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March 26, 2021

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

Comments on the *Integrated Ecosystem Restoration & Hurricane Protection in Coastal Louisiana: DRAFT Fiscal Year 2022 Annual Plan*

Dear Mr. Kline,

Restore the Mississippi River Delta Campaign (MRD) is a coalition of the National Audubon Society, the Coalition to Restore Coastal Louisiana, Environmental Defense Fund, the National Wildlife Federation, and the Pontchartrain Conservancy, representing thousands of Louisiana members and supporters. We work together to advocate for science-based restoration efforts in coastal Louisiana. MRD is dedicated to large-scale, ecosystem restoration in the Mississippi River Delta. Together with our partners at the Nature Conservancy, Restore or Retreat, and the Louisiana Wildlife Federation, we are writing to show our strong support for the Draft Fiscal Year 2022 Annual Plan. 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 2022 Annual Plan* (hereafter “plan” or “Annual Plan”) document.

This year brings many new advancements and possibilities for the restoration of the state's coastal area. Completion of the Mid Barataria Draft Environmental Impact Statement and related NRDA Restoration Plan (3.2) are very exciting developments for our groups and the many other supporters of large-scale sediment diversions. As always, we are hopeful the project's schedule stays on track and stand ready to offer our assistance wherever we may be useful. We also believe the work conducted here will lend itself to a smoother pathway for the Mid-Breton Sediment Diversion project as far as understanding of process and expectations.

Recent budget presentations show the overall fiscal picture of the state is dramatically improved for FY21 due to the \$5.2 billion in federal stimulus funding identified for Louisiana, including \$3.2 billion for state government. While we understand that the \$1.9 billion package is complex and that detailed allowable uses of the funds are still being ironed out—and that certain critical needs must be met using much of that funding—if the opportunity exists to put funding toward protection and restoration needs of the state, we would heartily support that outcome. Between these funds and the \$270 million surplus left over from the 2019-20 budget



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year, which qualifies for coastal restoration work, we look forward to reviewing Coastal Master Plan projects being recommended for funding by CPRA.

Discussions of the Greater New Orleans Hurricane and Storm Damage Risk Reduction System (HSDRRS) payback have received much attention as of late. WRDA language included in the Water Resources Development Act and passed by our congressional delegation in December of 2020 allows for the state to pay the principal balance on the project owed by the state in \$400M increments over three years, with the final payment due in 2023. Compared to the origin Deferred Payment Agreements (DPAs) signed by the state in January 2009, this new payment schedule would allow Louisiana to avoid interest altogether, resulting in cost savings of up to \$2 billion dollars over the next 30 years. While this seems like a prudent financial decision, recent public discussion at the legislative Joint Budget Committee suggests the payback issue has become somewhat contentious for lawmakers. Whether the state is successful in its request to bond the state's indebtedness to pay the principal project value remains to be seen; however we hope the legislature either approves the bonding arrangement or seeks out dollars to repay the debt soon in order to save the state a staggering sum of money. At the very least, we expect the debt is recognized as one owed by the state as a whole and not CPRA. We would prefer not to see the coastal authority burdened with providing limited project dollars toward this debt in the coming years, particularly when the Division of Administration has crafted a bonding scheme that will serve to pay off the accrued debt with far less impact to the state's future fiscal health.

As Deepwater Horizon settlement funds continue to flow into the state's Coastal Trust Fund, the Annual Plan projects the CPRA expects to spend roughly a billion dollars per year on coastal projects within the next three years. These projections are very encouraging, and we are hopeful the aggressive schedule envisioned in the plan will progress without issue. We will continue to advocate for and publicly support key projects, such as sediment diversions, that our groups have identified as critical to the long-term future of coastal Louisiana; we offer our assistance in that vein where we may be useful to the state's efforts.

General Reporting and Stakeholder Outreach and Engagement Recommendations

This draft plan is missing context needed to highlight how CPRA remained successful despite the extremely unusual year CPRA faced in project implementation. Last year's annual plan had a section dedicated to major events and given that several major events happened in 2020, including but not limited to a tumultuous hurricane season, it would make sense to highlight those and as well as any impacts foreseen in the coming fiscal year. Instead, this year's draft plan dives right into a brief summary of total expenditures expected over the next three fiscal years and moves on to active projects in each region. Last year's plan spent 14 pages highlighting several critical projects and programs including the Mid-Basin Sediment Diversion program—information we believe was beneficial, aiding to the overall understanding of the state's vision for the program. Seeing as this year is a major year for the Mid-Barataria Sediment Diversion, it would only make sense to highlight it in this year's plan. Given that there was over 40 pages of context and additional insight into the next fiscal year in last year's annual plan, the FY22 plan should



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do the same. We also understand this context could be added in time, but it should withstand public review. As it currently stands, the FY22 plan is bare bones and lacks the narrative in draft form, which is helpful when educating the public on the progress CPRA is making. Including this narrative early would likely drive interest and support from individuals or businesses who may not be specifically interested only in project updates, but instead would like to better understand the job creation benefits the coastal program will bring to the state, as one example. We would also like to reiterate previous comments that we have submitted in the past that it would be beneficial if the annual plan included actual expenditures that were accrued in the previous fiscal year.

Additionally, the draft plan was initially published without appendices on the CPRA website. The information contained in the appendices is useful and allows for stakeholders to further understand the work when they comment on the plan. Though Appendix A was released a week after the plan's release, and subsequent appendices continued to be published online at random intervals through the comment period, the full package was not available during the initial public meetings. We understand all appendices will be published by mid-March, before the end of the comment period which is March 27, 2021, but this leaves only a short amount of time for the public to absorb that information and put together comments. The deadline for public comment is also not displayed on the home page or Annual Plan tab of the CPRA website. It can be found under the Press Release section of the website, but this is not intuitive to the general public. We recommend this critical information be displayed either on the main page of the CPRA website or near the actual draft of the plan on the Annual Plan page.

On a positive note, past plans have included restoration partnerships and language access useful for NGOs and community groups, and we are pleased to see it included again in the draft. Essential details, such as an explanation of the funding sources, recently achieved milestones and key upcoming milestones, and guidance on the public process – from citizen comment to legislative passage, should be readily available to stakeholders at the start of the comment period.

The release of this year's draft plan, two business days before public hearings began, left an inadequate amount of time for citizens to review the plan and prepare their comments and questions for the limited opportunity to directly engage with CPRA during the virtual public meetings. We believe this may have resulted in limited participation and scant public comment at those meetings. In the future, we ask CPRA provide at least 10 days to review the plan before holding public hearings, if possible. Public engagement in the Annual Plan process is not only a way to offer an opportunity for CPRA to engage with stakeholders and gain feedback, but it is also an important way to educate the public on the work planned for the communities where they live and work. Though the Covid 19 outbreak changed the face of traditional public engagement for the past year, we look forward to robust future public meetings and a return to the helpful and informative "open house" format CPRA has conducted in the past.

As coastal advocates, we have often found stakeholders are interested in how they can be a part of the restoration economy that is reflected in the Annual Plan. How are local communities, especially women



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and people of color, best able to gain access to the massive economic opportunities in the coastal sector? Addressing this important topic would help increase engagement in the Annual Plan process.

Finally, on page 9, CPRA needs to correct the calendar that shows the timeline for project completion – there is no 2023 listed in the table, and the quarters are also incorrect. Also, the key for project status at the bottom of pages 9, 10, 11 is not in order of the way projects are actually completed, which is confusing.

Diversion Planning and Permitting

CPRA has made great strides in moving forward on several diversion projects in the past year. We are pleased that engineering and design continues on both the Mid-Barataria and Mid-Breton Sediment Diversions. However, the annual plan continues to show slippage in the timeline for Mid-Barataria, as E&D is now estimated to be complete in the first quarter of FY2023 rather than the fourth quarter of FY2022 as it was in last year's annual plan. We understand the difficulties that contributed to this over the last year, but we encourage CPRA to find time-savings this upcoming fiscal year.

We are excited to see the Draft Environmental Impact Statement (EIS) for Mid-Barataria Sediment Diversion released prior to the close of this fiscal year. This is a significant milestone in the project, and we congratulate you on this major accomplishment. We look forward to swift progress towards a record of decision on this project once the public comment period on the DEIS has closed.

We are encouraged to see the agency spent the past year working towards having the River Reintroduction to Maurepas Swamp project serve as mitigation for the West Shore Lake Pontchartrain Hurricane Protection (WSLP) project. These two projects, if constructed together, will produce greater efficiencies together than either could produce alone. Land built by the Maurepas Diversion will provide protection for the WSLP which will decrease maintenance needs on the levee system over time. We continue to encourage the U.S. Army Corps of Engineers to seriously consider using the construction of Maurepas as mitigation for the WSLP project and hope CPRA will also continue to advocate this solution as a positive win-win solution for both agencies.

The Increase Atchafalaya Flow into Terrebonne Marshes (TE-110) project continues to be significantly delayed and does not have dedicated funding allocated beyond engineering and design. We would like to see this project begin construction as soon as possible, far quicker than the projected date of after 2023. In the FY2021 Annual Plan, TE-0110 was scheduled for design completion in the third quarter of FY2022 and has now been pushed back extensively. This project is critical to the Terrebonne Basin to address hydrologic alterations within the basin. The lack of freshwater and sediment connection to the area has resulted in increased saltwater intrusion and subsidence. If constructed and operated, this diversion could prevent the wetland loss in Terrebonne Basin by 13,000 acres over 50 years. This project cannot afford to be delayed any further and explanations should be included in the plan as to why this project continues to experience major delays.

We are pleased the Ama, Union, Manchac and Increase Atchafalaya diversions were included in the Water Resources Development Act (WRDA) 2020 as part of the Lower Mississippi River



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Comprehensive Management Study. This is the first step towards moving some of the conceptual diversions forward towards feasibility and planning. Additionally, the “State Agency E-Corts Priority List for Fiscal Year 2022” lists Union Diversion as being funded through general obligation (GO) Bonds for a total estimated cost of \$900M. We urge CPRA to begin Feasibility and Planning on this important diversion as soon as the projected funding is available for Year 1 in FY 22.

Restoration Projects

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.

Marsh and ridge creation

Momentum continues for implementation of some of the large-scale marsh creation projects in the 2017 Coastal Master Plan (CMP). The Large-Scale Barataria Marsh Creation project (BS-0207) is scheduled to begin construction this year and we hope that timeline is not delayed any further given that construction was expected last year. To maximize the sustainability of these and future marsh creation projects, we urge CPRA to continue to create project synergies with sediment diversions for future investments.

We are pleased to see continued 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 2022 which is on track with the last annual plan. We are also pleased to see there is projected funding beyond FY21. Once again, the Terrebonne ridge projects of 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 FY2022 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.

Barrier island restoration

This past year’s hurricane season showed us just how important barrier island restoration projects are to coastal Louisiana, and we are supportive of CPRA’s continued commitment to these projects. Attention to this critical resource for wetland protection and wildlife habitat has been a huge success in Louisiana’s coastal restoration efforts.

Even with hurricane setbacks and damage to the islands and equipment, it is encouraging that CPRA still anticipates an end of the year completion to the Terrebonne Basin Barrier Island (TE-0143) project, which when completed, will be the largest restoration project to date.

We are glad to see the Caminada Headlands Back Barrier Marsh Creation project (BA-0171) completing construction this year. The Caminada Headland region has experienced some of the highest rates of shoreline land loss due to erosion from storms. It was considered significant progress when Caminada Headlands Back Barrier Marsh Creation, Increments 1 and 2 (BA-0171 and BA-0193) were combined to



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be constructed together to not only reduce costs, but also shorten the timeline for completion which is expected in early January 2021, and we support future efficiencies.

The West Grand Terre Beach Nourishment and Stabilization project (BA-0197) shows a construction completion date in 2022; however, we have been informed by the project manager this should be completed in the fall of this year. We hope this timeline is not delayed any further, as it has already shifted its completion in past annual plans.

Protection projects

The Houma Navigational Canal Lock Complex (TE-0113) project is vital to Terrebonne Parish for blocking storm surge and providing crucial flood protection to the region, and we are happy to see funding allocated to begin the construction of the first phase of this project. However, it is not described or outlined in the plan that this project is a multi-phased project. If outlined this way, it would be easier to track where each phase is in the implementation process.

Mississippi River Gulf Outlet ecosystem restoration

Post closure-monitoring of the Mississippi River Gulf Outlet (MRGO) indicates over one million acres of coastal habitat were impacted by the deep-draft shipping channel. It is encouraging to see project movement throughout the MRGO ecosystem; however, there remains a great deal of restoration urgently needed in the area, which surrounds and protects the Greater New Orleans region.

It is encouraging to see Golden Triangle Marsh Creation (PO-0163) progressing to construction this year as well as its recent bid advertisement. Last year's plan slated construction to being in 2020, so it is crucial this project moves forward without further delay. Bayou la Loutre Ridge Restoration and Marsh Creation (PO-178) is an important project that will provide storm surge reduction and hydrologic restoration, and we hope CPRA will give the project strong support as it awaits funding for construction through the CWPPRA program. Additionally, the New Orleans East Landbridge is a critical landscape feature which could reduce storm surge impacts for 1.5 million people. We are pleased to see the New Orleans East Landbridge (PO-0169) project starting construction this year and estimated to finish the following year.

All of the MRGO-area projects noted above are relatively small compared to the scale of the restoration called for in the 2017 Master Plan. These are critical projects and complementary efforts are needed to reach the State's proposed scale. We urge additional restoration on the New Orleans East Landbridge be considered for NRDA funding. We also urge the state to support the Bayou Ducros Marsh Creation project in CWPPRA PPL31, which will augment Golden Triangle restoration. These are major opportunities in the coming year to make significant progress on long overdue MRGO ecosystem restoration.

In closing, we thank CPRA for their continued dedication and progress in restoring coastal Louisiana, and we look forward to helping in any way we can to accelerate these important projects.



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Sincerely,

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