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Deepwater Horizon Oil Spill

Re: Deepwater Horizon Natural Resource Damage
Assessment Trustee Council and Region-Wide TIG'S
Annual Public Meeting

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held on Wednesday, September 28, 2016
commencing at 6:00 p.m.
at the Renaissance New Orleans Pere Marquette
French Quarter Area Hotel,
817 Common Street,
New Orleans, Louisiana 70122

Reported by:

Melissa Burdine-Rodolfich,
DepoLink Court Reporting and
Litigation Support Services

1 LISTENING PANEL

2 Gary Rikard, Mississippi

3 Robin Riechers, Texas

4 Kelly Samek, Florida

5 Gale Bonanno, U.S. Environmental Protection Agency

6 Christopher Doley, National Oceanic and Atmospheric
Administration

7 Ann Mills, U.S. Department of Agriculture

8 Michael Ellis, Louisiana

9 Cindy Dohner, Department of Interior

10 N. Gunter Guy, Jr., Alabama

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14 PRESENTERS

15 Patti Powell, Alabama TIG

16 Kelly Samek, Florida TIG

17 Michael Ellis, Louisiana TIG

18 Gary Rikard, Mississippi TIG

19 Robin Riechers, Texas TIG

20 Kristopher Benson, Open Ocean TIG

21 Colette Charbonneau - Region-wide TIG

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1 MR. FRANKLIN:

2 Okay. Good evening, my name is Perry
3 Franklin, and I will be tonight's facilitator for
4 the Deepwater Horizon Natural Resource Damage
5 Assessment Trustee Council's annual meeting. Good
6 evening.

7 This meeting also serves an annual
8 meeting of the Region-wide Trustees Implementation
9 Group.

10 If everyone could just take a second and
11 silence their phones. We're pretty cozy in here.
12 And it will sort of interfere with the
13 communication system. I would appreciate that.
14 Thank you so much.

15 So we're here tonight for the first
16 public meeting of the Deepwater Horizon Trustee
17 Council since the settlement of BP was finalized.
18 The trustees and their staff will present lots of
19 useful information to you, and then you will have
20 an opportunity to give the trustees some feedback.

21 We have a court reporter here with us
22 tonight who will record the entire meeting,
23 including your comments. The Power Point
24 presentation that you will see tonight and a
25 transcript will also be posted to the trustee's

1 website for your further information. We also
2 have with us two American Sign Language
3 interpreters and they will interpret the entire
4 meeting.

5 As you came in, you were asked to fill
6 in a blue card. Everyone should have seen a blue
7 card like this (demonstrating). This is very
8 important. It not only allows us to know who is
9 in attendance, but if you would like to make a
10 comment at the end of tonight's agenda, it allows
11 me the opportunity to call you forward. If you
12 filled out a blue card and did not indicate that
13 you would like to speak, at any time of tonight,
14 just raise your hand and we know what that means.
15 Someone will get a blue card to you and check "I
16 would like to make comment."

17 If it doesn't hit you till the end of
18 the meeting, that's fine. At the end of the
19 meeting, you can also, when we're about to wrap
20 up, say, hey, I have a comment. We'll get a blue
21 card to you and I'll bring you over. That's very
22 important.

23 And at the end of the meeting when we
24 have public comment, if you would simply state
25 your name and if you're part of an organization,

1 state the organization that you are representing
2 for the public record. Again, everything that
3 takes place tonight will be a part of the record.

4 So at this time, let's go ahead and get
5 started with tonight's meeting. I would like to
6 introduce the first speaker, Commissioner Gunter
7 Guy, Jr., commissioner of Alabama Department of
8 Conservation and Natural Resources and the current
9 chair of the Trustee Council. Mr. Guy.

10 MR. GUY:

11 Thank you, Perry.

12 Good evening, I would like to welcome
13 each of you to this annual meeting of the Trustee
14 Council and to thank you for your interest and
15 attendance. We've got a lot of people here. That
16 shows that a lot of people are interested.

17 First, we want to thank our friends from
18 Louisiana for allowing us to be here in the great
19 City of New Orleans. It's always a pleasure to
20 come back to the New Orleans and have a meeting.

21 As Perry indicated -- excuse me. Before
22 we get started on that, one other item of
23 business, I understand we have a few -- may have a
24 few elected officials or representatives here.

25 And so if you don't mind, I would ask you to stand

1 if I call your name. I understand we have Ms.
2 Kathy Stuart, a representative for U.S. Senator
3 Bill Cassidy of Louisiana here. Is Ms. Stuart --

4 MS. STEWART:

5 I'm here.

6 MR. GUY:

7 Thank you for being here, ma'am.

8 MS. STEWART:

9 Sure.

10 MR. GUY:

11 Are there any other elected officials
12 here tonight that we don't know of? If so, I
13 would ask you to stand so that we could
14 acknowledge you.

15 (Elected officials stand.)

16 MR. GUY:

17 Thank you.

18 I see my friend Mr. Patrick Gino here
19 tonight. Mr. Gino, thank you for being here
20 tonight.

21 As Perry indicated, my name is Gunter
22 Guy, and it is my privilege and honor to serve as
23 chairman over these proceedings tonight. I'm also
24 joined at the table to my right by my fellow
25 federal and state trustee representatives. In a

1 few minutes, I'll ask each of them to introduce
2 themselves to you.

3 Many of you know that the trustees held
4 many meetings prior to the settlement with BP.
5 Most of those meetings involved presenting draft
6 restoration plans. We developed five draft early
7 restoration plans for implementing restoration
8 projects before the Natural Resource Damage
9 Assessment was completed.

10 Then we developed a draft programmatic
11 restoration plan which established broad
12 restoration goals and the specific types of
13 restoration needed to meet each of these goals.
14 There was also the proposed settlement agreement
15 with BP. We brought all of these to you in public
16 meetings across the Gulf to get your comments and
17 then took your feedback into account in our final
18 plans.

19 This evening, we're holding the Trustee
20 Council's first public meeting since the
21 settlement agreement was approved by the court in
22 April. As you may be aware, the Settlement
23 Agreement and Programmatic Restoration Plan
24 described ways the Trustees will ensure
25 transparency and public engagement. One of these

1 ways is holding this annual public meeting like
2 the one we're having tonight.

3 First, I want to give you the preview of
4 where we're heading tonight, preview of the
5 agenda. We'll first do introductions, as I
6 mentioned, so that other trustee representatives
7 can introduce themselves to you. After that, I'm
8 going to go over some slides to give you a brief
9 update on what the Trustee Council has been doing
10 since the settlement with BP.

11 Then you will hear an update from each
12 of the restoration area Trustee Implementation
13 Groups, sometimes referred to as TIGs. You'll be
14 hearing that acronym, like NRDA, and all these
15 different things that we've been doing over the
16 years. So a knew one is TIGs, Trustee
17 Implementation Group.

18 After that and most importantly, we want
19 to hear from you. Perry will facilitate the
20 public comment portion of the agenda. After the
21 meeting ends, we want to make sure you know that
22 we will be available for further conversation and
23 to answer your questions.

24 So now let's do introductions. And to
25 get us started, I'm going to start -- I want to

1 ask my friend, Ms. Cindy Dohner, with the
2 Department of Interior to begin introductions and
3 we'll work our way to the end of the table.

4 MS. DOHNER:

5 Thank you, Gunter.

6 As Gunter said, my name is Cindy Dohner.
7 I'm the authorized official for the Department of
8 Interior for the Deepwater Horizon NRDA that we're
9 going to be talking about tonight.

10 Secretary Jewell sends her best, and she
11 wanted to make sure that I thank, not everybody
12 that's been involved in this process over the
13 years, but all of my fellow trustees for all the
14 hard work in developing the Deepwater Horizon NRDA
15 the Programmatic Damage Assessment and Restoration
16 Plan.

17 I also want to thank you, Gunter, for
18 serving as a chair and for everybody that served
19 as past chairs as we've gone through this process.
20 It's been interesting over the years, and it's
21 been a lot of hard work, especially to get to this
22 point, so thank you.

23 MR. ELLIS:

24 Thank you, Cindy.

25 My name is Michael Ellis. I'm the

1 executive director for the Coastal Protection and
2 Restoration Authority for the State of Louisiana.
3 I'm here on behalf of Johnny Bradberry. He wishes
4 he could be here, but something came up and he's
5 not able to make it. So welcome. Welcome to
6 Louisiana, everyone, and we look forward to the
7 comments.

8 MS. MILLS:

9 Good evening. My name is Ann Mills. I
10 am the deputy under secretary for Natural
11 Resources and Environment at USDA, and I am
12 Secretary Thomas Vilsack's designee to the
13 council.

14 And I want to echo Cindy's comments,
15 just this has been a lot of hard work and
16 partnership with many, many people here in the
17 group. So it's a really good evening and we look
18 forward to hearing from you.

19 And I just also want to thank our hosts
20 and the State of Louisiana and the great of City
21 of New Orleans. It's great to be back here.
22 Thank you.

23 MR. DOLEY:

24 Hi. My name is Chris Doley. I'm the
25 trustee representative for NOAA and the U.S.

1 Department of Commerce.

2 I echo the thoughts of Ann and Cindy and
3 Michael about really looking forward to hearing
4 comments from the group and really starting the
5 next phase of the Deepwater Horizon saga, as we
6 move from the litigation and the planning into
7 implementation. We're very excited about the next
8 15 years of implementation that will happen.

9 MS. BONANNO:

10 Thanks, Chris.

11 I'm Gale Bonanno. I'm with the Office
12 of Water and the U.S. Environmental Protection
13 Agency. I serve as a senior policy adviser.

14 And I really appreciate all of you
15 coming out this evening and I look forward to
16 hearing all of your comments. Thank you.

17 MS. SAMEK:

18 My name is Kelly Samek. I'm the Gulf
19 restoration coordinator with the Florida Fish and
20 Wildlife Conservation Commission, and I represent
21 FWC executive director, Nick Wiley, and the
22 Trustee Council.

23 I just want to thank everybody for
24 taking time to be with us tonight.

25 MR. RIECHERS:

1 My name is Robin Riechers, and I'm
2 representing the three Texas trustee agencies on
3 the council.

4 And like Kelly, I want to thank all of
5 you for taking some time to be with us tonight.
6 And on behalf of the trustees, we look forward to
7 working with you in the future.

8 MR. RIKARD:

9 Good evening. My name is Gary Rikard.
10 I'm the executive director of the Mississippi
11 Department of Environmental Quality and in that
12 role, I serve as the natural resource damages
13 trustee for the State of Mississippi.

14 As my cohorts said, we thank you for
15 being here tonight and look forward to receiving
16 your comments. Thanks.

17 MR. GUY:

18 Thank you.

19 I want to take a moment of personal
20 privilege here, which is going to cause everybody
21 in the room that wrote this script for me to
22 panic, but Cindy mentioned, you know, about
23 thanking me, which is unnecessary, but about past
24 chairmen. And so before me -- I have some big
25 shoes to fill -- Mr. Robin Riechers at the table

1 for the State of Texas was past chairman, and we
2 haven't had an opportunity to publicly thank him
3 for leading us, leading the Trustee Council during
4 a really interesting, and maybe some would say
5 difficult, time during settlement negotiations and
6 a lot of things going on. So I would like to take
7 this opportunity and ask everybody to join me in
8 thanking Robin for his leadership.

9 (Applause.)

10 MR. GUY:

11 And so I don't forget, I also want to
12 say, all these folks sitting at the table, along
13 with myself, you know, sometimes are recognized,
14 but there are a lot of people in this room and
15 outside of this room that work real hard every day
16 to make this work, and I just want to publicly
17 thank them on behalf of all the trustees sitting
18 at the table for what they do every day. I would
19 like you to give them a round of applause.

20 (Applause.)

21 MR. GUY:

22 So now, I'll ask Nanciann, don't panic.
23 I'll get back on schedule.

24 Under the Oil Pollution Act of 1990, the
25 trustees are responsible for restoring the

1 environment and compensating the public for
2 natural resource injuries after disasters like
3 Deepwater Horizon Oil Spill. We use a Natural
4 Resource Damage Assessment to determine the extent
5 of injuries to the natural resources and to seek
6 restoration or compensation from the parties
7 responsible. The goal is to restore injured
8 natural resources, like wetlands, fish and birds
9 to the conditions they would have been in had the
10 spill not occurred.

11 We will also address recreational uses,
12 like beach use, boating, and swimming that were
13 affected by the oil spill. The Deepwater Horizon
14 Oil Spill and the response to the spill affected
15 public use and enjoyment of many of the natural
16 resources across the Gulf.

17 Let me give you a little bit of
18 background just to get up to today. And as you
19 know, the spill began in April 2010. The oil
20 flowed for 87 days, but the injury assessment
21 started right away. In April 2011, BP agreed to
22 make up to \$1 billion available for restoration
23 even before the injury assessment was complete.
24 So we, as trustees, were able to get a jump-start
25 on restoration. From 2011 to 2016, we approved a

1 total of five restoration plans and 65 projects
2 with a combined cost of \$866 million. Generally
3 speaking, these projects restored marshes,
4 beaches, shorelines, sea grasses, oysters, fish
5 and shellfish, wildlife, as well as recreational
6 uses.

7 On April 4, 2016, the federal government
8 and the five Gulf states reached in a settlement
9 with BP. It totaled approximately \$20.8 billion.
10 Of the 20.8 billion, up to 8.8 billion will go to
11 natural resource restoration. That total includes
12 the 1 billion from BP for early restoration. It
13 also includes 7.1 billion for restoration beyond
14 early restoration. The last amount on the screen
15 that I would like to point out is the \$700 million
16 that will be available for conditions that were
17 not known or contemplated when the settlement was
18 drafted.

19 The Trustees finalized a Programmatic
20 Restoration Plan in 2016. That plan does not
21 include individual projects. Rather, it is
22 programmatic, which means that it includes
23 overarching restoration goals for the entire Gulf
24 Coast ecosystem and the broad restoration types
25 that will be -- excuse me, that will guide

1 development and selection of those restoration
2 projects.

3 Now, that's going to be kind of hard to
4 read, so if you can't read it, there will be some
5 slides that are available outside if you didn't
6 already get them, and we'll -- if you raise your
7 hand or tell one of the folks here, we'll get you
8 that. It's just a lot of information in a small
9 space, but let me just tell you a little bit about
10 that slide.

11 The settlement also determined where the
12 funds will be spent. The funds are first broken
13 out geographically into restoration areas for each
14 state, as well as funds for region-wide
15 restoration to be used in all of the five states
16 and restoration in the open ocean, then by each
17 restoration type in those areas. So again, we'll
18 get that to you or it is available after the
19 meeting if you haven't already picked up one.

20 With the settlement agreement, we have a
21 new governance and management structure. This
22 structure is unique, as is this restoration
23 effort, which is the largest restoration effort
24 ever conducted. To accomplish restoration of this
25 scale, we established these eight Trustee

1 Implementation Groups, TIGs, focusing on different
2 restoration areas. These provide flexibility and
3 accountability that allows for the difference
4 between restoration areas and trustees. The
5 Trustee Council serves to ensure coordination
6 amongst these TIGs. Specifically, the Trustee
7 Council's role is to provide coordination and
8 ensure the transparency, physical and scientific
9 accountability, and consistency with the
10 Programmatic Plan and across the implementation
11 groups. Boy, that's a mouthful, but that -- you
12 know, we oversee to make sure all these things
13 come together.

14 So what has the council done since the
15 settlement? To ensure transparency and public
16 engagement, we've redesigned our website. It
17 reflects the new government structure and makes
18 the site easier to use. We have also approved
19 standard operating procedures, which provide
20 detail about our process for long-term management
21 and administration of settlement funds. These are
22 available on our website.

23 We collected a lot of information during
24 the injury assessment, and we're monitoring our
25 restoration projects as we go. Therefore, we are

1 developing a manual for monitoring and adaptive
2 management of our project -- projects, plural, and
3 when it's complete, we will share it with you as
4 well.

5 As I mentioned, we've updated our public
6 database so you can find all this information more
7 easily, a lot more information than I am talking
8 about tonight. You can check out that database at
9 the table out in the hall or by visiting the
10 website. It's not on the screen, but it is
11 www.GulfSpillRestoration.NOAA.gov. Again, that's
12 www.GulfSpillRestoration, all spelled out, [.NOAA.gov](http://www.GulfSpillRestoration.NOAA.gov).
13

14 Okay. So with that, we are now at that
15 point that we're going to provide you some
16 updates, and we're going to begin these updates
17 with some reports from the implementation groups
18 on what they've been doing for their restoration
19 areas.

20 And it's a privilege for me to introduce
21 one of my partners from the State of Alabama,
22 Ms. Patti Powell, who is a member of the Alabama
23 Restoration and Planning Implementation Group.

24 Ms. Powell.

25 MS. POWELL:

1 Thanks, Commissioner Guy.

2 He was very kind in calling me one of
3 his partners. He's actually also my boss, but
4 thank you for that. I'll remind you of that
5 later.

6 But, again, I'm Patti Powell. I'm
7 director of State Lands Division for the Alabama
8 Department of Conservation and Natural Resources.
9 And on behalf of the Alabama TIG, we welcome you
10 here tonight. Thank you for being here. Each TIG
11 is going to be brief because as you saw, we have a
12 bunch of TIGs.

13 But I do want to make take a minute to
14 go run through the members of our Alabama TIG.
15 The first two individuals, Amy Hunter and Seth
16 Newton, our representatives for the State of
17 Alabama trustees. The remaining individuals, Dan
18 Van Nostrand, Ben Frater, Chris Parker, and Ron
19 Howard, our representatives serving with our
20 federal trustee partners. Will our TIG members
21 stand if you are here? I just want for those from
22 Alabama to be able to kind of see. Dan is waving
23 in the back. Chris and Seth and Amy and I saw
24 Ron. Oh, sorry. Ron's back there. Ben?
25 MS. HUNTER:

1 He's not here.

2 MS. POWELL:

3 Oh, I'm sorry. Ben's not here. So
4 anyway, I just wanted you to know who to talk to
5 while you're here to tonight if you would like to
6 meet the members of the Alabama TIG.

7 This slide is actually just a different
8 visual representation of the busy spreadsheet or
9 chart you saw earlier. You will notice around the
10 room, there is a different doughnut for each TIG,
11 if you' like to go check that out. It goes
12 clockwise, as you see, and it's color-coded and
13 shows the dollars for each TIG that has been
14 allocated under the consent decree for the
15 restoration types, which you'll see, again, by
16 different dots, different colors. So those are
17 around the room for you to look at from whichever
18 state or different TIG you may be interested in.

19 Wanted to spend just a minute -- this
20 slide is organized as past, present, and future
21 categories. Frankly, the activities of the
22 Alabama TIG don't fit nicely into past, present,
23 and future. But the way we've got it organized,
24 the past column represents early restoration phase
25 work. The other meetings that you've attended

1 that were presettlement focused on early
2 restorations phase projects. In Alabama, there
3 was \$117 million in early restoration work
4 benefiting our state. That's what you see listed
5 here. All those projects constituting the 117 are
6 listed.

7 Now, those projects in their differing
8 stages and involve differing restoration types, as
9 you will see. Some of the projects, such as
10 Alabama Dune Restoration, that project is in
11 monitoring and adaptive management. The Oyster
12 Cultch Project is complete, and it is simply in
13 the monitoring phase.

14 You have other projects, like our Living
15 Shorelines, the Swift Tract that's in
16 construction. The other two projects you see
17 listed there are in the design phase.

18 The Gulf State Park Enhancement Project
19 is an example of a project that actually has five
20 individual elements. Each individual element is
21 its own stage of -- as an example, the Trail
22 Enhancements and Dune Restoration work is in
23 construction.

24 When you move into the present column,
25 first and foremost, we are continuing the early

1 restoration project implementation for each of
2 those projects and will continue monitoring on
3 into the future. But we have for Alabama, the
4 Alabama TIG, an additional \$179 million available
5 for future restoration work. The Alabama -- and
6 that's what the Alabama TIG will be focusing on,
7 is that 179 million.

8 For the Alabama TIG, the current efforts
9 involve two different restoration plans that are
10 in development. Restoration Plan 1 will focus on
11 recreational use. Public scoping on that plan
12 actually began summer of this year, summer of
13 2016. So that -- as you see, it goes maybe in the
14 past, but anyway, that work is still underway.
15 The Alabama TIG has received public comment and
16 has been reviewing that in connection with
17 reviewing potential project alternatives for that
18 restoration plan. And that Restoration Plan 1
19 will go out for public review and comment. That
20 is similar to the early restoration plans that you
21 saw come out for comment.

22 The TIG is also working on Restoration
23 Plan 2. That will group together ecological
24 restoration types, which you saw before, and that
25 work is underway. We're currently -- the next

1 step for the TIG is identifying the specific types
2 that will be included in that Restoration Plan 2.
3 And, again, you will see future restoration plans
4 similarly numbered, numbered after that. So that
5 is what we describe as our present.

6 But also moving forward for the future,
7 obviously again, everything I've talked about is
8 continuing into the future, and restoration
9 planning will continue. And what you see on the
10 slides are just a few examples of the restoration
11 types that the TIG will be working on.

12 On behalf of the Alabama TIG, I very
13 sincerely want to thank each of you for being
14 here. Every minute you spend at one of these
15 public meetings is -- I always say is a minute
16 away from your family, and we appreciate you being
17 here. We also want to encourage your continued
18 participation, as an example, coming to meetings
19 in the future. You will see some meetings in each
20 state for the TIGs, as an example. But also to
21 visit the websites. You have the Trustee Council
22 website. In the State of Alabama, you have the
23 AlabamaCoastalRestoration.org website. Both of
24 those websites contain a lot of information.

25 And, as an example, the Alabama portal

1 has an online project suggestion portal. You can
2 go on there and both see suggestions that have
3 already been entered by others, as well as enter
4 additional suggestions. And really, the project
5 suggestions, information submitted to the Trustee
6 Council site, as well as the Alabama portal are
7 critical for the Alabama TIG because that really
8 provides the type of project suggestions that the
9 TIG can utilize in developing future project
10 alternatives for future plans. So please do
11 continue those submissions and thanks for the ones
12 that are already in those -- the ones that are
13 already in the portals.

14 So I know that was quick, but we have
15 other TIGs coming up. So again, thank you. And I
16 want to welcome up the Florida TIG. Thank you.

17 MS. SAMEK:

18 Thank you, Patti.

19 So in Florida, the Florida TIG, two
20 state agencies share trustee responsibilities, the
21 Florida Department of Environmental Protection and
22 the Florida Fish and Wildlife Conservation
23 Commission.

24 Mimi Drew is the primary TIG
25 representative for DEP, and I'm the primary

1 representative for FWC. We're joined on the TIG
2 by Ben Frater for DOI, Cecelia Harper for EPA,
3 Laurie Rounds for NOAA, and Michele Laur for USDA.

4 So injury in Florida was largely lost
5 recreational use. Gunter described this a little
6 bit, but this is basically about the public's
7 ability to access and enjoy natural resources for
8 recreational purposes being impaired as a result
9 of the spill. And those effects were felt well
10 beyond the area oil and the response in Florida.
11 So it's not surprising, then, that the allocation
12 for the Florida TIG is distinguished by relatively
13 large amounts for providing and enhancing
14 recreational opportunities and restoring water
15 quality, which is also tied to our recreational
16 injury. Good water quality is, after all, a
17 momentum to enjoying Florida's beaches and other
18 Coastal habitats.

19 Recreational use projects accounted for
20 the majority of over \$144 million in projects in
21 early restoration projects assigned to the Florida
22 TIG. We have so many projects, in fact, it was
23 difficult to put them all in the slide, so I'm
24 going to talk a little bit more about phases, give
25 you an idea of what we've got that are completed

1 or underway now.

2 In addition, the State of Florida
3 benefits from early restoration projects that are
4 assigned to the Open Ocean and Region-Wide TIGs as
5 well, including a substantial effort to reduce
6 disturbance by lighting on sea turtle nesting
7 habitat.

8 So I'm going to give, as I said, a few
9 highlights by phase to let you know where we are
10 with these. So Phase 1 is complete in the State
11 of Florida. This included the construction or
12 enhancement of four boat ramps in Escambia County,
13 as well as a dune restoration at Pensacola Beach.

14 Phase 2 is underway. It's been underway
15 since 2013, includes its beach nesting bird
16 habitat, reduction of disturbance in the their
17 habitat. This is underway and expected to be
18 completed by 2019.

19 Phase 3, this is where we get into a
20 large variety of projects mostly in the
21 recreational use category. These are all underway
22 at various states of implementation. A lot of
23 design going on, but we do expect to have a lot of
24 construction underway sometime this fall.

25 For Phase 4, DOI will be implementing a

1 sea grass restoration project at Gulf Islands
2 National Seashore. And then in Phase 5, we've got
3 four coastal community parks that have been either
4 acquired or are in some phase of enhancement with
5 amenities design going on right now. And, in
6 fact, DEP is working with local governments to
7 identify additional parcels for acquisition within
8 this phase allocation.

9 So looking ahead to new projects, the
10 Florida TIG held its first public meeting by
11 webinar on August 25th, where we proposed the
12 initial restoration types to be tackled in a new
13 plan would be water quality restoration, the
14 provision of additional and enhanced recreational
15 opportunities, as well as habitat projects on
16 federally managed lands. So public comment on
17 those restoration types was accepted through
18 September 9th, and now the TIG is working to
19 prepare a public notice that will solicit projects
20 that are appropriate for those restoration types.

21 While we are not intending to focus on
22 the living coastal marine species or wetlands,
23 coastal and nearshore habitat in this first plan
24 after the settlement, we will be working
25 internally in the TIG to think about the future

1 for these restoration types, in conjunction to
2 related efforts. Those efforts, such as
3 frameworks that are underway with the Region-wide
4 TIG, as well as something that a lot of folks here
5 who are familiar with Florida will understand,
6 working on the restoration strategy for the
7 National Fish and Wildlife Funds, the Gulf
8 Environmental Benefit Fund in Florida. Those are
9 very related to those living, coastal, and marine
10 species, as well as those habitat types, so we
11 want to think through how to best use the NRDA
12 resources to leverage against those efforts as
13 well.

14 I do want to encourage you, if you want
15 to learn anything more about these projects we've
16 got underway or give us ideas about projects you
17 might want to see in Florida in the future, please
18 visit DeepwaterHorizonFlorida.com. That is a
19 consolidated website for the two state agencies
20 where we look at projects, not only for NRDA, but
21 also for GEBF, as well as our activities under the
22 RESTORE Act.

23 And with that, I'll turn it over to our
24 friends in Louisiana.

25 MR. ELLIS:

1 Okay. Thank you, Kelly.

2 All right. First, I would like to
3 introduce the Louisiana restoration area members.
4 And like I said earlier, I am here on behalf of
5 Johnny Bradberry, who is the Louisiana lead, and
6 Ms. Colette Charbonneau, from the Department of
7 Interior, who is also one of our Louisiana
8 members, Mel Landry with NOAA, Brad Crawford with
9 the U.S. EPA, and Michele Laur with the United
10 States Department of Agriculture. We really
11 appreciate all their support throughout this
12 process.

13 A little bit about the allocation for
14 Louisiana, Louisiana TIG will receive about
15 \$5 billion for restoration projects. As you can
16 see, our doughnut is disproportionate, and it's
17 because two of the largest allocations for the
18 Louisiana TIG are for the restoration categories,
19 Restore and Conserve Habitat and Replenish and
20 Protect Living Coastal and Marine Resource.

21 Under the first -- the first category,
22 Restore and Conserve Habitat, approximately
23 \$4.3 billion is dedicated to this category. We
24 intend to utilize these funds for coastal
25 restoration projects, to restore for the injuries

1 caused by the spill which provide sustainable
2 coastal benefits.

3 Some examples of these projects include
4 large-scale marsh creation projects, barrier
5 island projects, sediment diversions, and other
6 habitat projects consistent with the master plan.

7 The second category of the largest
8 categories is approximately \$343 million, and
9 that's to replenish and protect living coastal and
10 marine resources this allocation will be used for
11 projects that will benefit birds, oysters, marine
12 mammals, sea turtles, and submerged aquatics.

13 Okay. A little bit about the past and
14 the present and where we intend to go in the
15 future. Under the Early Restoration Phase 1
16 projects, we had a couple of projects. The first
17 project was a -- it was a Louisiana Wildlife and
18 Fisheries led project. It was an oyster cultch
19 project. It involved the placement of oyster
20 cultch onto approximately 850 acres in six
21 locations along the coast of Louisiana. In
22 addition, we constructed an oyster hatchery
23 facility to improve existing oyster hatchery
24 operations. Both phases of the project have been
25 completed and the trustees -- and we're in the

1 process of completing the final monitoring and
2 closure reports.

3 The second project, Lake Hermitage Marsh
4 Creation Project, was a win for us because we had
5 an ongoing CWPPRA project where we created about
6 549 acres of marsh, but we were able to tag onto
7 that, if you will, and created 104 acres of
8 brackish marsh, so -- for a total of over 650
9 acres. The construction is complete and
10 monitoring is ongoing for that project.

11 Presently, under Early Restoration Phase
12 3 projects, we have an Outer Coast Restoration
13 Program to restore beach dune, back-barrier marsh
14 habitats on four barrier islands. Those barrier
15 islands are the Caillou Headlands -- Lake
16 Headlands, and Shell Island, which are both led by
17 CPRA as the lead trustee. Chenier Ronquille is
18 also in construction and is -- the lead
19 implementation -- excuse me, the lead trustee is
20 NOAA. Sorry. I have kind of a dry throat from
21 sinus issues. North Breton is under engineering
22 design and it's a DOI led project.

23 In addition, what's going on right now
24 is the Louisiana Marine Fisheries and Enhancement
25 Research, and Science Center, and the lead trustee

1 is the Department of Wildlife and Fisheries for
2 that. This project is currently in the planning
3 phase.

4 In addition, the first restoration --
5 we're working on the First Restoration Plan. The
6 Louisiana TIG published the Notice of Initiation
7 of the Restoration Plan on July 12 of this year,
8 and we received comments and project proposals,
9 particularly around -- two for birds and one
10 supportive of sediment diversions, which we'll
11 obviously take into account into the plan.

12 We also published a Notice of Intent to
13 a Draft Restoration Plan on August 22 of this
14 year, and this plan will consist of evaluating
15 projects intended to restore for injuries caused
16 by damages of the spill. Also, we'll be focusing
17 on restoring coastal habitats, marshes, and in
18 addition, restoring injury to birds and injuries
19 to federally-managed lands. The goal is to
20 publish this draft plan in the next month or so,
21 and the final plan published by the end of year.

22 As far as the future is concerned, we
23 would obviously continue our vision for long-term
24 sustainable restoration in Louisiana. The vast
25 majority of our funds, around 4 billion of the 5

1 billion, is allocated to restoring wetlands,
2 coastal and nearshore habitats, so our focus will
3 be on the coastal restoration projects consistent
4 with our master plan.

5 And one thing I would like to note is
6 Governor Edwards signed into executive order
7 requiring that all Deepwater Horizon settlement
8 funds be spent on projects consistent with our
9 coastal master plan. Therefore, most of the
10 projects evaluated for consideration will come
11 from our master plan. These master plan projects
12 have already been vetted by the public, the
13 scientific community, and the Louisiana
14 legislature.

15 And with that, I'm going to turn it over
16 to Mississippi.

17 MR. RIKARD:

18 Thanks, Mike.

19 So I'm Gary Rikard. I'm the executive
20 director of the Mississippi Department of
21 Environmental Quality and the Mississippi Trustee.

22 Our Trustee Implementation Group is made
23 up of myself, Jon Hemming, Dan Van Nostrand with
24 NOAA, Michele Laur with USDA, and Troy Pierce with
25 EPA.

1 Mississippi's allocation totaled about
2 \$296 million. Of that \$296 million, about
3 \$112 million was spent during early -- or
4 allocated, I should say, during early restoration,
5 leaving about \$183 million that will be paid out
6 over the next 15 years for us to do further NRDA
7 projects.

8 So in the early restoration in
9 Mississippi, the Phase 1, a couple of projects
10 that are now in the monitoring stage, the
11 Mississippi Oyster cultch Restoration and the
12 Mississippi Artificial Reef Habitat. The Oyster
13 cultch Restoration was about an \$11 million
14 project. It restored about 1400 acres of oyster
15 reef.

16 The Artificial Reef Habitat Project was
17 a nearshore projects where we went in and enhanced
18 about 47 different reefs across the entire
19 Mississippi Sound out from each of the three
20 coastal counties, and it was about a \$3 million
21 project. Again, those projects are completed.
22 They're in the monitoring stage.

23 Presently, what's happening in Phase 3
24 and 4 of Early Restoration, there were three
25 recreational opportunities project, projects that

1 were put together to hopefully restore from past
2 recreational loss associated with the spill, and
3 that was the Infinity Science Center, the Popp's
4 Ferry Causeway, and the Pascagoula Beachfront
5 Promenade.

6 The Infinity Science Center is a project
7 that's an ongoing now. I think construction is
8 supposed to be completed sometime in mid to late
9 2017. That took an existing state-of-the-art
10 facility and expanded that with different types of
11 educational and research opportunities for the
12 public to come into, created a nature trail that's
13 about two miles long and, again, added some
14 educational opportunities for -- it's a lot of
15 school-aged children that come in and use that
16 facility now. And we just kind of enhanced that
17 and added some additional projects there.

18 The Pascagoula Beachfront Promenade was
19 approximately a \$3 million project. It creates
20 about two miles of beachfront area, expands an
21 existing walkway to about 10 feet, puts in fire
22 pits and shade and all other opportunities for the
23 public to more enjoy the beach there in the
24 Pascagoula area. And that project has begun and
25 we anticipate it being completed sometime in 2017

1 also.

2 The Popp's Ferry Causeway, that project
3 is in Biloxi Bay. It takes the existing park area
4 and does a lot of enhancement to that to the tune
5 of adding fishing piers, adding an interpretive
6 center, and putting a pretty long pier out into
7 the Bay area for the public to use. And that
8 project was about \$6 million in cost. Engineering
9 design on that project is about 90 percent and we
10 anticipate construction to begin sometime in 2017.

11 The Hancock County Living Shoreline
12 Project is sort of the -- probably the bell cow of
13 the early restoration projects in Mississippi.
14 That project, it was a \$50 million project.
15 Construction started last month. That project is
16 going to create about six miles of living
17 shorelines/breakwater, put in about 47 acres of
18 marsh creation and another 46 to 47 acres of
19 subtidal reef. And we've worked real closely with
20 NOAA as our project sponsor working on that
21 project with us.

22 And then finally, on the existing
23 projects, Restoring Living Shorelines and Reefs,
24 that project is a Phase 4 project. It's going to
25 create approximately 270 acres of subtidal reef

1 and about a mile and a half of breakwaters in the
2 estuaries across the Mississippi Coast. We
3 anticipate the construction on that project to
4 begin sometime in 2017.

5 And then looking toward the future,
6 we're working with the Mississippi TIG. In fact,
7 we had a meeting today that was -- well, there was
8 a lot of robust discussion, but very productive.
9 I think our federal partners will agree with that.
10 We're focusing on three main items. One is birds,
11 working with the Department of Interior on that,
12 nutrient reduction, and also looking at wetlands,
13 coastal and nearshore Habitats. And so that's
14 what we'll be looking at for the upcoming projects
15 in '16 and '17.

16 With that, I'll turn it over to my Texas
17 counterpart, Robin. Thank you.

18 MR. RIECHERS:

19 Well, thank you, Gary. And thank you
20 all again for being here, on behalf of the Texas
21 Trustees and the Texas TIG.

22 As indicated before, my name is Robin
23 Riechers, and I work with Texas Parks and Wildlife
24 Department, but I'm representing the Texas TIG
25 tonight. And I want to give you those members as

1 well. As I indicated, there's three Texas
2 agencies who are Natural Resource Damage
3 Assessment trustees. That's Texas Parks and
4 Wildlife, where Don Pitts is the member of the
5 TIG; the Texas Commission on Environmental
6 Quality, where Richard Seiler is the member and
7 the Texas General Land Office, where Angela Sunley
8 sits on the TIG with us.

9 Then we have our four federal agency
10 partners as well, who are represented. Chip Wood,
11 Department of Interior is represented by Chip.
12 Jamie Schubert, National Oceanic and Atmospheric
13 Administration. And I would just note that those
14 two guys used to work for Parks and Wildlife as
15 well. Michele Laur, who represents the U.S.
16 Department of Agricultural, and Doug Jacobson, who
17 also works for U.S. Environmental Protection
18 Agency. So that's our members of our TIG.

19 Now, as we move to our doughnut hole
20 that you guys are probably starting to -- all the
21 doughnut holes are running together by now, we'll
22 take a look at this one here. Certainly, the
23 larger blue area there for us is Restore and
24 Conserve Habitat. But for us, that's even a
25 little bit tighter. When you look at that chart

1 Gunter had up here, you'll notice that all of our
2 dollars in that category are in wetlands, coastal
3 and nearshore habitats.

4 Then when you go to the next, kind of
5 the burnt orange part of that, you'll see at
6 \$23 million and that's water quality. And for
7 those of you who really look at those charts
8 closely, it's rounded up here. It's 22.5 in the
9 table, but it's 23 here. And then you move over
10 to the \$91 million kind of green chart and for us,
11 that is focused on sea turtles, birds, and
12 oysters.

13 And then the 19 million which is the --
14 the next color there is 19 million, which is
15 Provide and Enhance Recreational Opportunities.
16 And for those -- as we move forward, those will
17 all be covered in earlier projects that were in
18 Round 3 and Round 4 of early restoration. And
19 then lastly, we, too, have some monitoring and
20 adaptive management and administrative oversight
21 monies.

22 So like every one else, we're going to
23 kind of go through a past, present, and future.
24 And as you can see there, we basically have
25 spent -- or are spending in our early restoration

1 activities about 59 million. All of our projects,
2 as I said -- or as I may have said, came in Rounds
3 3 and 4 of the early restoration. All of them are
4 underway and in some form of progress. Now I will
5 walk through those just a little bit.

6 Texas Rookery Islands, that's a group of
7 rookery islands that were basically being restored
8 for colonial waterbirds. There are three in
9 Galveston and one in east Matagorda Bay.
10 Dickinson Island in Galveston and Dressing Point
11 in East Matagorda Bay are under design now, and we
12 would hope that we would have construction
13 underway, at least in Dickinson by the fall of
14 2017. The other two, obviously we'll start
15 designing the minute we finish the design of those
16 two.

17 And then we move on to our artificial
18 reef projects and those were the Freeport
19 Artificial Reef Project, the Matagorda Artificial
20 Reef, and then the Mid and Upper Texas Coast
21 Artificial Reef Ship Project.

22 And those two first ones, Freeport and
23 Matagorda, are what we call nearshore reefs.
24 They're six and 10 miles respectively off the
25 Coast of those two locations. They will be done

1 with those prefab pyramids that set down.
2 Typically, we use those in shallower waters so
3 that we can still have the depth that we need to
4 have for boat traffic. And if all goes well,
5 basically the construction of that -- those
6 pyramids will be finished very soon and we can
7 start deploying them here in the fall.

8 The Ship project is well underway as
9 well. The ship is now in Port of Brownsville.
10 It's being cleaned. And if -- that project is 67
11 miles south of Galveston, and we would hope we can
12 have deployment of that in early 2017.

13 Lastly, we have two state projects, the
14 Galveston Island State Park Beach Project and a
15 Sea Rim State Park Improvement Project. The
16 Galveston Island Project is about \$10.7 million.
17 The Sea Rim was about \$200,000.

18 The Galveston Island State Park design
19 should be completed in 2018. That is a
20 redevelopment of that entire park site. This is
21 only a portion of it. That park site was
22 devastated after Hurricane Ike, and the whole park
23 is being reconstructed so that's just a portion of
24 that, but a very important portion as well.

25 And then the Sea Rim State Park,

1 hopefully we will -- design is almost finished and
2 we will be under construction quickly with that
3 one. Fairly small project with some viewing
4 areas, some comfort stations, and a fish cleaning
5 table there.

6 Lastly, and I don't think we have it
7 included here, but it was also -- some sea turtle
8 projects that we had that were included in that.
9 Those sea turtle projects basically are for
10 basically beach nesting protection and salvage
11 network protection, basically if we find injured
12 turtles. Those all were signed agreements that
13 went into place before the start this year with
14 those people, and so that has all been underway,
15 as well as nesting beach protection in South Padre
16 Island and some work that we do in Mexico through
17 a third party as well. That all took place this
18 current nesting season and that will continue.

19 There is one component to that which is
20 a law enforcement component that we will hopefully
21 start in this next spring when we're able to get
22 that extra enforcement. And basically, that's
23 putting enforcement on the water at a time when
24 there's a greater opportunity for interaction
25 between sea turtles and shrimping vessels.

1 So when we move now to the present, you
2 know, we have recently put out a solicitation for
3 individual restoration projects like all the other
4 states using all the other portals. There are
5 many, many projects that have already been turned
6 in, but we sent out a notice notifying folks that
7 we're now accepting projects again. We're fixing
8 to go forward with a NRDA Early Restoration Draft
9 Plan -- or a NRDA Draft Restoration Plan. That
10 has -- that call has either come to fruition or
11 very close to fruition. Those projects will be
12 being reviewed as we speak and moving forward, and
13 we would like to have a Draft Restoration Plan out
14 by the spring of 2017 with the hopes that we would
15 have a final restoration plan by the summer of
16 2017.

17 That's really all that I have about our
18 area in Texas. Again, thank you all for being
19 here. And now, I will turn it over to the Open
20 Ocean Restoration Team.

21 MR. BENSON:

22 Hello, everyone. Good evening. My name
23 is Kristopher Benson, and I am currently serving
24 as NOAA's team lead for the Open Ocean Trustee
25 Implementation Group, and I'm located in the NOAA

1 lab in Galveston, Texas.

2 So the Open Ocean groups members include
3 representatives of all of the federal trustees
4 for the case. So Ashley Mills is our
5 representative from the Department of Interior. I
6 am representing NOAA'SA. Michele Laur is
7 representing Department of Agriculture, and Gale
8 Bonanno is representing the EPA.

9 The federal trustees are going to be
10 working together for restoration on -- of
11 wide-ranging and migratory species that inhabit
12 the open ocean. These include water column and
13 ocean bottom fish and invertebrates, sea turtles,
14 birds, marine mammals, sturgeon, and deep sea
15 corals. And we will target restoration of these
16 species throughout their life stages and
17 geographic ranges, including inland, coastal, and
18 offshore areas. And because some of these species
19 are very highly migratory, we may use some funds
20 for restoration that's outside of the Gulf of
21 Mexico. It's important to note we will be
22 coordinating the appropriate state trustees when
23 proposed projects overlap with their
24 jurisdictions.

25 So this is what the funding allocation

1 looks for the Open Ocean area. And as you can
2 see, there's a substantial allocation for
3 monitoring and adaptive management and
4 administrative oversight, and that's partially
5 because the federal trustees represented on this
6 implementation group are drawing funds from this
7 allocation that they need for their administrative
8 oversight and their representation in all of the
9 other Trustee Implementation Groups for
10 comprehensive planning.

11 That \$350 million breaks down to \$200
12 million for monitoring and adaptive management,
13 specifically for this restoration area, and
14 \$150 million for administrative oversight and
15 comprehensive planning. The \$868 million
16 allocated to Replenish and Protect Living Coastal
17 and Marine Resources is divided between
18 \$380 million for fish and water column
19 invertebrates, \$15 million to restore sturgeon,
20 \$55 million to restore sea turtles, another
21 \$55 million to restore marine mammals, \$70 million
22 to restore birds, and \$273.3 million to restore
23 mesophotic and deep-benthic communities. Another
24 20 million was allocated in early restoration to a
25 project to benefit highly migratory fish.

1 And \$22 million was also allocated in
2 early restoration to provide enhanced recreational
3 opportunities on federal lands in Mississippi,
4 Alabama, and Florida. And those funds show up
5 under the columns for those states in the funding
6 allocation table that you saw earlier, but because
7 the projects are federally led, the funding for
8 those projects flows through this all-federal
9 Trustee Implementation Group for administrative
10 efficiencies.

11 This slide, like the other groups, will
12 tell you a bit about where we've been, where we
13 are, where we're going. As I just described,
14 early restoration projects undertaken by the Open
15 Ocean Implementation Group include \$42 million to
16 benefit fish and water column invertebrates with
17 the pelagic long line by-catch reduction project
18 and to provide an enhanced recreational
19 opportunity on federal lands.

20 We are currently working toward the
21 release of a Notice of Intent to perform
22 restoration planning, which we intend to publish
23 in mid to late November. And with that notice, we
24 will be soliciting input from the public about
25 projects that will be appropriate to accomplish

1 our goals for specific restoration types that will
2 be identified in that notice.

3 We'll also look for public comment on
4 that topic during a public meeting in early
5 December. And we're currently working through the
6 logistics of how to make that meeting accessible
7 to all, either through webinar or in person.
8 We'll then work through the spring and summer of
9 2017 to release this Trustee Implementation
10 Group's Restoration Plan in the fall of next year.

11 So with that, I look forward to hearing
12 comments this evening. I'm happy to speak to
13 anyone separately if you have any questions I can
14 answer about the work that our group is doing.
15 And I'll hand it over to Colette to tell you about
16 the work that the Region-wide TIG is doing, so
17 thank you very much.

18 MS. CHARBONNEAU:

19 Good evening, everyone. I'm Colette
20 Charbonneau. I'm the Deepwater Horizon
21 Restoration Program Manager for the Department of
22 Interior, and I'm representing the Region-wide TIG
23 tonight. The Region-wide TIG is the TIG that's
24 going to bring it all together along with the
25 Trustee Council.

1 We are region-wide and our membership
2 includes a member from each of the state trustees
3 as well as all the feds, so we encompass all the
4 trustees on our TIG.

5 The allocation that we have received
6 through the settlement includes the region-wide
7 work that will be done for the critters, the
8 marine mammals, the sea turtles, the birds, and
9 the oysters, those critters that cross state lines
10 and we can look at them region-wide across the
11 whole Gulf. And we also have a large piece for
12 the monitoring and adaptive management, and this
13 will be looking to do the monitoring across the
14 Gulf to see how the restoration is progressing.

15 We also have the administrative
16 oversight. This helps support the work that the
17 Trustee Council needs to support all the TIGs, and
18 we'll see that on the next slide.

19 So for the past, we also have some early
20 restoration projects that we are watching over,
21 and we have the Sea Turtle Early Restoration
22 project. There's two components. One is the
23 stranding and salvage network, which goes across
24 the five Gulf states, as well as development of an
25 emergency response program for sea turtles across

1 those five states. It's a 10-year project that is
2 just beginning this year with developing
3 implementation memos.

4 We also have the enhanced management of
5 avian breeding habitat. And this is a project
6 that is on federal lands, but it's in Florida,
7 Alabama, and Mississippi, so it's region -- a
8 little bit more region-wide and it's crossing
9 several states. This project is in its fourth
10 year this year. Next year in 2017 will be the
11 last year of this five-year project.

12 And the last project we have is
13 Restoring the Night Sky, which is in Florida and
14 Alabama, and that's to expand the dark from some
15 of our state and federal land for sea turtle
16 nesting, and it's also good for birds.

17 What we've been working on presently, in
18 coordination with the Trustee Council with that
19 administration oversight money, is to help set up
20 the lead administrative trustee and that entity
21 helps support all of the TIGs with
22 administration -- with administration -- I lost my
23 place -- the website, financial tracking
24 reporting, the reporting out to the public and our
25 administrative record and also the restoration

1 portal for the trustees as a whole where you can
2 submit restoration ideas and projects that we all
3 will look at in our restoration planning efforts.

4 Also, with the Trustee Council, we have
5 set up a cross-TIG, monitoring and adaptive
6 management work group, so this is a work group
7 that has been pulled together with trustee experts
8 that will develop monitoring and adaptive
9 management standards that all the TIGs will use in
10 their restoration planning and to monitor their
11 projects.

12 We are also setting up teams that
13 consist of trustee experts that will develop
14 strategic frameworks for sea turtles, marine
15 mammals, birds, and oysters, and these groups will
16 develop the strategies to restore these critters
17 across the Gulf.

18 And then in the future, we've decided to
19 be patient and just take a step back, and we'll be
20 watching all the other TIGs that came before me in
21 their restoration efforts. And we're going to pay
22 attention to what they are doing and see if
23 there's any restoration gaps that need to be
24 filled and then the Region-wide TIG will step in;
25 or if there are projects that all the TIGs are

1 looking at that are the same, for -- such like for
2 sea turtles, then maybe that's a place where the
3 Region-wide TIG can step in and we would do that
4 in our restoration planning and use our allocation
5 to do that region-wide type work.

6 So I would like to follow up from Patti.
7 She started out thanking you all for coming. I
8 want to echo for that. Thank you for spending
9 your time with us tonight. And then I'll hand it
10 over to Perry.

11 MR. FRANKLIN:

12 Okay. So that was a lot of information
13 why don't we just take a second to stand up and
14 just kind of get ready for the second half of
15 tonight's meeting. Let's just take a second.
16 That was a mouthful.

17 (Short break.)

18 MR. FRANKLIN:

19 I would like to remind each of you that
20 in order to make a comment at this point, you need
21 to let us know in advance of coming forward. If
22 there is anyone who would like to get their names
23 on the speaking list who did not simply check
24 "yes," on the blue card, if you'll just raise your
25 hand, we'll get a blue card to you and that person

1 will get that blue card to me.

2 Is there anyone who did not check "yes"
3 on their blue card when they walked in and would
4 like to now make a public comment who did not
5 earlier? And no problem, if you change your mind,
6 if you don't hear somebody expressing your opinion
7 or view or comment, raise your hand at any point
8 and we'll get a card to you.

9 Because we have a number of speakers
10 tonight, we're going to limit to three minutes as
11 we typically do. Some people have driven many
12 miles to be here tonight. We want to respect
13 everyone's opportunity to be heard. When you
14 begin speaking, there's a little monitor
15 underneath the screen, it will be green for the
16 first two and a half minutes. It will be yellow
17 in the last 30 seconds. And when it turns red, I
18 would hope that you would acknowledge that and go
19 ahead, take your seat, wrap it up so that the next
20 individual can come forward. Thank you in advance
21 for honoring the three-minute rule.

22 When you do come forward, I will do my
23 best with your handwriting to state your name and
24 the organization that you're representing. To
25 make sure that we get it proper and correct for

1 the record, if you will state your name and if
2 you're representing an organization, that you also
3 state the organization that you want to be
4 reflected in the public record.

5 So at this time, let's go ahead and get
6 started. The first individual to speak is Scott
7 Eustis with Gulf Restoration Network. While Scott
8 is coming forward, I will next call Mr. Tucker
9 Mendoza.

10 If you'll state your name and
11 organization for the record, sir. You have three
12 minutes.

13 MR. EUSTIS:

14 Good evening. Yeah. Scott Eustis, New
15 Orleans, Louisiana. I'm the Coastal Wetlands
16 Specialist for the Gulf Restoration Network for an
17 more than 20-year-old clean water and sustainable
18 fisheries organization across the five states in
19 the Gulf of the Mexico, so we're often tasked
20 looking to where the holes are in the plan, where
21 the cracks are.

22 I think, you know, we've -- in our
23 comments, we've heard, I'm sure, you're not
24 thinking about the formation, the system of
25 government. For the NRDA part of the settlement,

1 it seems designed with a lot of holes and a lot of
2 places where the different TIGs will interact.
3 Because instead of being based on a watershed
4 approach, you're just segmented into different
5 political entities, and we're concerned how this
6 process is going to overlap with itself and click
7 with itself because often, you know, the water
8 flows across the state lines and several really
9 important rivers, like the Pearl River, the Sabine
10 that are, you know, on both states.

11 In our experience as an environmental
12 organization, if you have two entities, government
13 entities charged with the care of a resource, we
14 can get in a pointed game where it's neither's
15 responsibility. So we're concerned about the
16 coordination of this process amongst itself, but
17 also with the Restore Council and all of the other
18 processes across the Gulf.

19 You have a great task ahead of you, a
20 huge task and often you can find yourselves
21 conflicting amongst yourselves with these groups.
22 You can -- there are many outside pressures to be
23 aware of as we, you know, move into the hottest
24 year in human history with the hottest Gulf sea
25 surface temperatures we have ever seen.

1 And your job -- we don't want to see
2 some of the -- a lot of these outside pressures
3 subvert the good -- all the good work that you're
4 doing. And that looks very different in all kinds
5 of states. In Louisiana, we have our own troubles
6 with coastal consistency and compliance with the
7 Coastal Zone Management Act. This latest governor
8 has been the strongest governor we've ever seen on
9 holding oil and gas companies into account. This
10 past summer has been a really bad summer, though,
11 for oil spills in Barataria Bay, a place where we
12 have a lot of restoration projects from a
13 particular company, Hilcorp, whose business model
14 is to go in to oil -- the oil fields where a lot
15 of the restoration is planned.

16 So thanks so much for that executive
17 order on coastal consistency, and we hope that the
18 plan moves forward as -- and the damages that are
19 ongoing and coming for us aren't -- the burden
20 isn't placed on the restoration program when it
21 should have been taken care of in another process,
22 another environmental review process. Let's get
23 ahead of those other impacts that may be outside
24 of your jurisdiction, but we can see them coming.
25 A lot of times we had --

1 MR. FRANKLIN:

2 Let's go ahead and wrap up, Mr. Eustis.

3 MR. EUSTIS:

4 Right.

5 Sometimes it's from industry. Sometimes
6 it's from states or other parts of the state
7 program. We're also concerned that because both
8 the Restore Council and NRDA are very
9 state-driven, the Open Ocean pot will be used to
10 kind of cement where those cracks come.

11 So just -- we would like to see more
12 transparency on how these projects mesh because
13 when we come to y'all with projects, we're often
14 told, it's this one and that one and the other
15 one, and it's ending up being none of them. So
16 thank you very much for your time and all your
17 work.

18 MR. FRANKLIN:

19 Thank you, Mr. Eustis.

20 Next speaker will be Mr. Tucker Mendoza,
21 followed by Thao Vu.

22 MR. MENDOZA:

23 My name is Tucker Mendoza. I'm a Gulf
24 Coast response -- responder. The thing is, I want
25 to ask a question.

1 First, I've got a statement. The
2 statement is, on September 6, a dredging company
3 working on a restoration project caused a 5,000
4 gallon spill.

5 My question to that is: Does this group
6 have any plans to help prevent spills during
7 future restoration projects and what is that plan?

8 MR. FRANKLIN:

9 If you'll just state your comment. This
10 is a listening table, if you'll just state your
11 comment for the record.

12 MR. MENDOZA:

13 Okay. Who will be in charge of that
14 plan? And a solution to that plan would be to
15 have all the dredging companies or corporations
16 that are working on these projects to be trained
17 for a faster response. And when I say "a faster
18 response," not meaning like the last response that
19 we just had. If those people had to respond -- we
20 could have lessened the impact to the marsh grass
21 and to the project that we're working on. I have
22 some problems with some of the -- some of the
23 response situations to that project, such as
24 sometimes it seems like we're doing more damage
25 than we are doing good, such as we're utilizing

1 all these air boats to go in there and do some of
2 these works. What I'm noticing is that these air
3 boats going into these hot zones and then leaving
4 out of hot zones or circling around marsh grass
5 causing more cross-contamination. We need to work
6 on a better plan to have a better response and to
7 do less cross-contamination.

8 And that's it for me, I guess. But I
9 hope y'all have a plan for the next one because I
10 am assuming there's going to be future problems.
11 And I -- as a responder, I do understand the
12 faster that we contain this, the less impact on
13 the environment will be. And, again, we have a
14 real, real lack of training for offshore
15 responders these days.

16 Again, I've been doing this since the
17 Exxon-Valdez. I've been in that field. I see
18 things. I know things that people don't see and
19 know. And if we don't treat and if we don't train
20 these people to respond better than what we're
21 doing, we're doing more damage than good to the
22 environment. Okay. Thank y'all.

23 MR. FRANKLIN:

24 Thank you, Mr. Mendoza.

25 Next individual to come forward is Thao

1 Vu, followed by David Muth.

2 You're next.

3 MS. VU:

4 Thank you, Mr. Hunter.

5 Good evening. Thao Vu. I'm with the --
6 I'm the director of the Mississippi Coalition for
7 Vietnamese-American Fisher Folks and Families.
8 It's a pleasure to see some familiar faces. I've
9 attended some of the recent Restore Council
10 meetings, and I think some of us would greatly
11 appreciate better communication and coordination
12 between the various coastal restoration trustees
13 and councilors.

14 I think this month alone, there's been
15 so many meetings, public meetings and there are
16 some state deadlines and it's very difficult for
17 some of us to be able to travel extensively or be
18 as active in the forums. I know that's very
19 important for our -- you know, in terms of public
20 participation for us to be as actively -- you
21 know, to be informed and get the right
22 information, but it's very challenging.

23 Actually since last week, I've attended
24 multiple meetings, Restore Council meetings, an
25 Alabama meeting to get an overview, and that was

1 very helpful as well, and the Restore Council, and
2 then this NRDA meeting, followed by some
3 deadlines, comment deadlines that are just around
4 the corner. It's very, very challenging for us,
5 so please help spread it out. That's one of our
6 wishes right now.

7 The other thing is that this location is
8 really, we don't think -- and this has been
9 expressed before -- very accessible for the
10 public. If this is really generally a public
11 meeting, we ask that you actually go to more
12 accessible locations that are outside of hotels.
13 And I think many of us here are not really just
14 regular folks. Many of us here are really maybe
15 with an agency or institution or university or
16 perhaps a large organization. It's very
17 challenging for some of us to be here.

18 I work with a -- primarily the
19 Vietnamese-American fishing communities in
20 Mississippi and right now, as I expressed earlier,
21 the shrimping season is very hard for them to
22 attend this. We appreciate the translated fact
23 sheets for all the TIGs. However, that's a very
24 high number of TIGs. That's seven, wow. We can
25 only envision how difficult and challenging it

1 will be moving forward for those of us who are
2 trying to be as active and informed and engaged
3 and to bring the information back to your
4 constituency. You know, how are we going to be
5 able to keep up with all of this?

6 And I think that in the future, we
7 greatly need more than three minutes. I know the
8 three minutes is typical. But if we had to
9 comment on each TIG, three minutes is really
10 insufficient. And I know this is the first
11 informational meeting. I know moving forward, I
12 think we're going to need more than three minutes.

13 And another great thing we want to
14 recommend is, in terms of the projects, if there
15 is a way for the public to be more re-engaged in
16 terms of developing the projects, if the projects
17 have greater analysis of the pros and cons.

18 Right? And not only the status of the projects,
19 but in terms of the monitoring, is it really on
20 track to reach the restoration objectives or not.

21 Right? And if it's not, what are the adaptive
22 management practices that will be taking place?

23 The last comment is that on -- the
24 Restore Council recently just -- it's trying to
25 update its comprehensive plan. And in the plan,

1 they're asking for improved coordination between
2 all the coastal restoration processes. We would
3 like the -- you know, we would like the NRDA,
4 Trustee Council, as well as the individual TIGs to
5 try to really communicate and coordinate all of
6 your restoration efforts, you know, from project
7 implementation -- project design to implementation
8 and monitoring and make sure that everything is
9 uniform, consistent. Make sure that we really
10 have effective restoration. I think particularly
11 for the natural resource-dependent populations,
12 this is critically important that we get it right.
13 Thank you.

14 MR. FRANKLIN:

15 Thank you, Ms. Vu.

16 Next speaker is Mr. David Muth, followed
17 by next would be Natalie -- and, Natalie, I'm
18 going to butcher your name.

19 MR. MUTH:

20 Natalie, you want to just come up and
21 step on me like I did -- my name is David Muth.
22 I'm the Gulf Restoration Program Director for the
23 National Wildlife Federation working in all five
24 states. I work here in New Orleans with a lot of
25 partners working on Gulf restoration.

1 We really appreciate the opportunity to
2 come speak to you tonight. We appreciate the work
3 that has gone into this extraordinarily complex
4 undertaking. You, as trustees, are in charge of
5 one of the most exciting opportunities for
6 meaningful, large scale, comprehensive restoration
7 of an ecosystem ever undertaken on this planet,
8 funded for the next 15 years with \$8 billion.
9 That's something that very few programs have ahead
10 of them. And we look forward to working with you.
11 We're very pleased with much of what we have seen
12 so far. We will be providing written comments as
13 this process unfolds.

14 Our concern and I think it's a concern
15 shared by everyone at this table, many of you have
16 several hats, is that in addition to the funds
17 that are going to be available for the natural
18 resource damage repair, we need to see
19 coordination, complete coordination, across the
20 board with NFWF, the Restore Council, and with
21 each of the individual state and federal agencies
22 that are engaged in this work. That greatly
23 compounds the possibilities for this restoration
24 program and for the work that you're doing. We
25 know that you have all expressed the desire to do

1 that, and we merely urge you to make that happen,
2 to find the mechanisms that are going to be
3 necessary to make that happen. We appreciate that
4 very much.

5 We might mention that the meetings the
6 Restore Council has proposed for coordination next
7 year and hope that since some of you are on the
8 Restore Council that that happens and that becomes
9 a framework if appropriate for moving forward.

10 So I'm going to thank you all, once
11 again, on behalf of my staff and my partners. I
12 welcome you to New Orleans and look forward to
13 working with you as we go forward. Thank you very
14 much.

15 MR. FRANKLIN:

16 Thank you for your comments. The next
17 individual will be Natalie --

18 MS. PEYRONNIN:

19 I'll handle it.

20 MR. FRANKLIN:

21 Okay. You'll handle it. Followed by
22 Kara Lankford next.

23 MS. PEYRONNIN:

24 Hi, I'm Natalie Peyronnin with the
25 Environmental Defense Fund. I'm here representing

1 the Mississippi River Delta Coalition, a
2 collaborative effort of EDF, National Wildlife
3 Federation, National Audubon Society, the Lake
4 Pontchartrain Basin Foundation, and the Coalition
5 to Restore Coastal Louisiana.

6 First, I wanted to thank y'all for being
7 here and we greatly appreciate the work that went
8 into the Programmatic Restoration Plan and
9 specifically the emphasis on restoring physical
10 processes at a landscape scale and the importance
11 of restoring Mississippi River Delta and its
12 riveting process to those coastal habitats and
13 wetlands.

14 We understand that y'all are --
15 specifically the Louisiana TIG is developing and
16 finalizing the First Restoration Plan. We would
17 love to see an emphasis in that restoration plan
18 and commitment from the Trustees to use the
19 Louisiana Coastal Master Plan as the
20 decision-driver for the restoration funding moving
21 forward.

22 And we also would like to reiterate the
23 support of CPRA, who has come out and said that
24 we -- that they would like to use NRDA restoration
25 funding to fund the construction of the

1 mid-Barataria sediment diversion. Would love to
2 see the Trustee Council's commitment to that
3 within the restoration plan moving forward, not
4 only to indicate where the restoration plan is
5 going to go in the future, but also to ensure that
6 you're coordinating at this ground level. While
7 engineering design is going on, while permitting
8 is going on, that there is coordination between
9 the Trustee Council who potentially would fund the
10 construction with the other NFWF and Restore who
11 could potentially fund some of the engineering
12 design work on sediment diversions, so thank you.

13 MR. FRANKLIN:

14 Thank you very much.

15 Next individual to give public comment
16 is Ms. Kara Lankford with the Ocean Conservancy,
17 followed by Casi Callaway.

18 MS. LANKFORD:

19 Hi, everyone. My name is Kara Lankford.
20 I'm with Ocean Conservancy. It's good to see
21 everyone this evening. Thanks so much for the
22 opportunity to give comments tonight.

23 I think one of the great things that
24 happened after settlement was it removed any
25 barriers to transparency and creates a great

1 opportunity for information to be shared with the
2 public and to increase the public's role in the
3 restoration planning effort going forward,
4 including making any meetings or at least
5 dedicated portions of meetings open to the public.

6 Given the decentralized government
7 structure of the TIGs, we believe it is crucial
8 that the full Trustee Council continue to meet on
9 a regular basis for TIGs to proactively share
10 restoration plans, best management practices, and
11 to consider how they're intended activities fit
12 together into the larger restoration landscape.

13 With the first BP payment happening
14 April 2017 -- that day is fast approaching, by the
15 way -- open communication and structured
16 coordination with all Deepwater Horizon
17 restoration programs is particularly important to
18 ensure all programs are in sync and working
19 towards similar goals and not cross-purposes.

20 We appreciate the Trustees moving
21 forward -- moving the process forward with
22 releasing their standard operating procedures and
23 addressing many important topics and helping
24 clarify important protocols. In particular, we're
25 encouraged by the trustees' commitment in the SOPs

1 to coordinate with other Deepwater Horizon
2 Restoration Programs.

3 We strongly urge the trustees to
4 participate actively the workshops set out by the
5 Restore Council in their updated comprehensive
6 plan. We also commend the Trustee Council for
7 establishment of the cross-TIG monitoring adaptive
8 management work group, which we believe will serve
9 a critical role in coordinating and, where
10 appropriate, standardizing the Trustee Council's
11 data collection and monitoring process both
12 internally, amongst individual TIGs, and
13 externally with other restoration programs. And
14 in the spirit of advancing the science of
15 restoration following the principles of
16 ecosystem-based management, we urge the Trustees
17 to coordinate with other restoration programs and
18 the cross-TIGs to develop comparable monitoring
19 standards and an integrated data monitoring
20 system. Thank so much.

21 MR. FRANKLIN:

22 Thank you, Ms. Lankford.

23 Next individual Casi Callaway, followed
24 by Matt Rota.

25 MS. CALLAWAY:

1 Thank you, and thank you for getting
2 that right, Perry. I'm Casi Callaway. I'm the
3 executive director of Mobile Baykeeper. And also,
4 I'm -- very, very cool to be here. Very, very,
5 cool for this opportunity.

6 What y'all are doing, especially the way
7 you're setting it up to make sure you're doing it
8 by state, but you're also doing it by region and
9 by Open Ocean is just as imperative that we keep
10 those -- all those conversations happening.

11 The thing I want to talk about
12 particularly for Alabama, of course, is the
13 challenge of addressing lost use of our water --
14 access to our waterways and making sure that we
15 don't create projects that then further limit
16 anybody from that. So we've stated this, I think,
17 maybe 4- or 500 times to make sure that we're
18 doing land acquisition, that we get the public
19 able to get to beaches. It sounds like that's
20 happening in some other states, too, that we're
21 looking at buying land and building projects on
22 them and making them -- when there really needs to
23 be a good emphasis on making sure that we're
24 keeping that access open.

25 The next thing I want to talk about,

1 too, that y'all probably saw, a Duke University
2 study came out today about wetland loss and impact
3 from wetland loss, so -- and I know all the really
4 awesome science organizations and the amazing
5 scientists that sit on the NRDA TIGs are vitally
6 important to this. But I think what we also need
7 to make sure we reiterate and make sure y'all hear
8 is to consistently look at new science and looking
9 at new data to make sure that if -- just because
10 we think we had an impact, there may be a greater
11 one, there may be something else coming along and
12 the science really is the driver for that.

13 Very excited to see such a focused --
14 especially from Open Ocean on monitoring. Need to
15 see that in all five Gulf states because our
16 biggest problem starting with this is that we
17 didn't have any good baseline data. Said before,
18 said for six and a half years, let's not have to
19 say this a whole lot longer.

20 The next thing, I think Natalie stated
21 about using the master plan in Louisiana, use all
22 master plans. Alabama is going through a
23 phenomenal process now with other funding to have
24 watershed management plans on every watershed.
25 We've got the Army Corps of Engineers developing a

1 master plan. All I want for Christmas is a master
2 plan, and then I want you to use it. So that is
3 vitally important. I don't want another master
4 plan that's on a shelf or -- shelf art, is what
5 they call it.

6 Again, also, I think David mentioned
7 this, too, I want to say it again is, collaborate,
8 connect. Make sure that NRDA is working with NFWF
9 is working with Restore. Make sure that the
10 Restore federal council is working with our state
11 councils and our state issues and our county
12 issues. Make sure that all of you are working
13 together to make sure the projects are happening
14 at the right time, together so that we're not
15 working at cross-purposes.

16 And then lastly, and this is just hugely
17 important to all of us -- and I want to say Thao
18 Vu said it the best, but it's keeping those lines
19 of communication open. I did mention to
20 Commissioner Guy earlier that if I hear somebody
21 else say I've never been included in this process,
22 why didn't you include me, then I might have to
23 be mean. But it is hard and I get that, but
24 keeping these kind of meetings happening is just
25 vitally important, and we appreciate it. Thank

1 you.

2 MR. FRANKLIN:

3 Thank you, Ms. Callaway. Individual and
4 coming forward, Matt Rota, be followed by Sean
5 Duffy. Mr. Rota, name and organization, please.

6 MR. ROTA:

7 Hi, I'm Matt Rota. I'm the senior
8 policy director for the Gulf Restoration Network.
9 I'm going to try not to repeat what a lot -- what
10 you've heard is some excellent things from Scott,
11 Natalie, David, from Casi, from all these other
12 great people. And thank you for being here today.

13 One thing that I did want to mention is
14 frustration. Whenever I was coming to this
15 meeting, I had no idea what this meeting was going
16 to entail. There was no agenda. There was like a
17 paragraph saying that we're meeting and that's
18 about it. And I know the NRDA is important so
19 That's why I came. So, you know, being more
20 straightforward as far as what the goals of the
21 meeting are going to be, what is the audience
22 going to get, what kind of contribution is the
23 audience going to be able to give, you know, as
24 far as -- there was mention there was going to be
25 a comment period, which is good.

1 So, you know, being more proactive with
2 that because, you know, people might have come
3 that didn't know what was going to happen so they
4 decided not to come, and vice versa. There might
5 be people in here that are wondering what they're
6 doing here now that the meeting is happening. So
7 I want to make sure that, you know, we know what
8 the meetings are going to entail.

9 Also, you know, I think this is a great
10 opportunity because there's been a lot of
11 frustration with NRDA up to the settlement because
12 of this legal black box that we couldn't really
13 look into for understandable reasons because there
14 was litigation -- ongoing litigation. But now I'm
15 excited to see that that box is being opened up,
16 and I want to encourage y'all to keep putting out
17 all the data that you're gathering, all of the
18 information that you're putting out there, what
19 you're considering because there's a lot to make
20 up for with that lost process of not knowing what
21 y'all have been doing for, you know, five-plus
22 years. So I understand that necessity, but that
23 black box needs to be wide open at this point, so
24 I encourage you to keep doing that. Having a data
25 portal is great and keeping going with that.

1 Finally, I guess the last thing that I
2 would like to say, because like I said I don't
3 want to repeat all the other things that everybody
4 else has been saying, is moving forward with all
5 these projects, I want us to not just focus on
6 money and how much money we're spending. I see
7 that with federal agencies and state agencies,
8 being proud about how much money they spent
9 whenever what we really want to see are results.
10 We want to see how many acres have been restored,
11 how many more people are getting to the beaches,
12 how much less nitrogen phosphorous is flowing into
13 our waters, how many more people are getting out
14 there to enjoy it, how many more birds are
15 nesting, how many more turtles are nesting. Those
16 are the things we want to hear about. We want to
17 hear about how things are being restored.

18 The money has been allocated. Now you
19 need to spend it the best way possible and make
20 sure that you're sharing the results and when you
21 aren't getting the results that you wanted,
22 sharing with us what happened and how it's going
23 to be fixed. Thank you.

24 MR. FRANKLIN:

25 Thank you, Mr. Rota.

1 Next individual, Mr. Sean Duffy, Big
2 River Coalition, followed by Karen Gautreaux.

3 MR. DUFFY:

4 Yes. I appreciate the comments before
5 me, as I wasn't exactly aware of what to expect
6 either. So first of all, I appreciate you being
7 here. And I didn't come here to offend anybody.

8 I do represent the navigation industry,
9 and I think it's important in New Orleans and in
10 Louisiana to remember the economics of the
11 Mississippi River. George Friedman from StatFor
12 wrote a great article called "The Inevitable
13 Empire," and basically what he said was this
14 country is great because of where it is and what
15 it had, not necessarily because of who we were.
16 And I'd like to think that maybe we can start to
17 prove him wrong. Maybe we can do some things that
18 benefit the environment and also the economics of
19 the river and the State of Louisiana itself.

20 I understand the master plan. There's a
21 lot of projects that happened with dredging that a
22 lot of the people used to call the material
23 spoils. I also knew one day I was going to drive
24 past a sign in Louisiana that said, Welcome to
25 Spoiled Louisiana. So I thought, spoils is not

1 what we're talking about. This is a resource.
2 This is a valuable commodity to us. It's what
3 this state was built upon.

4 And the Big River Coalition, in
5 partnership with the Corps of Engineers, and
6 dredging contractors and members of CPRA and
7 before there was a CPRA have talked about
8 beneficial use of dredging material, or the term I
9 like use is sediment recycling. We need
10 oftentimes the dredge material out of the river,
11 especially after a high river, some of the storm
12 impacts. And what better place for it to go than
13 back into the marsh just over the river channel?

14 As I stand here today, I can tell you
15 that in 2009 with -- through this partnership, we
16 started using cutterhead dredges in the lower
17 Mississippi River. When I talk about "lower
18 Mississippi River," I'm talking about the real
19 lower end, below Venice, so 80 to 90 miles below
20 New Orleans. And what happened at that time was
21 the first year we did it, they created about 43
22 acres. But last year, over 50 percent of the
23 material dredged below Venice was beneficially
24 used. 2,000 acres of land was created. In the
25 Morgan -- there's a project. They talk about the

1 Hopper Dredge Disposal Area, which will create
2 another thousand acres of land. In this area
3 below Venice, although there's not really
4 inclusion in the master plan, we do have a letter
5 stating that it's complimentary to or consistent
6 with the master plan.

7 And I spoke at the State of the Coast.
8 And, again, I'm often in the room with scientists
9 and I'm just a navigation guy. I'm just a kind of
10 common-sense, this is what we're looking at -- but
11 the numbers that I talk about with the cutterhead
12 dredging and -- being used to create acreage is
13 \$2.70 a cubic yard. That's a five-year average.
14 Someone else on the same panel had a number within
15 the state -- taking material from the river and
16 was using a \$30 a cubic yard. Well, of course, if
17 you pump the material long distances, the costs go
18 up, but we're dredging the material from the river
19 and beneficially using it. And the HDDA project,
20 it okayed about 1,000 acres.

21 One of the things that I'll remember and
22 the two most trying times of my life as a single
23 dad in Louisiana were Hurricane Katrina and the
24 oil spill, Deepwater Horizon. I testified before
25 the president's Oil Spill Commission after working

1 18-hour days with the Coast Guard to try to put
2 the river back together, and I had no idea what I
3 was getting into. When I noticed everybody next
4 to me had a team of lawyers and statements that
5 were written, I almost developed the stomach flu
6 to get out of the room. But I decided I was going
7 to talk about what I knew, the river, navigation,
8 importance of the dredging, maintaining the river,
9 and trying to take that material that is a
10 hinderance in the channel and move it to create
11 a --

12 MR. FRANKLIN:

13 Mr. Duffy, if you can go ahead and wrap
14 up.

15 MR. DUFFY:

16 So since that started in 2009, after
17 this HDDA project, that's 7,000 acres that's been
18 created below Venice. So my point, I guess, is
19 that there's real-time projects that can be done
20 tomorrow with a check, that can be done right
21 away. And no offense to the master plan and some
22 of the other folks, but it doesn't have to be
23 studied. It doesn't have to be reviewed. It's
24 been being done. And hopefully we can look at
25 doing more of that.

1 And I'll look forward to the draft
2 report and following comments, but the river was
3 really impacted during this oil spill too. There
4 was areas in Southwest Pass that were shut down.
5 Hopper dredges encountered oil too. A lot of the
6 marsh in that area was oil. I would like to see
7 us remember those areas in the river that were
8 oiled as well. Thank you.

9 MR. FRANKLIN:

10 Thank you for your comments.

11 Next forward, Ms. Karen Gautreaux and
12 she will be followed by Chris Lagarde.

13 MS. GAUTREAU:

14 Okay. Thank you. I'm here as director
15 of government relations for the Nature
16 Conservancy's Louisiana office. And I'm also part
17 of our Gulf of Mexico team.

18 And many of you know that TNC has been
19 involved in the long-term conservation with the
20 Gulf. As a matter of fact, we've been engaged for
21 about 40 years we have staff chapters in all the
22 five states, and we're committed to long
23 restoration of the Gulf.

24 So we've closely followed the
25 development of the PDARP and believe it is a sound

1 scientific-based -- science-based, excuse me,
2 analysis of the specific damages caused by
3 Deepwater Horizon, the species and habitats in the
4 Gulf and it presents appropriate recommendations
5 for restoration actions to address that damage.
6 We're also very supportive of the monitoring
7 adaptation provision set out in the DARP.

8 We have a few recommendations to echo
9 some of the ones that you've already heard today.
10 First, we recommend that the state Region-Wide and
11 Open Ocean TIGs establish a formal mechanism for
12 government agencies, organizations, and
13 individuals to have input into the drafting of the
14 restoration plans for specific species and
15 habitats, including the opportunity for specific
16 project proposals for the implementation plans.

17 TNC will soon propose such project ideas
18 beginning with recommendations on birds, gulf
19 sturgeons, and then oysters and oyster reefs.

20 In general, now that the settlement has
21 been reached with the BP, we believe the TIGs can
22 be more public and open in their deliberations, as
23 has been noted earlier in the evening. And to
24 echo the comments on the necessity for close
25 cooperation and coordination with plans, we're

1 spending the Natural Resource Damage funds that we
2 need to coordinate them with Restore and NFWF
3 environmental benefit funds.

4 This oil spill is a unique opportunity
5 to make long-term projects -- to do large scale
6 and long-term projects that contribute to the
7 restoration of the Gulf of Mexico ecosystem, but
8 that goal can only be achieved if the funds
9 allocated to various categories are invested in a
10 coordinated way that will provide the foundation
11 for comprehensive Gulf restoration.

12 For inshore waters, we continue to
13 believe that watersheds are an appropriate
14 cleaning unit for multiple restoration
15 investments. Toward this end, you need to endorse
16 the coordination workshops included in the Draft
17 Gulf Comprehensive Restoration Plan update now
18 under review by the Restore Council, and other
19 such mechanisms to design large-scale and
20 multi-faceted projects with multiple funding
21 sources.

22 So, again, thank you for the opportunity
23 to speak tonight and we look forward to working
24 with you in the development and implementation of
25 the restoration projects in the Gulf.

1 MR. FRANKLIN:

2 Thank you, Ms. Gautreaux.

3 Next individual, Chris Lagarde, followed
4 by John Hosey.

5 MR. LAGARDE:

6 Hi. Good evening. Chris Lagarde from
7 Bay St. Louis, Mississippi.

8 I think some of you all were in Long
9 Beach the other night when we had -- that
10 thunderstorm came down. I think that was a
11 godsend for whatever reason. It was lightening
12 and rain and we all got wet leaving the place.

13 I represent myself. I'm a citizen.

14 (Applause.)

15 MR. LAGARDE:

16 One of the things I've heard tonight is,
17 I've heard "recreational" four times. I haven't
18 heard nothing about commercial. And we all now
19 know the way to create wealth is oil, timber, and
20 fisheries. And I think the recreational sector is
21 driving a lot of this. These artificial reefs,
22 for instance, you want to see some gnashing of
23 teeth, build an artificial reef and tell them they
24 can't fish on it. That would do some good for
25 conservation, but it's not about conservation.

1 It's about catching more fish. And they're after
2 not conservationists. One of the things
3 artificial reefs do is put shrimpers out of
4 business because you can't drag on top of an
5 artificial reef. You build a reef out in the
6 Gulf, those guys can't shrimp anymore.

7 Our big problem in Mississippi, among
8 others, is water quality. We probably have the
9 worst quality. We've had the beach closings.
10 We've red tide. We've have low DO. We've had
11 fish kills. And our Coast is not that big. We
12 ought to be able to figure it out.

13 After Katrina, we spent millions fixing
14 our sewers because we were basically washed out.
15 Right? All our sewer systems got rebuilt. Yeah.
16 We have beach closings. They call them
17 advisories. We don't even have the nerve to tell
18 the people that you really ought not be in that
19 water. Don't go in that water. You know how we
20 tell the tourists? They're the ones in the water.
21 All right? And that's kind of sad, but the locals
22 won't go in the water.

23 Wetland permitting, building wetlands is
24 wonderful but if we're going to continue to permit
25 the destruction of wetlands, we're losing ground.

1 And we don't know how many wetlands were
2 permitted. A lot of them, we built housing
3 developments, golf courses, all these things after
4 the storm. A lot of them in -- is what they call
5 in low-spur wetlands. People -- there's -- nobody
6 is paying attention.

7 If DOJ is here, if there's somebody from
8 Department of Justice, I wish y'all would move to
9 the Mississippi Gulf Coast because we need help.
10 There's lots of things going on down there that we
11 need help with.

12 Speckled trout -- this is not anything
13 to do with DOJ. Speckled trout are the only fish
14 in Mississippi right now. Yet, we tell people
15 that hatchery-raised fish is an answer to all the
16 fish stocks. It's not. It's pure folly. We
17 don't have any scientists who will say, you know
18 what, raising speckled trout and putting them in
19 the water only for other fish to eat them really
20 doesn't get us anywhere. It doesn't work with
21 snapper. It doesn't work with speckled trout. It
22 makes people feel good. It might get people a few
23 jobs, but it doesn't work.

24 Public involvement, most of the people
25 that I know have no idea what's going on with all

1 of this. It's complicated. It's involved. You
2 guys spend your entire careers, or at least part
3 of it, working with these issues. The other night
4 at the meeting, there weren't very many people
5 there in Long Beach. There's a lot more people
6 here tonight, but I think people just don't --
7 regular citizens don't have an idea what's going
8 on. Somehow you need to get public involvement in
9 this. There's nothing in the paper. They did do
10 a story about the Living Shoreline Project on the
11 local station last night.

12 MR. FRANKLIN:

13 If you can go ahead and conclude, Mr.
14 Lagarde.

15 MR. LAGARDE:

16 Am I done? One other thing, there's no
17 sense of urgency. I walk the beaches every day
18 and I find a needlerush, big clumps of it. I
19 guess it belongs to Louisiana. I don't know where
20 it's coming from. And, look, I was born in New
21 Orleans. Okay? I love Louisiana. But there is
22 no sense of urgency. And so I know that's not
23 y'all's fault.

24 But as I said Wednesday or the other
25 night, when you do something under a federal

1 umbrella and then it gets down to the local level,
2 somebody needs to be watching what's going on, the
3 nuts and bolts on what's going on with these
4 projects at the local level. Thank you so much.

5 (Applause.)

6 MR. FRANKLIN:

7 Thank you for your comments.

8 Next individual, John Hosey. Is he
9 still with us?

10 Were there any others who would like to
11 make public comment at this time who did not say
12 so at the beginning of the meeting? If you would
13 just simply raise your hand, we'll get a blue card
14 to you so that you can properly introduce yourself
15 for the record. Was there anyone who did not
16 elect to make a public comment who would like to
17 do so at this time?

18 MS. ANTALAN:

19 I have a question before I do my public
20 comment. Is there a way -- I can't find anything
21 to say where you can submit written comments. Is
22 there a method to submit written comments?

23 MR. FRANKLIN:

24 If you would just make that comment for
25 the record.

1 MS. ANTALAN:

2 You want me to make the comment?

3 Oh, God. And I'm still not going to get
4 an answer?

5 MR. FRANKLIN:

6 It will be in the public record. If
7 you'll just give us your name, ma'am. There you
8 go.

9 MS. ANTALAN:

10 Hey, everybody. I'm Jackie Antalan
11 Operation Homecare, coastal communities, rural and
12 incorporated, southwest Alabama and southeast
13 Mississippi.

14 I'm sad. I'm very, very sad. So many
15 comments have been made that we've heard for years
16 and years. Unfortunately, it's a lot of people
17 here who's hearing it for the first time and that
18 saddens me because we are the citizens. We are
19 the public, and we live with this day to day, week
20 to week. We don't get paid to do this. It's not
21 in our job description. It's not in one of these
22 pots.

23 I'm so sad that we can count the number
24 of citizens in this room on this one hand that
25 isn't affiliated with a grant recipient, a federal

1 agency or with a state or local government that
2 have had benefits from the get-go from this when
3 communities were ready to move and go forward from
4 Day 1 but we were told it was conflict of
5 interest. We were told this and this and this.
6 But over and over, the same agencies are involved,
7 and they're distributing the money here and
8 they're distributing the money here and they're
9 getting a little of that from this pot and a
10 little bit of that from that pot and another
11 administrative pot. And everybody's
12 administrative money is being done and nothing is
13 being done in our communities. It saddens me.

14 It saddens me that our federal
15 government looks at the public in the manner that
16 it does. It saddens me that the people at this
17 table look at us, the community, as a bucket, as a
18 pot, as an opportunity.

19 This meeting was held. No transparency.
20 No information, who, what, when and why we are
21 here. Only people that know are those on the
22 payroll. I would like to have a firm date where
23 written comments within the next 30 days can be
24 provided so we can get it out to our citizens to
25 comment on this process. Thank you.

1 MR. FRANKLIN:

2 Thank you for your comment. Are there
3 any others that would like to come forward and
4 make public comment before we conclude tonight's
5 meeting?

6 (No other comments.)

7 MR. FRANKLIN:

8 I just want to remind you that all of
9 the open house professionals who are at these
10 stations will remain at those stations until the
11 last person leaves tonight. So if you have a
12 specific question about one of TIGs, these
13 individuals will be at those stations.

14 Also, I want to let you know that if you
15 pass by the table that you signed in on, there are
16 parking discount cards for you if you parked at
17 this hotel, and so please pick one of those up on
18 your way out.

19 At this time, I would like to ask
20 Commissioner Guy to come up and close tonight's
21 meeting.

22 MR. GUY:

23 Thank you, Perry. Before I close, I do
24 want to thank you, Mr. Franklin, for your work.
25 Perry, you've always done a professional job, and

1 we're very fortunate to have you and your
2 assistants in this endeavor.

3 And I'm also going to answer Ms.
4 Jackie's question. So there is a place to make
5 comments and that's GulfSpillRestoration.NOAA
6 site. And then I also want to mention to you,
7 Jackie, that every state -- I know State of
8 Alabama does, has a website address. I'm pretty
9 sure all the other states do. Probably all the
10 federal agencies do. I don't want to speak for
11 them. But we have the tables here tonight if
12 anybody has a question about that, if they don't,
13 I'm sure they will get your comments or tell you a
14 place you can provide those comments because we
15 certainly do want to hear from you.

16 And then before we close, I do want to
17 say this and I'm really kind of speaking for
18 myself, but maybe for everyone, we all recognize
19 that we have a lot of challenges. Okay? We all
20 recognize that. Just listen to everyone and
21 listen to everyone in every stage. At the same
22 time, we have a lots of opportunities and, you
23 know, what we have to do is just try to find that
24 common ground between those challenges and those
25 opportunities.

1 And all I can say is this: I sincerely
2 know that the people here over here at this table
3 want to try to do that as best they can and in as
4 efficient a way as they can.

5 And so with that, I want to thank
6 everyone for attending tonight. Have a good
7 evening.

8 (Public hearing concluded at 8:23 p.m.)

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CERTIFICATE OF COURT REPORTER

I, MELISSA BURDINE-RODOLFICH, Court Reporter
and Notary Public, in and for the County of
Harrison, State of Mississippi, hereby certify that
the foregoing pages, and including this page,
contain a true and correct transcript of the
proceedings, as taken by me at the time and place
heretofore stated, and later reduced to typewritten
form by computer-aided transcription under my
supervision, to the best of my skill and ability.

I further certify that I am not in the employ
of, or related to, any counsel or party in this
matter, and have no interest, monetary or
otherwise, in the final outcome of the proceedings.

Witness my signature and seal, this the
_____ day of _____, 2016.

Melissa Burdine-Rodolfich
My Commission Expires 4/28/20

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