

BREAUX ACT
Coastal Wetlands Planning, Protection and Restoration Act

TASK FORCE MEETING
19 January 2012

Minutes

I. INTRODUCTION

Mr. Brad Inman convened the 80th meeting of the Louisiana Coastal Wetlands Conservation and Restoration Task Force. The meeting began at 9:40 a.m. on January 19, 2012, 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. William Honker, U.S. Environmental Protection Agency (EPA)
Mr. Jeffrey Weller, U.S. Fish and Wildlife Service (USFWS)
Mr. Brad Inman (sitting in for Colonel Edward Fleming), Chairman, U.S. Army Corps of Engineers (USACE)
Mr. Garret Graves, State of Louisiana, Governor's Office of Coastal Activities (GOCA)
Mr. Britt Paul (sitting in for Mr. Kevin Norton), Natural Resources Conservation Service (NRCS)
Mr. Christopher Doley, National Marine Fisheries Service (NMFS)

III. OPENING REMARKS

Mr. Inman welcomed everyone and conveyed Colonel Fleming's apologies for being unable to attend due to another obligation. Mr. Inman asked the Task Force members to introduce themselves. He introduced and welcomed Mr. Weller to the Task Force as the new representative of the USFWS.

Mr. Inman asked if the Task Force had any opening comments. Mr. Inman noted that at the December 13, 2011 Technical Committee meeting, the Technical Committee discussed the validity of placing projects into a suspension category versus de-authorization as applicable. However, Mr. Inman explained that after additional discussion with the Technical Committee, Planning and Evaluation (P&E) Sub-committee and the Task Force, it was decided that a new suspension category would not be created.

Mr. Inman opened the floor to comments from the Task Force regarding any changes or additions to the agenda.

Mr. Paul made a motion to remove Item 13, Request for Scope Change of the PPL 14 -- South Shore of the Pen Shoreline Protection and Marsh Creation Project (BA-41), from the agenda. Mr. Honker seconded. The motion was passed by the Task Force. No other changes were made to the agenda.

Mr. Inman explained that the public would be given the opportunity to comment on the agenda items and that when commenting, each commenter should give their name, who they are representing, and that the comments should be related to the agenda item being discussed at that time.

IV. ADOPTION OF MINUTES FROM OCTOBER 12, 2011 TASK FORCE MEETING

Mr. Travis Creel, USACE, presented the minutes from the October 12, 2011 Task Force meeting and asked if there were any changes or comments. There were no comments or objections.

Mr. Honker made a motion to accept the minutes from the October 12, 2011 Task Force meeting as presented. Mr. Paul seconded. The motion was passed by the Task Force.

V. TASK FORCE DECISIONS

A. Agenda Item #12 – Report/Decision: Weeks Bay Marsh Creation and Shore Protection/Commercial Canal Freshwater Redirection Project (TV-19)

Mr. Travis Creel, USACE, reported that the Technical Committee recommends initiating de-authorization procedures for the Weeks Bay Marsh Creation Shoreline Protection and Commercial Canal Freshwater Redirection Project. Mr. Creel noted that Mr. Scott Wandell, the project manager with the USACE, was available to give a presentation on the project or answer questions.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public.

Mr. Randy Moertle, representing the McIlhenny Company, requested this project not be de-authorized, but instead be left on the list of projects at no cost. Mr. Moertle acknowledged the increased difficulty to receive CWPPRA funding and noted that other organizations are working on behalf of this project to obtain funding from outside sources. Mr. Moertle noted that there are many areas not covered within the Draft 2012 State Master Plan. It is his understanding the State will not consider a cost share agreement (CSA) unless a project/area is covered in the Master Plan, and as such, means that the CWPPRA process will be driven by the Master Plan. Mr. Moertle explained that by leaving a project on the CWPPRA books, it allows other potential

funding sources to see that the project has been designed and is viable, therefore increasing the possibility that other funding sources could be obtained. Mr. Moertle gave an example of a terracing project where a coalition of various private entities partnered together through a cost share agreement to fund the project. Mr. Moertle asked the Task Force to consider partnering/cost sharing, which would allow private dollars to help fund CWPPRA projects. He understands that a suspension category was not approved, but asked again for the project to remain on the list and not be de-authorized.

Mr. W.P. Edwards, III, representing Vermilion Corporation and Vermilion Parish, stated that the cumulative benefits of this project are important in that this project is essentially the river diversion for Southwest Louisiana. He noted that at flood stage, Southwest Louisiana used to get water from the Wax Lake Outlet and the Atchafalaya River flowing west down the Gulf Intercoastal Waterway, but in 2011 during record flood stage, that same water was not seen because of the 3,000 foot-wide opening at Weeks Bay. He asked that if there are funds associated with this project, to please use them elsewhere, but just keep the project on the books so that the project remains viable in the eyes of other potential funding sources. Mr. Edwards requested that the CWPPRA Program become a partner with other organizations and funding entities so that the Program can become even bigger and receive more recognition.

Mr. Paul inquired if there was a time frame for needing to keep the Weeks Bay project on the books to help facilitate the solicitation of funds from other entities.

Mr. Moertle responded that there was no particular time frame, given that it is never known from where funding will be obtained. He noted that the private sector tends to move more efficiently since it is not subject to many of the same regulations as the public sector. He explained that the McIlhenny Company and others are looking for partners and they want CWPPRA to be a partner so that areas/projects not represented in the State Master Plan have a chance for implementation. He re-iterated that cost sharing between CWPPRA and the private sector is key, noting that cost sharing would allow more leveraging of CWPPRA funds and ultimately strengthen the Program. Mr. Moertle stated that even though they deal with smaller amounts of funding, it eventually all adds up to getting a project implemented. He again asked that the project not be de-authorized, noting that prior to the Master Plan update, all projects had a chance for CWPPRA funding, but now, those projects receiving funding will be driven by the Master Plan.

Mr. Edwards re-iterated that this project is the river diversion for Southwest Louisiana. He praised the Outreach Committee's video presentation on marshlands, but stated that if there is true concern for the freshwater marshes of the State, the Weeks Bay diversion should not be de-authorized. He noted that the Teche-Vermillion project does not provide enough freshwater to Southwest Louisiana and that the Weeks Bay project or diversion would help bring needed freshwater to the area.

Mr. Inman inquired if there was a motion to de-authorize the Weeks Bay Marsh Creation Shoreline Protection and Commercial Canal Freshwater Project (TV-19). A motion was not made by the Task Force. No further action was made on this agenda item.

B. Agenda Item #14 – Decision: Request to Suspend and Return Construction Funding for the PPL 11 -- South Grand Chenier Hydrologic Restoration Project (ME-20)

Mr. Darryl Clark, USFWS, reported that USFWS and CPRA have returned \$24.9 million of construction funding for the South Grand Chenier Hydrologic Restoration Project back to the CWPPRA Program. Mr. Clark explained that the project received construction funding two years ago and that it has reached its two year limit due to problems obtaining land rights. When full land rights are received, the project will re-compete for construction funding. The returned funds will be available to be used today.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public. There were no public comments.

The construction funding for PPL 11 – South Grand Chenier Hydrologic Restoration Project (ME-20) will be returned to the Program since it has reached its two-year limit and there were no objections from the Task Force.

C. Agenda Item #15 – Decision: Request for Approval to Suspend the PPL 10 -- Benneys Bay Diversion Project (MR-13)

Mr. Travis Creel, USACE, reported that at the December 13, 2011 Technical Committee meeting, the Technical Committee voted to recommend suspension of the Benneys Bay Diversion Project.

Mr. Inman re-iterated the Task Force decision that a suspension category would not be created. As such, it is recommended that this project be remanded back to the Technical Committee for their continued review.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public. There were no public comments.

Mr. Inman noted that the Benneys Bay Diversion Project will be remanded back to the Technical Committee for their additional input since the Task Force decided not to create a suspension category.

D. Agenda Item #16 – Decision: Request for Approval for Final De-authorization of the PPL 14 – Riverine Mining – Scofield Island Restoration Project (BA-40)

Mr. Inman reported that the Technical Committee recommends approving final de-authorization of the Riverine Mining – Scofield Island Restoration Project. Mr. Inman confirmed that this project will be constructed by the State using alternative sources of funds.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman 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. Honker seconded. The motion was passed by the Task Force.

E. Agenda Item #17 – Report/Decision: 21st Priority Project List (PPL) Phase 1 Approvals

Mr. Travis Creel, USACE, requested the Task Force consider the Technical Committee’s recommendation for Phase I funding for four PPL 21 projects in the total amount of \$12,542,213. The four projects include: Oyster Bayou Marsh Restoration (\$3,165,322), Labranche Central Marsh Creation (\$3,885,298), Northwest Turtle Bay Marsh Creation, (\$2,354,788), and Cole’s Bayou Marsh Restoration (\$3,136,805). In addition, the Technical Committee recommends not funding demonstration projects for PPL 21.

Mr. Inman noted that Mr. John Jurgenson, NRCS, is prepared to present on any of these projects upon request.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public.

Ms. Marnie Winter, representing Jefferson Parish, offered the Parish’s support for the Northwest Turtle Bay Marsh Creation Project, citing that this piece of land acts as a plug at the bottoms of Bayou Perot and the Rigolets, that it maintains the integrity of the intermediate areas to the north from saltwater intrusion, and that it is part of the Barataria Land Bridge.

Mr. Paul made a motion to accept the Technical Committee’s recommendation for Phase I funding for the four above listed PPL 21 projects in the total amount of \$12,542,213. Mr. Honker seconded. The motion was passed by the Task Force.

F. Agenda Item #18 – Report/Decision: Request for Phase II Authorization and Approval of Phase II Increment 1 Funding

Mr. Travis Creel, USACE, requested the Task Force consider the following two Technical Committee recommendations:

- a. Approval of Phase II authorization and Increment 1 funding for the Coastwide Planting and Grand Liard Marsh and Ridge Restoration Projects in the table below, which are within the Construction Program’s available funding limits; and
- b. Approval of the South Lake Lery Shoreline and Marsh Restoration scope change and Phase II Increment I funding, presented in the table below, which is also within the Construction Program’s available funding limits.

| Agency | No. | PPL | Name | Const. Start | E&D Cost | Phase II Increment cost | Fully Funded cost | Net Acres | Cost per Net Acre |
|--------|-------|-----|---|--------------|-------------|-------------------------|-------------------|-----------|-------------------|
| FWS | BS-16 | 17 | Re-scoped South Lake Lery Shoreline and Marsh Restoration | Jun 2012 | \$2,665,993 | \$29,800,994 | \$32,446,987 | 406 | \$79,968 |
| NMFS | BA-68 | 18 | Grand Liard Marsh & Ridge Restoration | Sep 2012 | \$3,271,287 | \$39,308,329 | \$42,579,616 | 370 | \$115,080 |
| NRCS | LA-39 | 20 | Coastwide Planting | May 2012 | \$156,945 | \$12,532,780 | \$12,689,725 | 779 | \$16,290 |

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public.

Ms. Albertine Kimble, representing Plaquemines Parish Government, offered the Parish’s support for the Grand Liard Marsh and Ridge Restoration Project and acknowledged the Project’s importance to the existence of Venice, Louisiana and its surrounding areas.

Mr. Honker made a motion to combine both Technical Committee recommendations into one vote. Mr. Paul seconded. The motion was passed by the Task Force.

Mr. Honker made a motion to accept the Technical Committee’s recommendation for Phase II authorization and approval of Phase II Increment 1 funding for the Coastwide Planting and Grand Liard Marsh and Ridge Restoration Projects; and the South Lake Lery Shoreline and Marsh Restoration scope change and Phase II Increment 1 funding. 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. Stacey Madden, USACE, provided an overview of the status of CWPPRA accounts and available funding in the Planning and Construction Programs. The Fiscal Year 2012 (FY12)

Planning Program budget of \$5.152 billion was approved in June, of which \$452,400 is for outreach and \$110,000 is for the Report to Congress.

The FY12 Construction Program Federal budget is expected to be \$74.2 million. Added to the \$1.040 billion the Construction Program has received in Federal funds between 1992 and 2011, the total Federal funds received through FY12 will be \$1.114 billion, of which \$1.037 billion will be in obligations and \$730.2 million will be in expenditures. At present, there are 148 active projects: 92 with completed construction, 10 under construction, and 46 not yet having started construction. For FY11, one project began construction and four projects have been completed. Seventeen projects are scheduled to start in FY12. Of these 17, two are non-cash flow that were approved for construction, 10 have already been approved and funded for Phase II, and five cash flow projects are requesting Task Force approval today.

There is \$45.5 million (includes FY12 Federal funds) of unencumbered or available funding in the Construction Program as of December 29, 2011. Additionally, \$66.7 million could potentially be returned to the Construction Program based on Technical Committee recommendations for approval by the Task Force as a part of today's proceedings. With the addition of the \$15.0 million of set aside funds for the de-authorization of the West Bay Diversion, the net available Federal funds balance totals \$53.5 million, in comparison to the FY12 Construction Program funding estimate of \$74.2 million.

Available funds through FY12 in the Construction Program (including non-Federal cost share) are estimated to be \$63.4 million. There are six funding estimate approval recommendations from the Technical Committee up for Task Force consideration/approval today (including Phase I and Phase II approvals), which if approved, would increase the total cost estimate by approximately \$24.1 million. Additionally, there are seven funding approval recommendations from the Technical Committee up for Task Force consideration/approval today (4 Phase I and 3 Phase II approvals), totaling \$85.4M. When the South Grand Chenier project \$24.9 M of returned funds is subtracted from that total that construction total becomes \$60.5 million, leaving a balance of \$2.96 million in the Program at the end of FY12.

For potential Program clean-up items, there are seven projects that, if action is taken by the Task Force, could decrease the CWPPRA Program current estimate by \$419.5 million. With a decrease of \$419.5 million, the CWPPRA Program estimate would be \$2.175 billion. With the projected total funding to be received through FY19 at \$2.342 billion, there would be a \$159.5 million less than the total funding projected to be received by the program through FY19.

Mr. Inman opened the floor to comments from the Task Force.

Mr. Inman inquired if the estimates presented by Ms. Madden were based on some of the presented projects being either deauthorized or removed from the Program.

Ms. Madden stated that was correct.

Mr. Inman noted that some of those projects being presented for potential de-authorization or removal will be addressed in the meeting today.

Mr. Inman opened the floor to comments from the public. There were no public comments.

B. Agenda Item #4 – Report: Outreach Committee Quarterly Report

Ms. Susan Bergeron, United States Geological Survey (USGS), provided the Outreach Committee quarterly report. Ms. Bergeron congratulated the State on the Draft Master Plan and their public outreach efforts related to the Draft Master Plan. Since the last quarterly report, the Outreach Committee has participated in several educational events and partnerships. These included being asked by the National Science Teachers Association to lead their Science, Technology, Engineering, and Math Program (STEM) where CWPPRA and Coastwide Reference Monitoring System (CRMS) were highlighted; participating in Ocean Commotion for K-8 students and teachers where the Coastwide Nutria Control Program was highlighted; and participation in curriculum partnerships with the Barataria-Terrebonne National Estuary Program and the University of New Orleans Pontchartrain Institute for Environmental Sciences (UNO PIES) Group. The Outreach Committee attended one conference, the American Shore and Beach Preservation Association meeting in New Orleans, where the CWPPRA Task Force received an award for their work in coastal restoration. Ms. Bergeron congratulated the Task Force for this honor and then introduced Mr. Cole Ruckstuhl, the CWPPRA Outreach Media Specialist.

Mr. Ruckstuhl described two web-based outreach techniques being newly utilized by the Outreach Committee: Facebook and YouTube. Mr. Ruckstull stated that the Outreach Committee established a CWPPRA Facebook page last month to help better reach a target audience thus far being missed, persons in the 20 to 30 year-old range. Mr. Ruckstull presented a graph that shows within the first month of establishing the CWPPRA Facebook page, a large number of 25 to 34-year-olds had visited or completed some type of activity on the site. Mr. Ruckstull described several items being presented on the Facebook page to bring the public closer to CWPPRA projects, including pictures of various projects, highlighting a new project each month by presenting information on the project status, goals, etc., posting the dates of outreach meetings and conferences, and providing a link to the CWPPRA Newsflash which will bring a new audience to the LACoast.gov website via Facebook. Additionally, Mr. Ruckstull noted that the Outreach Committee has developed standard operating procedures for interacting with the public.

Ms. Bergeron then presented the Outreach Committee's new video, *Returning Marshlands to their Magnificent Life*, to the Task Force and thanked all those persons involved in the production of the video. The new video can be found on YouTube and will be placed on the LACoast website. Following the video presentation, Ms. Bergeron noted that the Outreach Committee will be participating in the following future activities: the State of the Coast Conference in June 2012, a Restore America's Estuary Conference in October 2012, and an EPA hosted educational activity where students will be participating in a mock technical committee meeting.

Mr. Inman opened the floor to comments from the Task Force.

Mr. Honker congratulated the Outreach Committee for another excellent video.

Mr. Inman opened the floor to comments from the public. There were no public comments.

C. Agenda Item #5 – Report: 2012 Report to Congress Outline

Mr. Inman explained that a placeholder was put in for funding for a Report to Congress at the October 12, 2011 Task Force meeting. Ms. Karen McCormick, EPA, provided an update on the direction of the Report to Congress, stating that with the help of USGS, USFWS, EPA, and the CWPPRA Task Force, the goal is to make the report more concise and web-based enabled with the ability to link to various other sites with relevant data. Ms. McCormick explained that the Report to Congress would include more CRMS data to demonstrate how projects are achieving the goals of CWPPRA. Additionally, the dynamics of CWPPRA will be explored in relation to the State Master Plan, Gulf Task Force, and other plans/programs. Funding issues and reauthorization of the Program will also be discussed in the Report. Ms. McCormick anticipates a draft of the Report to Congress by April 2012 with final approval from the Task Force by the June 28, 2012 Task Force meeting.

Mr. Inman opened the floor to comments from the Task Force.

Mr. Inman noted the tremendous variation in previous Reports to Congress and the need to make these reports more succinct.

Mr. Honker noted the importance of presenting a good Report to Congress that reflects the accomplishments and continued need for the CWPPRA Program given the unknown financial and authorization future of the Program.

Mr. Inman opened the floor to comments from the public. There were no public comments.

D. Agenda Item #6 – Report: Coastwide Reference Monitoring System (CRMS) Report

Ms. Dona Weifenbach, CPRA, reported that at the October meeting, the Task Force approved the CRMS budget through FY 2018 to 19 and a funding request of \$22.5 million through FY 2013 and 14. The Task Force also requested that at future meetings, a CRMS progress report be presented. This is the first CRMS progress report to the Task Force. Ms. Weifenbach presented the following completed milestones, including a meeting of the Monitoring Work Group to discuss the applicability of CRMS and to solicit comments on the CRMS report cards in development at the site, project, basin, and coastwide levels; conducting training on the CRMS website; setting up the annual CRMS roadshows to demonstrate recent website additions to agencies; and producing 20 operations, maintenance, and monitoring (OM&M) project specific reports in 2011. Thirteen OM&M reports will be produced in 2012. Ms. Weifenbach noted that they have also been working with EPA on the Report to Congress to include CRMS data; and that a meeting was held with the P&E Committee to discuss and solicit

advice on the content of the CRMS progress reports to the Task Force. Ms. Weifenbach then went through a detailed example of how CRMS monitoring can be used for the Cote Blanche Bay Hydrologic Restoration project, including a demonstration on the use of the report cards, description of the various indices currently available on the website (hydrologic and floristic quality indices) and under development (submergence vulnerability index), and land loss information and data analysis. Ms. Weifenbach further demonstrated the use of the report cards to evaluate beyond the project level, such as within basins and coastwide. Ms. Weifenbach asked for suggestions from the Task Force on the content of this CRMS progress report and what they would like to see in future progress reports.

Mr. Inman opened the floor to comments from the Task Force.

Mr. Doley stated that, in his opinion, the progress report was exactly what the Task Force was looking for, which was demonstrating the potential of CRMS. He specifically liked the discussion related to basin impacts and determining the areas where the most energy should be dedicated.

Mr. Honker agreed with Mr. Doley and noted a job well done on the presentation.

Mr. Inman stated that this progress report was a good start, and that it would take time to get to a point where the determination of whether a project is working or not is more easily ascertained. He asked members of the Task Force and Technical Committee to relay any ideas they may have on improving the progress reports.

Mr. Inman opened the floor to comments from the public. There were no public comments.

E. Agenda Item #7 – Report/Discussion: Decision Structure for Projects Reaching 20-Year Life Span

Mr. Inman reported that the Task Force directed the Technical Committee to develop a decision structure for projects reaching their 20-year life span; and the Technical Committee tasked the P&E Committee with reviewing this directive.

Mr. Travis Creel, USACE, reported on several items that were considered by the P&E Committee in establishing a decision structure, including identifying a time frame for when the first projects would be reaching their 20-year completion, which includes two projects reaching their life span by 2014. As such, the decision structure must be completed by 2013 in order to be implemented for these initial projects. The P&E Committee also considered that the decision structure may need to vary based on the various types of projects. Additionally, the P&E Sub-committee considered what type of information would be required to formulate a decision on a project (e.g., liability, removal of any structures, real estate agreements, future operations and maintenance (O&M), did the project meet the desired goal, etc.), and that this information, once obtained, would be documented in a project completion report. Mr. Creel explained that the P&E Sub-committee established the following six-step, iterative decision criteria: 1) was the project successful; 2) were the project goals met; 3) was the project cost effective; 4) is

additional maintenance needed; 5) is funding available; and finally 6) proceed with additional maintenance. Mr. Creel requested guidance from the Task Force as to the approach and deliverable on the proposed decision structure.

Mr. Inman opened the floor to comments from the Task Force.

Mr. Doley stated that this is an important task and that the decision structure is on the right track. He suggested an evaluation of all the projects and their paths forward to help ascertain where funds should be allocated and that the long-term, post- 20-year O&M requirements and the sustainability of an investment needs to be closely evaluated prior to the approval of new projects.

Mr. Paul agreed that the decision structure was on the right track, but that each agency needs to review their projects and identify which projects will need additional maintenance following their 20-year completion.

Mr. Doley agreed with Mr. Paul and noted that as projects reach their 20-year completion, the ability to continue O&M will be a financial decision. He noted that we have to begin thinking through the planning of projects to determine if continued O&M is feasible or if beginning to put a sunset on the project is necessary.

Mr. Honker agreed with Mr. Doley and Mr. Paul, stating that factoring in the most likely 20-year scenario for a project must be incorporated throughout the entire decision making process, including from the time a decision is made to fund construction.

Mr. Inman opened the floor to comments from the public. There were no public comments.

F. Agenda Item #8 – Report/Discussion: Standard Operating Procedure for Project Transfers Between Federal Agencies

Mr. Inman stated that at the June 8, 2011 meeting, the Task Force directed the Technical Committee to develop a standard operating procedure (SOP) to address the situation when a project is transferred from one Federal Sponsor to another. Mr. Inman noted that an initial SOP was sent to the P&E Committee for their review. The suggested path forward is to take the comments from the P&E Committee and present them to the Technical Committee at the April 19, 2012 meeting for their review. If approved, this SOP will be presented to the Task Force at the June 28, 2012 meeting. Mr. Inman noted that the SOP for project transfers between Federal agencies is based on the SOP for the transfer of a project to a different program. As such, much of the verbiage will be similar.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public. There were no public comments.

G. Agenda Item #9 – Report: Status of the PPL 8 – Sabine Refuge Marsh Creation Project (CS-28)

Mr. Scott Wandell, USACE, provided an update on the project, highlighting a potential beneficial use opportunity under the existing CSA for the project. The USACE is proposing utilizing the permanent pipeline during the next maintenance event in the mile 5 to 17 reach of the Calcasieu River to pump dredged material from the river through the pipeline into the designated marsh creation area in the Sabine Wildlife Refuge. Mr. Wandell noted that an O&M manual must be drafted and approved prior to using the completed pipeline for a Calcasieu River maintenance dredging event and that the project does not yet have funding designated for O&M. Mr. Wandell stated that coordination has begun with CPRA for the preparation of an O&M plan and budget, and that a first draft is expected at the end of February 2012. Originally, the Cycle 2 project contained a marsh creation site with the permanent pipeline feature, but that marsh creation site was removed from the project scope and instead constructed with State surplus funds. The USACE is proposing using the unexpended funds totaling approximately \$5.5 million and the original CSA to construct the new marsh creation site. It is estimated that 900,000 cubic yards would be dredged from the ship channel and pumped through the pipeline to the new marsh creation site. The estimated construction cost plus 25 percent contingency that CWPPRA would account for is approximately \$3.2 million. Mr. Wandell noted that, although it would be difficult to meet the schedule for FY12 construction, the USACE is pursuing the completion of all requirements as soon as possible.

Mr. Inman opened the floor to comments from the Task Force.

Mr. Inman noted that the USACE is trying to be in a position to have beneficial use of the material from the dredging operation at the Calcasieu River.

Mr. Graves asked for clarification that this would modify an existing agreement to accommodate the dredge cycle.

Mr. Inman confirmed this, stating that the USACE would be seeking to modify the existing CSA for Cycle 2 to show a location change to the marsh creation site footprint.

Mr. Graves referenced the Task Force's discussion on West Bay (see Agenda Item #11), citing the determination that a modification of the West Bay agreement would require the use of a new model agreement, whereas in this case, we are considering amending the existing agreement. Mr. Graves questioned that if an amendment to the existing agreement could be done in the Sabine Refuge Marsh Creation Project, why not also the West Bay project. Mr. Graves requested that the attorneys review both the West Bay and Sabine River Projects in relation to this matter.

Mr. Inman stated that the matter would be taken under advisement.

Mr. Inman opened the floor to comments from the public. There were no public comments.

H. Agenda Item #10 – Report: Status of the PPL 11 – River Reintroduction into Maurepas Swamp (PO-29) Gap Analysis

Ms. Karen McCormick, EPA, provided an update on the River Reintroduction into Maurepas Swamp Gap Analysis. Ms. McCormick explained that a draft Gap Analysis has been produced and was submitted in December with the help of the State, USACE, and EPA. The draft Gap Analysis is currently under review by the State, USACE, and EPA, and their comments should be received within the first few weeks of February. These comments will then be addressed and the Gap Analysis finalized. Additionally, the State is working with the USACE to get the project to 95 percent so that the project can move forward if other funding becomes available.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public. There were no public comments.

I. Agenda Item #11 – 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 under the following schedule: right of entry for any additional survey needed was obtained in December 2011; the design and cost of three design alternatives should be completed in March 2012, followed by the selection of an alternative; condemnation proceedings would begin around March 2012, lasting until approximately March 2013; and then construction of the closure would begin at the next low water period.

Additionally, Mr. Sims explained that the Engineer Research and Development Center (ERDC) completed a sediment diversion work plan looking at the amount of shoaling in the Pilottown Anchorage Area (PAA) attributable to the West Bay Diversion; and this report was delivered on January 10, 2012. The report determined that the PAA was shoaling prior to the construction of the West Bay Diversion, and therefore, would continue to shoal following its closure. The ERDC report found that about 20 percent, plus or minus 10 percent of the shoaling in the entire footprint, including the PAA, the navigation channel, and the diversion area, could be attributed to the opening of the West Bay Diversion. Mr. Sims noted that the plus or minus 10 percent was likely due to changes in the Mississippi River (e.g., low water, high water, etc.).

Mr. Sims also described a receiving area survey analysis that compared 2009 and 2011 survey data from the receiving area to better determine how much land is building due to the West Bay Diversion. There was variation between the results obtained from the State and the

USACE. After refining their data in coordination with the Audubon Society, the State is confident with their results show a net gain in the receiving area; and the USACE has sent their data to the Mobile District for analysis. Once the results are received from the Mobile District at the end of January/early February, the State and the USACE will again review both data sets and come up with a consensus on how much land is building or receding in the receiving area. Mr. Sims noted that, while the quantities of land loss and gain varied between the two analyses, both the State and USACE saw deposition losses and gains within the same general areas of the receiving area.

Mr. Inman clarified that once the receiving area survey analysis data from the USACE is reviewed by the Mobile District, the goal is to confer with the State on their analysis to determine if the same assumptions, computer model, etc. were used on both analyses so that the final results of how much land is building due to the West Bay Diversion can be accurately assessed.

Mr. Inman opened the floor to comments from the Task Force.

Mr. Honker inquired as to when the next anticipated dredging of the PAA would occur. Mr. Sims responded that although nothing is scheduled, a current survey shows about 2 million cubic yards of material and the last dredging took place in 2009 when there was 1.9 cubic yards of material, so the assumption is that it will be soon.

Mr. Honker also asked how many times the CWPPRA Program has paid to dredge the PAA, to which Mr. Sims responded three times. Mr. Honker then inquired if the dredged material was also placed in the receiving area and if so, then some portion of the material in the receiving area has been from the dredging itself, to which Mr. Sims confirmed both inquiries.

Mr. Graves noted the initial timeline for the preliminary analysis on the West Bay Diversion is about two years late resulting in a delay in the ultimate decision on what happens with the diversion, which in turn has expended extra funds (potentially an additional \$15 million). Additionally, he noted that the results from the receiving area survey analyses from the State and the USACE do not differ greatly from the previous analysis Brian Vosburg with the State and BCG Engineering and Consultants, Inc. did by simply evaluating previous surveys. Mr. Graves noted his appreciation that the preliminary analyses have indicated a net gain in sediment, largely attributable to the 2011 high water season. However, he wanted to acknowledge that when resolutions are passed, there needs to be enforcement that the reports are produced on time or else additional, unaccounted for Program funds are expended. Lastly, Mr. Graves noted that there is concern on the State's part that the Task Force is considering closing the West Bay Diversion which appears to be building land. However, Mr. Graves also noted that the State does not necessarily think that the investment of 50,000 cubic feet per second of freshwater is best utilized at West Bay, but that other authorized diversion projects that could benefit from that investment have not yet been constructed. Mr. Graves noted the following lessons learned: in the future, diversions should not be constructed without a water control structure and that there should be a symbiotic relationship between the navigation industry, USACE, and all parties involved as they all share the same goal of sediment removal. Additionally, Mr. Graves noted we should get Congress to authorize the PAA as part of the

authorized navigation project and that the State should engage the Congressional Delegation in leading that effort, which the State fully supports. Mr. Graves did acknowledge the political obstacles faced with such an effort now that the President and Congress have placed restrictions on earmark provisions. The State is therefore requesting that the USACE make a request to Congress to have the PAA authorized as part of the navigation project. Mr. Graves finished by stating a more holistic solution is needed.

Mr. Inman explained that the delays encountered on obtaining entry rights to the project site were unanticipated. Additionally, if the closure is authorized, condemnation will be required to gain property access, which will result in court proceedings likely lasting at least a year.

Mr. Inman opened the floor to comments from the public.

Mr. P.J. Hahn, representing Plaquemines Parish Government, reminded everyone that 12 years of study and \$28 million in funding has gone into this project and that the project is working. He noted that the State has multiple new diversions planned and that he would be embarrassed to ask for more money to fund these future planned diversions when there are plans to close this working diversion. Mr. Hahn noted how local input was important to the implementation of the West Bay Diversion and that we collectively need to find a way to stop the closure because it does not make sense to close a working diversion.

Mr. Sean Duffy, representing the Big River Coalition and the Louisiana Maritime Association, wanted to clarify that there have been three dredgings in almost a 10 year period since the diversion has been open: one to create the diversion, and the other two times to maintain the PAA. He acknowledged the complicated nature of the situation, in that it is costing approximately \$10 million for each dredging, but that the beneficial use of the dredged material is creating land. Mr. Duffy continued to acknowledge that funding is complicated. He explained that the CPRA recently supported a resolution in support of the Harbor Maintenance Trust Fund and that the maritime industry has requested funding be secured to dredge within the PAA. Even though the USACE has less money than is needed for dredging and getting supplemental funding is difficult without earmarks, there are ways to obtain additional funds. Mr. Duffy explained that the maritime industry has never asked for the diversion to be closed and agrees that the beneficial use of the dredged material is working. Mr. Duffy noted that the maritime industry has not seen the receiving area surveys and that a meeting is planned with the USACE so that they can view these data. Mr. Duffy re-iterated that consultation with the navigation industry should be pursued and that the navigation industry is pushing for additional funding in every possible way.

Mr. Sims noted that the navigation industry and the USACE will be meeting sometime in February to discuss the results of the receiving area surveys.

Mr. Michael Lorino, President of the Associated Branch Pilots for the Port of New Orleans, explained that their organization has no objections to the diversion staying open. The navigation industry is the largest economic “engine” in Louisiana. The Mississippi River is the Number 2 waterway in the world. He cited that the PAA is the first anchorage entering a 253-mile stretch of the Mississippi River and that the PAA is used in emergency situations, such as when a tanker loaded with oil needs a place to anchor during heavy fog. Mr. Lorino suggested

that instead of spending \$10 million for each dredging, more funds could possibly be expended to dredge wider and deeper, thereby elongating the time needed between dredging cycles. Mr. Lorino asked the Task Force to not lose sight of the maritime industry and its commerce which is integral to the State of Louisiana and the United States.

Mr. Hahn asked if any modeling has been completed to see if the proposed Benneys Bay Diversion could offset the West Bay Diversion; and if not, that Plaquemines Parish could potentially help with funding such a study.

Mr. Inman stated that to his knowledge, such an analysis has not been completed, but that the Louisiana Coastal Area hydrological study evaluating the lower Mississippi would likely evaluate Benneys Bay as a diversion area.

Mr. Hahn stressed that the locals, who understand the River, would like to see an evaluation of whether utilizing Benneys Bay to offset the West Bay Diversion could work.

Mr. Doley cited that the channel was over-dredged by about two feet and removed material for berms two years ago, and yet the shoaling is catching up because the River is changing and materials are accumulating at a faster rate.

Mr. Sims confirmed that Mr. Doley was correct.

Mr. Doley stated that in regards to Benneys Bay, he is interested in learning what the impact would be from upstream diversions. He cited that this is about sediment management and that the planned upstream diversions could slow water down at the PAA causing even more shoaling.

Mr. Graves stated that regardless of whether the West Bay Diversion is kept open or is closed, the problem of shoaling will continue at the PAA. Mr. Graves suggested inquiring with the USACE attorneys if current law would allow for the dredging given that the PAA is used as an emergency anchorage area to prevent accidents. He noted that it would be a shame to close the West Bay Diversion given the land loss crisis in Louisiana and that other options for the use of the sediment and freshwater are not available at this time.

Mr. Inman stated that he would take that message to Colonel Fleming and discuss the implications of the PAA being an emergency anchorage area with the Office of Counsel. Mr. Inman noted that the Office of Counsel should look at the CSA. He also stated that if the PAA continues to shoal at the present rate, a large part of the CWPPRA budget could be spent on this one project, leaving the Task Force with a tough decision on where funding would be best utilized.

Mr. George Duffy, Louisiana Maritime Association, stated that the maritime industry has not taken a position on whether the West Bay Diversion should remain open or be closed. They do, however, acknowledge the importance of the PAA and that it be maintained for emergency use. Mr. Duffy also discussed how this is an issue facing the Nation because there are many anchorages in all ports that would like to have funding for dredging; and therefore, this is an issue that could be considered earmarked if there were not political opposition to earmarks.

There were no additional comments from the public.

J. Agenda Item #19 – Discussion: CWPPRA Program Funding Capacity

Mr. Travis Creel, USACE, presented an overview of a presentation given by Mr. Inman at the December 13, 2011 Technical Committee meeting that reviewed the CWPPRA Program's future funding capacity and implications for the future. The evaluation looked at the existing construction funding, monitoring, and O&M under the current 2019 authorization. Mr. Creel explained that with the current estimates, the total costs associated with the Program are increasing while the total funding into the Program has remained flat. This shows that additional funds will be necessary for the Program to continue funding restoration projects. Mr. Creel cited that since 2004, the construction budget has increased by approximately \$56 million, the O&M budget has increased by approximately \$40 million, and the monitoring budget has also experienced increases. Mr. Creel acknowledged that certain fundamental questions will need to be asked, such as how much funding will be needed for ongoing O&M and the administration of funds and projects, how many more PPLs can the CWPPRA Program generate, and what is the ongoing impact of projects being carried forward in a program that may not receive reauthorization. Mr. Creel noted that the answers to these questions are dependent upon whether the Program is reauthorized or if additional funds become available for the Program. Mr. Creel stated that a more detailed and comprehensive analysis of program capacity throughout the future is needed.

Mr. Inman inquired if the Task Force is interested in having the P&E Committee take an in-depth look at this issue.

Mr. Doyle stated that he thinks the P&E Committee should take a closer look at the budgets across the three categories of construction, monitoring, and O&M, and begin to project as accurately as possible the future status of the Program. He noted that there needs to be a determination of when it will no longer be feasible to continue with PPLs given that there are fixed O&M and monitoring costs that will need to be covered on existing projects.

Mr. Honker stated that he thinks it is important to get a true picture as to where the Program stands with available funding and future obligations. He noted that in response, we need to refine our graphics and language so that we have a clearer picture presented at every meeting.

Mr. Inman stated that this issue will be remanded to the P&E Committee for additional review.

K. Agenda Item #20 – Report: Draft 2012 State Master Plan Update

Mr. Karim Belhadjali, CPRA, presented an update of the State Draft Master Plan, which went public on January 12, 2012 and for which the public meetings will be held next week (January 23-25, 2012). Mr. Belhadjali first described the coastal crisis, noting that 1,800 square miles of the coast have been lost since the 1930s, that there is a current loss of over 16 square

miles per year, and that through modeling scenarios, research has shown that a future without action could lead to up to 51 square miles of land loss per year. The Master Plan Team evaluated the potential increased risk to communities, jobs, and the overall economy of the State resulting from storm surges under a no action future, potentially accumulating anywhere from \$8 to \$23 billion in annual damages.

Mr. Belhadjali noted that this Master Plan is legislatively mandated and updated every five years. He explained that the compilation of the Draft Master Plan utilized input from several committees, formed at the beginning of the Master Plan update process and comprised of experts within their respective fields, including a science and engineering board, as well as predictive modeling, planning, and cultural heritage technical advisory committees. Input was also gained from the public (e.g., regional community meetings); from various focus groups (including navigation, fisheries, and oil and gas focus groups); and from the Framework Development Team (including representatives from the CWPPRA agencies, State agencies, non-governmental organizations (NGOs), industry, Louisiana Landowners Association, etc.).

Mr. Belhadjali explained that modeling was utilized to evaluate each project under a universal lens in order to identify which projects are the most feasible and reasonable. He reviewed how projects were narrowed and vetted for analysis and inclusion into the Draft Master Plan. The main criteria used were 1) the reduction of risk to communities and 2) land creation. There are 145 projects (structural and non-structural) included in the Draft Master Plan, with an assumption of approximately \$50 million in potential future funding for a 50-year planning horizon. Mr. Belhadjali reviewed various projects within the coastal regions, noting the diversity in the types of projects proposed. Models assessed scenarios with and without sediment diversions to evaluate the investment versus the benefits gained. It was determined that over the long run, sediment diversions are better and more cost effective than direct dredging. Mr. Belhadjali presented the next steps in the Master Plan process including the public meetings next week with public comments due by February 25, 2012, submittal of the Master Plan to CPRA for approval on March 21, 2012, and submittal to the State Legislature at the end of March 2012.

Mr. Inman opened the floor to comments from the Task Force. There were no comments from the Task Force.

Mr. Inman opened the floor to comments from the public.

Mr. Randy Moertle, representing the McIlhenny Company, quoted from page 141 of the Draft Master Plan stating, “although we have selected projects that protect the banks of navigation channels as well as shoreline protection projects, it is the State’s policy that the protection of Federally authorized channels is a Federal responsibility, funding for those projects should come at full Federal expense. The State will work to secure Federal funding for projects shown to be important to the overall coastal strategy.” Mr. Moertle stated that there is a disconnect between the State and Federal agencies as to who will be responsible for funding projects and that this Master Plan should not be about who is responsible for funding projects, but instead which projects are most critical. Mr. Moertle expressed concern that responsibility may end up at the local sponsor level. He also expressed concern that this language has not been

reviewed by the State’s legal and policy making committee and that the public has not had an opportunity to comment on the policy wording. He noted that there are many areas not covered in the Draft Master Plan and is worried that the Master Plan will drive the CWPPRA Program. He would like to see language in the Master Plan that would allow the State to form cost sharing agreements with the private sector, which in turn would not only maximize the State’s funds, but would allow projects not specified within the Master Plan that are still important to the coastwide restoration and sustainability efforts to have a chance at implementation. He congratulated the State on the Master Plan and also thanked the Task Force for not voting to deauthorize Weeks Bay.

Mr. W.P. Edwards, III, representing Vermillion Corporation and Vermillion Parish, noted that the coastal parishes, acting as local project sponsors, may not realize that they are responsible for the maintenance of these Federal projects, which in turn could generate opposition from members of Congress.

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: Priority Project List 22 Regional Planning Team Meetings

| | | | |
|-------------------|------------|----------------------------------|-------------|
| January 24, 2012 | 1:00 p.m. | Region IV Planning Team Meeting | Abbeville |
| January 25, 2012 | 9:00 a.m. | Region III Planning Team Meeting | Morgan City |
| January 26, 2012 | 9:00 a.m. | Region II Planning Team Meeting | New Orleans |
| January 26, 2012 | 1:00 p.m. | Region I Planning Team Meeting | New Orleans |
| February 15, 2012 | 10:00 a.m. | RPT Voting Meeting | Baton Rouge |

B. Announcement: Date of Upcoming CWPPRA Program Meeting

Mr. Inman announced that the next Technical Committee meeting will be held April 19, 2012 at 9:30 a.m. at the U.S. Army Corps of Engineers, 7400 Leake Avenue, New Orleans, Louisiana, in the District Assembly Room (DARM).

C. Announcement: Scheduled Dates of Future Program Meetings

FY 2012

| | | | |
|------------------|-----------|----------------------------------|-------------|
| January 24, 2012 | 1:00 p.m. | Region IV Planning Team Meeting | Abbeville |
| January 25, 2012 | 9:00 a.m. | Region III Planning Team Meeting | Morgan City |
| January 26, 2012 | 9:00 a.m. | Region II Planning Team Meeting | New Orleans |

| | | | |
|--------------------|------------|--------------------------------|-------------|
| January 26, 2012 | 1:00 p.m. | Region I Planning Team Meeting | New Orleans |
| February 15, 2012 | 10:00 a.m. | RPT Voting Meeting | Baton Rouge |
| April 19, 2012 | 9:30 a.m. | Technical Committee | New Orleans |
| June 5, 2010 | 9:30 a.m. | Task Force | Lafayette |
| September 12, 2012 | 9:30 a.m. | Technical Committee | Baton Rouge |
| October 11, 2012 | 9:30 a.m. | Task Force | New Orleans |
| November 14, 2012 | 7:00 p.m. | PPL 23 Public Comment Meeting | Abbeville |
| November 15, 2012 | 7:00 p.m. | PPL 23 Public Comment Meeting | New Orleans |
| December 12, 2012 | 9:30 a.m. | Technical Committee Meeting | Baton Rouge |

D. Adjournment

Mr. Inman called for a motion to adjourn the meeting. Mr. Paul so moved and Ms. Karen McCormack (sitting in for Mr. Honker) seconded. Mr. Inman adjourned the meeting at 12:35 p.m.