of the offshore equipment, in the last few years only 10 to 12 ships per year anchor there. He emphasized that this diversion is doing a great job and that for less than a quarter of a million dollars, the pilots could go to Boothville or use the 1.3 miles above the PAA to anchor. He intends to talk to the Coast Guard about this issue and to file an injunction to stop closure.

Mr. Sean Duffy, Louisiana Maritime Association and Big River Coalition, stated that he has been following the Project for most of the last 10 years and that the West Bay Diversion is a key project. He pointed out that while the reason for closing the diversion is the cost of dredging, the cost is not that great compared to the per acre cost of some other proposed projects since the dredging provides beneficial use material for marsh creation. He pointed out that when the decision to close the diversion was made, the project was not working, but now that the shreds have been added from the original design, the diversion is creating land. He is bothered that a project that was approved in 1992, constructed in 2003, and was chosen as the best location from eight potential sites is only now being studied as to the causes of shoaling within the PAA. Such shoaling studies should have been conducted from 1992 to 2003. The navigation industry has never asked for the diversion to be closed, only that the dredging agreement be honored. There have only been three dredging events, when the diversion was constructed, in 2006, and in 2009. He does not feel that the expense of dredging is so onerous due to the beneficial use of the dredged material. He expressed concern that under the closure plans, coordination with the navigation industry was supposed to happen, but he feels that is not occurring. This diversion is a success and the navigation industry wants to be a part of the discussion regarding river sediment. Now that the project is working, the circumstances have changed and this project needs to be compared to other CWPPRA projects on a more realistic cost basis. Based on the Mississippi River Commission (MRC) position, uncontrolled sediment diversions will mostly likely not be approved in the future and this diversion needs to remain open because it is working. He encouraged the Task Force to look at the costs of the dredging compared to other CWPPRA projects. He also implored the Task Force to consult with the pilots for their knowledge and guidance. He told of an example at Bayou Dupont where a pilot almost hit a dredge because the navigation industry was not consulted ahead of time as to the proper location of the channel. The Mississippi River economic impact is \$300 million dollars per day; and if there is a closure incident in the channel because the PAA is no longer available for use, the losses will be much greater than the maintenance dredging costs. He added that he has printed some cost comparison information for Task Force review.

Ms. Albertine Kimble, Plaquemines Parish Government, thanked everyone for all their work on the diversion. She still believes that there is hope to keep the diversion open if they can find the money to dredge the anchorage. She does not want to close a project that works.

Mr. Clark asked how long it will take to get the receiving area survey data from the State. Mr. Rhinehart answered that the data should be sent out to the CWPPRA Community at the end of next week.

Mr. Rhinehart stated that Mr. Duffy raised some good points and he appreciates his passion for leveraging resources where available and hopes they can find a win-win situation for everyone. He pointed out that there is an exhaustive consultation process with the USACE and Coast Guard and a permit process before dredging can take place. He emphasized that there is not a single navigation body involved, but that it is an entire public process by which these actions are delineated and it is not correct to indicate that this process is not being followed. They reach out to the community to find the best way to go about such work and are intensifying their efforts on that. As the December Technical Committee meeting approaches, he asked that the legal and technical staff review the West Bay Diversion agreement to better understand how it operates. While leveraging beneficial use from dredged material should be utilized, the agreement currently dictates that dredging happen in a particular location at a particular time and may detract resources from other areas across the State. He suggested the agreement would be more favorable if it was structured to have dredging when funds are available and dredging is needed rather than the specific requirements it has now. He requested the technical staff review the agreement to determine if the dredging requirements were based on stakeholder input or Federal requirements and then evaluate different options moving forward. The agreement was originally developed under the assumption that the diversion would induce shoaling in the PAA, but the new data coming in may change that premise. He asked for an evaluation as to what may happen in the future. If modeling shows continued shoaling even after closing the diversion, then the agreement may have to be re-evaluated. Additionally, he asked for a legal assessment as to whether CWPPRA funds can be spent if the new modeling shows that only a portion of the shoaling is attributable to the West Bay Diversion. He emphasized that these questions are integral to how CWPPRA moves forward on this project and that improved data and information should instigate a review of the agreement so that the best solution for everyone can be reached.

Mr. Duffy responded that multiple meetings were held over many years to reach the agreement and that the Maritime Association may have the most detailed files as to how the agreement was reached. He stressed that the Crescent and Federal Pilots on Bayou Dupont were not made aware of the location of the dredge and that he has information showing there was a risk involved. He stressed that the navigation industry always wants to be involved and that the pilot presidents need to be at meetings regarding these matters. He emphasized that the navigation industry has a vested interest in coastal restoration because they live here and have seen losses and this diversion is in one of the areas that is being impacted by habitat loss more than anywhere in the world. He added that the navigation industry is willing to do whatever they can to help look at the dredging agreement and work to keep the diversion open.

Captain Delesdernier suggested that the Task Force ask the pilot groups how many ships have anchored at the PAA in the past 10 years.

Mr. Honker stated that this is a complex issue with environmental, safety, legal, and financial aspects. He pointed out that the Task Force is very aware of these issues and is not

making decisions lightly. He looks forward to reviewing the new information coming in over the next couple of months.

Mr. Clark stated that he was one of the Technical Committee representatives on the field trip and appreciates Plaquemines Parish arranging the trip. He said that they are seeing the receiving area with accreted land that is being vegetated and would like to keep the diversion open, but that the decision to close was based on the cost to dredge over the 20 year life of the Project. He suggested looking at the new data and evaluating alternatives to keep the diversion open without breaking the bank. He expressed appreciation for the comments made today and recommended continued study of this issue.

E. Agenda Item #9 – Report: Weeks Bay Marsh Creation and Shore Protection/Commercial Canal Freshwater Redirection (TV-19) Alternative Analysis Report

Mr. Inman reported that the USACE and CPRA have received a report from Vermillion and Iberia Parishes providing project alternatives. The agency engineers will review the alternative analysis and try to have a decision for a path forward by the December Technical Committee meeting for a vote at the January Task Force 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. There were no public comments.

F. Agenda Item #10 – Report: Status of Unconstructed Projects

Mr. Inman reported on the status of unconstructed CWPPRA projects that have been experiencing project delays and considered “critical-watch”, projects recommended for de-authorization, and milestones the P&E Committee has established for these projects. The P&E Committee developed the “critical-watch” list in August. The Technical Committee recommends project close out of the Fort Jackson complex study since the project never moved forward; recommends de-authorization of the Little Pecan Bayou Project due to landowner issues, building levees and flooding out of some of the area; and recommends de-authorization of the Benneys Bay Project due to the high cost of dredging associated with it.

- a. Critical-Watch Unconstructed Projects Status and Milestone Updates:
 - West Pointe a la Hache Outfall Management (BA-04c)
 - Small Freshwater Diversion to the Northwest Barataria Basin (BA-34)
 - River Reintroduction into Maurepas Swamp (PO-29)
 - White Ditch Resurrection (BS-12)
 - GIWW Bank Rest of Critical Areas in Terrebonne (TE-43)
 - Weeks Bay Marsh Creation/Shore Protection/Commercial Canal/Freshwater Redirection (TV-19)

- b. Unconstructed Project Close-Out Report:
 - Fort Jackson Sediment Diversion – complex study
- c. Unconstructed Projects Recommended for Deauthorization:
 - Little Pecan Bayou Hydrologic Restoration (ME-17)
 - Benneys Bay Diversion (MR-13)

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

Colonel Fleming asked when the de-authorizations will be presented to the Technical Committee. Mr. Inman responded that they are trying for the December Technical Committee meeting.

Mr. Paul added that the project sponsors are currently meeting with the Little Pecan Bayou stakeholders before initiating the formal de-authorization process.

Mr. Doley asked if the Benneys Bay project sponsors are looking for alternative funding sources or just proceeding with the de-authorization. Mr. Inman responded that they are just proceeding with de-authorization.

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

VII. ADDITIONAL AGENDA ITEMS

There were no additional agenda items.

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 December 13, 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

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
January 24, 2012	1:00 p.m.	Region IV RPT Meeting	Abbeville

January 25, 2012	9:00 a.m.	Region III RPT Meeting	Morgan City
January 26, 2012	9:00 a.m.	Region II RPT Meeting	New Orleans
January 26, 2012	1:00 p.m.	Region I RPT Meeting	New Orleans

C. Adjournment

Colonel Fleming called for a motion to adjourn the meeting. Mr. Clark so moved and Mr. Honker seconded. Colonel Fleming adjourned the meeting at 12:05 p.m.