



March 8, 2019

Mr. Chip Kline, Chairman  
Coastal Protection and Restoration Authority  
Governor's Executive Assistant for Coastal Activities  
Capitol Annex Building, Suite 138  
Baton Rouge, Louisiana 70802

**Re: Comments on the *Integrated Ecosystem Restoration and Hurricane Protection in Coastal Louisiana: DRAFT Fiscal Year 2020 Annual Plan***

Dear Chairman Kline;

The members of the Restore the Mississippi River Delta campaign appreciate this opportunity to share our collective comments and recommendations on the *Integrated Ecosystem Restoration & Hurricane Protection in Coastal Louisiana: DRAFT Fiscal Year 2020 Annual Plan* (hereafter "plan" or "Annual Plan") document.

Our campaign is working to protect people, wildlife and jobs by rebuilding coastal Louisiana's nationally significant landscape. As our region faces an ongoing and severe land loss crisis, we offer science-based solutions through a comprehensive approach to restoration. Our groups are composed of conservation, policy, science and outreach experts from Environmental Defense Fund, National Audubon Society, the National Wildlife Federation, Coalition to Restore Coastal Louisiana and Lake Pontchartrain Basin Foundation, and several other local partnering organizations.

With implementation of the 2017 Coastal Master Plan firmly underway and planning for the 2023 plan already in progress, and Deepwater Horizon funding and GOMESA funding coming into the state, the next few years could possibly be the busiest for construction of projects on record. Governor Edward's recent announcement that the Administration's budget would include a \$65 million request (\$40+15+15) in surplus dollars for the Coastal Trust Fund was welcomed news, further signaling this administration's commitment to the coast. And, similarly, discussions around the future of Hurricane Storm Damage Risk Reduction System payback as a state debt to appear in the general budget in the next year or so is right-minded and shows that the administration is thinking ahead on this important issue.

While progress is impressive, it is also now time for Louisiana to elevate and intensify its efforts to ensure consistency across agencies with the Master Plan. This consistency should apply to currently proposed projects as well as being integrated into the future decision-making matrix of all state entities. There will

be inevitable conflicts, but, as laid out in the 2017 Coastal Master Plan, we face the loss of up to 4,000 square miles over the next five decades. Hard choices are and will be necessary, and Louisiana, with CPRA's leadership, needs to both make those decisions now and design a clearly defined process for making them in the future.

### **GENERAL REPORTING RECOMMENDATIONS**

It is important that the many stakeholders who care about the coast can understand this plan and its context. Unlike previous plans, this 2020 Annual Plan dives into the tables and charts without introductory language that speaks to either policy work underway—such as GOMESA talks or HSDRRS payback plans—or summary information on certain key, complex projects in progress—like sediment diversions. Introductory language should seek to promote highlights such as the ones described, and also to provide a simple overview as to the purpose of the plan. Some discussion of coastal policy and progress that shows the breadth of planning and strategy by the state would also be a welcome addition to this plan.

Additionally, though the authors and many reviewers of the plan are familiar with coastal projects and programs, acronyms abound throughout the document but no glossary exists for those unfamiliar with their meaning.

### **REVENUES AND EXPENDITURES**

One of the key requirements noted in the state's revised statutes that apply to the development of the Annual Plan (L.R.S. 49:214.1 et seq.) is the three-year projection of revenues coming into and expenditures going out of the Coastal Protection and Restoration Trust Fund (hereafter "fund" or "Trust Fund"). With so many projects and so many funding streams moving in tandem, project implementation—and thusly project reporting—is complex and dynamic. Even so, there ways to improve the understanding (rather than the accuracy) of reporting project and fiscal changes in the document.

In our comments dating back several years, we have recommended the inclusion of either written discussion or a table or chart to explain why previous Annual Plans' projections have changed when compared to the newest version of the plan. While the plan includes carry forward values for the Coastal Trust Fund, GOMESA and Surplus 2007-09, these values alone do not add up to the overall discrepancies in expected expenditures. Overall, it appears that the CPRA expects to spend far more money on projects and programs in any given year than is actually spent; while this may or may not be the case, or perhaps has happened for good reason, without further explanation this may be the impression left with the reader.

Aside from the overview tables, the other tables that show specific expenses related to programs (CWPPRA, WRDA, Surplus, etc.) are extremely useful and provide abundant information that allows the reader to better understand the work being funded. The "Oil Spill Projected Expenditures" table is especially helpful and the red font approach, identifying areas in which project funding is technically planned for, but has not yet actually been approved, is illuminating.

Programmatic and operating expenditures tables (pgs. 19-20) need more explanation. None of the programs are described in the plan. What is the purpose of the program, what is the identified funding to be used for, and what is the methodology for selecting items within the (applicable) categories for funding?

### **NEW SOURCES OF FUNDING**

Over the next 15 years, billions of dollars will be available for coastal protection and restoration in Louisiana, largely from the Deepwater Horizon global settlement as well as the increase in payments under the Gulf of Mexico Energy Security Act (GOMESA). Revenue sources associated with these funding streams, however, vary greatly in terms of specific requirements and timelines, so an advanced strategy is needed to best maximize and leverage coastal funding made available.

We applaud the state's recent partnerships to better leverage and maximize coastal funding available, including the Ernst and Young Infrastructure report with Restore or Retreat, Environmental Impact Bond study with Environmental Defense Fund and Qualified Ventures, the GOMESA background and forecast with LSU and Restore or Retreat, and the pilot Outcome Based Performance Contracting currently in request for proposals.

We look forward to continuing to work with you on creating a financing structure for several specific types of Master Plan projects, developing repayment strategies from existing committed sources of revenue, and better defining social and economic benefits to the state and impacted communities by advancing restoration.

We would also like to continue to see advancements in carbon sequestration, water quality credits, in-lieu fee program, Natural Resources Damage Assessment Banking and finalization of the tobacco settlement.

### **DIVERSION PLANNING AND PERMITTING**

The CPRA has made great strides in moving forward on a number of large-scale sediment diversion projects in the past year. We commend CPRA for continuing to push an accelerated timetable toward the design and construction of the Mid-Barataria Sediment Diversion. Most notably, the Memorandum of Understanding between the United States of America and the State of Louisiana, signed in January 2018, sets the framework for expeditious review and permitting of the Mid-Barataria Sediment Diversion. In this document, the state and federal agencies commit to strive to adhere to the President's Executive Order 13807, including the goal of completing all Federal environmental reviews and authorization decisions for major infrastructure projects within a two-year timeframe.

We are pleased that the Annual Plan shows funding allocated for the Mid-Barataria Sediment Diversion for completion of E&D. However, it is of concern that E & D is not projected for completion until the second quarter of FY2022. As you know, this indicates slippage past the 2020 construction date that was projected when the project was placed on the Federal Dashboard, that we believe ought to remain the goal. Heightened coordination between the agencies involved with the project has so far resulted in time-savings while still ensuring complete environmental compliance. We hope that this coordinated approach will enable additional efficiencies, reducing the timeline. We look forward to working with you and your staff on this project during the coming year.

Our groups are also particularly pleased about the advancement of engineering and design for the Mid-Breton Sediment Diversion by announcing the Construction Manager at Risk (CMAR), and that the CPRA is aiming to begin construction of that diversion in 2023 with Natural Resource Damage Assessment (NRDA) funds. Given the critical importance of Mississippi River sediment diversions, our groups will continue to work with your team to expedite these important projects

We would also encourage CPRA to evaluate taking advantage of the evolving Mardi Gras Pass as a possible adjunct or substitute for the Lower Breton sediment diversion. The river has provided, at no cost thus far to the state, a functional crevasse that is conducting fresh water and sediment through bifurcating canals, depositing mud flats, building and sustaining marshes near the site of the planned Lower Breton Diversion. We hope that you will evaluate the possibilities and potential impacts of using, enhancing, and maintaining this relatively new feature in the Breton Basin.

### **RESTORATION PROJECTS**

#### *Successes in restoration planning & implementation*

In addition to the important project advancements noted above related to large scale sediment diversion implementation, CPRA has made great strides on a variety of important projects.

Momentum continues for implementation of some of the large-scale marsh creation projects in the 2017 Coastal Master Plan (CMP). We are glad to see the Caminada Headlands Back Barrier Marsh Creation project (BA-0171) advancing to construction in FY 2020 and completion in FY 2021. The Large-Scale Barataria Marsh Creation project (BS-0207) is making headway, moving into construction in FY 2020. The Northwest Turtle Bay Marsh Creation project (BA-0125), though five months behind its FY 2019 schedule, is advancing to construction. To maximize the sustainability of these and future marsh creation projects, we urge the CPRA to create project synergies with sediment diversions for future investments.

#### *Barrier island restoration*

We are very pleased with CPRA's committed, consistent investment in barrier island restoration. Attention to this critical resource for wetland protection and wildlife habitat has been a huge success in Louisiana's coastal restoration efforts. We celebrate the completion of the Caillou Lake Headlands project (TE-0100). This project marks a major milestone for coastal restoration as the largest project completed to date.

The Caminada Headland region has experienced some of the highest rates of shoreline land loss due to erosion from storms. We were pleased when Caminada Headlands Back Barrier Marsh Creation, Increment 1 (BA-0171) received construction funding and is expected to be completed in FY 2021; however, Caminada Headlands Back Barrier Marsh Creation, Increment 2 (BA-0193), did not receive funding for construction in 2018 and remains in engineering and design with no funding projected. These two projects will work synergistically with one another and there should be a cost-benefit analysis conducted to evaluate savings by constructing both increments together.

The West Grand Terre Beach Nourishment and Stabilization project (BA-0197) continues to experience delays in the E&D phase and remains behind schedule. This project also has more than tripled in project expenditures for the next three fiscal years. Transparency as to why such delays and cost jumps are occurring is strongly recommended.

#### *Terrebonne Basin*

Terrebonne Parish continues to experience some of the highest rates of land loss in coastal Louisiana. If nothing is done it could lose 41% of parish land area over the coming 50 years under the 2017 Master Plan's medium environmental scenario or 2 ft. of sea level rise.

The Increase Atchafalaya Flow into Terrebonne Marshes (TE-110) continues to be delayed and does not seem to have any funding allocated beyond engineering and design. We would like to see this project begin construction as soon as possible which currently isn't projected until 2021. In the FY2019 Annual Plan, TE-0110 was scheduled for design completion in the second quarter of FY2021 and has now been pushed back two more quarters. This project is very important to the Terrebonne region to address hydrologic alterations within the basin. The lack of freshwater and sediment to the area has resulted in increased saltwater intrusion and subsidence. If constructed and operated, this diversion could reduce wetland loss in Terrebonne by 13,000 acres over 50 years. This project cannot afford to be delayed any further.

We are pleased to see that progress is being made on the Terrebonne Basin Ridge and Marsh Creation – Bayou Terrebonne Increment (TE-0139) project. The plan has projections of beginning construction in 2021 which is a step forward from the last annual plan which had not identified any anticipated construction. In addition to this Terrebonne ridge project, Mauvais Bois Ridge Restoration (03a.RC.04) and Bayou Dularge Ridge, Marsh and Hydrologic Restoration (03a.RC.02) are not mentioned or addressed in the FY2020 Annual Plan. These projects, working synergistically, could build over 4,500 acres of land in the next 50 years. We would like to see these additional ridge projects receive funding and progress through the implementation process.

### *Mississippi River Gulf Outlet ecosystem restoration*

Post closure-monitoring of the Mississippi River Gulf Outlet (MRGO) indicates that over one million acres of coastal habitat were impacted by the deep-draft shipping channel. While we are pleased to see projects moving forward in other priority areas, there remains a great deal of restoration urgently needed in the MRGO-impacted ecosystem, which surrounds the Greater New Orleans region.

Restoration of the Maurepas Swamp is critical to improving over 45,000 acres of swamp south of Lake Maurepas. This region provides multiple benefits including reducing storm surge from hurricanes and flooding and stifling erosion, as well as suitable habitat for birds and other wildlife. The River Reintroduction into Maurepas Swamp project (PO-0029) is a crucial step towards battling saltwater intrusion and restoring the connection between the Mississippi River and the Maurepas Swamp. This is a large and much needed project for the region; however, no funding has been obtained for the construction and the projected schedule doesn't anticipate this project to finish E&D until the end of 2020. We strongly encourage you to pursue construction money for this project and break ground as soon as possible.

The New Orleans East Landbridge is a critical landscape feature that helps protect 1.5 million people from storm surge. We are pleased to see the New Orleans East Landbridge projects (PO-0121) HSDRRS mitigation nearing completion of construction and (PO-0169) moving into construction through CWPPRA. However, the projects moving forward on the landbridge are relatively small compared to the restoration called for in that area in the 2017 Master Plan. As noted above, this is an area that is in need of increased investment in restoration.

The RESTORE project Golden Triangle (PO-0163) is on track for design completion in the second quarter of FY 2020, but the plan shows no anticipated expenditures after design completion. We hope to see steady movement and investment in construction of this project.

Ultimately, we look forward to increasing work on landscape-scale projects in the MRGO ecosystem, those that will perform well in future scenarios—scaling up where it makes sense.

### *Atchafalaya Basin Program*

As a result of Act 570 of the 2018 Regular Session, the Atchafalaya Basin Program (APB), along with its associated authorities, was moved from the Department of Natural Resources to the CPRA. The APB Annual Plan is now included within the Annual Plan, a move we believe is appropriate given the significant connectivity of the Basin to the coastal ecosystem.

We commend the CPRA for the two additional public meetings that were held in the Basin as a result of this new oversight function. These meetings were well attended and were valuable in both helping the public understand the new agency structure and for providing CPRA information on Basin issues and comments on the draft ABP Plan.

As one of the critical elements of restoration, we encourage continued prioritization of efforts to monitor and restore the hydrology of the Basin. We are pleased to see that some of the elements of the East Grand Lake Project are moving toward implementation, and that the Murphy Lake Depth Restoration Project has been added to the APB plan. Generating pre-project monitoring data regarding water quality and sedimentation has been very well received by multiple stakeholders in the Basin. We look forward to that work continuing.

*Project reporting*

We commend the CPRA for the number and quality of project reports and updates given throughout the year, whether it is at CPRA meetings or through other venues. The Annual Plan, however, provides the opportunity for the CPRA to include additional reporting on projects since the previous year’s plan, particularly if a project 1) has experienced a dramatic shift in schedule, 2) has been closed out or completed, or 3) has lost funding due to mid-year budget cuts. Whether projects run into issues caused by funding being unavailable or eliminated, cost sharing or land rights issues, engineering adjustments, or construction delays - significant changes in project completion schedules cause concern for project managers and stakeholders alike. Identifying and briefly noting any serious project complications would be a useful addition to this plan.

**COMMUNITY RESILIENCY**

We commend the state-wide effort directed under Governor John Bel Edwards to advance community resiliency and adaptation measures by all state agencies because it is a critical third component of the most recent master plan. We also applaud the increased funding under non-structural, but would like more details on that expenditure.

We will follow the efforts of the Louisiana Watershed Initiative, which we hope will be managed in such a way that it is coordinated to enhance the effectiveness of the 2017 Coastal Master Plan, including the non-structural measures outlined therein.

**OUTREACH AND ENGAGEMENT**

We would like to encourage CPRA to share the numerous and varied outreach and engagement efforts conducted by your staff and leadership in the Annual Plan. Accounting for the numbers of stakeholders touched by CPRA or descriptions of various types of meetings hosted and/or attended by staff would be a great way to show the good work being conducted in communities across the coast. We would also encourage additional public sharing of CMP project modelling and analysis, as such data become available. This can allow interested members of the public to, in effect “know what the state knows” as projects move through long processes.

In summary, thank you for your consideration of these comments, offered in the light of our mutual goal to continually seek improvements to the great work underway. The 2020 Annual Plan does a good job of describing much of the work involved in implementing the state’s Coastal Master Plan including projects, programs and funding for near-term efforts. We thank you for your outreach efforts to bring understanding of this complex program to a public eager for decisive action, and we hope our comments underscore both the urgency of project implementation and continuing fiscal responsibility as we work together toward a sustainable coast.

Sincerely,

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