

Plaquemines Parish Soil Boring Issues, Procedures discussed at CPRA August Board Meeting

The Louisiana Coastal Protection and Restoration Authority Board (CPRA), which sanctioned potential legal action against Plaquemines Parish in June of this year, today was informed that CPRA was able to proceed without the need to resort to legal action to conduct soil borings as part of a geotechnical study for a potential sediment diversion in that parish. The borings provide important data for the design of the Mid-Barataria Sediment Diversion project and will help inform the Federal 408 Permitting process.

"The permission to possibly litigate the matter was always something that would be used as a last resort," Megan Terrell, an attorney with the governor's office, told the Board. "But it didn't come to that because CPRA determined it has the express authority to enter upon any lands, waters, and premises in the state to perform surveys and other geotechnical investigations."

Terrell cited Louisiana Revised Statute 49:214.6.9 that states:

The Coastal Protection and Restoration Authority and its authorized agents, contractors, or and employees shall also have the power to enter upon any lands, waters, and premises in the state for the purpose of making such surveys, soundings, drillings, and examinations as may be necessary or convenient for carrying out the purposes of integrated coastal protection, which entry shall not be deemed a civil or criminal trespass nor a temporary construction servitude, nor shall it be deemed an entry under any eminent domain proceedings which may be then pending, provided that prior written notice of five days to resident owners and fifteen days to nonresident owners be given to the last record property owner as reflected in the parish assessment rolls.

Johnny Bradberry, CPRA Chairman and Executive Assistant to the Governor for Coastal Activities stated that those legal requirements were met by the state.

"All of the geotechnical work is being performed with advanced written notice to landowners, in full compliance with all applicable laws," said Bradberry. "I notified Plaquemines Parish President Amos Cormier that CPRA was initiating its soil boring work. Previous to this, CPRA has already received letters of no objection for the work from its operations division and from Army Corps of Engineers. I'd also like to note that—contrary to rumor—we have restricted the work to daylight hours only."

Bradberry restated that CPRA is committed to addressing President Cormier's concerns regarding the potential impacts of the Mid-Barataria Sediment Diversion.

"His concerns are being tracked closely, and they will be addressed as part of the comprehensive environmental review process," said Bradberry.

For more information on CPRA's plans for sediment diversions to help remediate coastal subsidence and erosion, visit <http://coastal.la.gov/our-work/key-initiatives/diversion-program/>

Other items on the Board's agenda included:

Adoption of a resolution urging and requesting Louisiana's Congressional delegation to support "New Start" federal construction funding for the Morganza to the Gulf Hurricane Protection Project.

A report on how Louisiana coastal resiliency can be improved through state interagency flood risk outreach, and a demonstration of Story Maps showing how the Coastal Master Plan is being engaged by the state departments of Hospital, Education, and Transportation and Development. See more at <http://coastal.la.gov/whats-at-stake/louisianas-storm-surge-based-flood-risk/>

An update on 18 projects currently in construction and 45 in Engineering & Design, including two moving into E&D in the last month: the \$415 million project in St. Mary and Terrebonne Parishes to Increase Atchafalaya Flow to Terrebonne; and a \$1 million Eastbank Sediment Transport Corridor traversing Plaquemines and St. Bernard Parishes to support construction of the East Bank Land Bridge Marsh Creation, Breton Marsh Creation, and Spanish Lake Marsh Creation Master Plan projects.

An update on the State of Louisiana's current RESTORE projects and an update on the process for projects to be funded from the Council Selected Restoration Component in future Funded Priority Lists.

Discussion of working groups from the shrimp and oyster industries to foster input and understanding of changing conditions affecting fisheries and their needs as coastal protection and restoration projects proceed.