

In The Matter Of:

Lower Mississippi River Waterway

See highlighted text on pages 108, 111, and 113. Highlights shortage of anchorages and a busy port.

Safety Advisory Committee Meeting

March 11, 2015

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Suite 4315

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(504) 529-3355

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1 LOWER MISSISSIPPI RIVER WATERWAY
2 SAFETY ADVISORY COMMITTEE
3 MEETING MINUTES

4 WEDNESDAY, MARCH 11, 2015

5 Ms. Felder called the meeting to order at
6 9:05 a.m. with the following members present:

7 CAPT Phillip Schifflin,
8 Sector New Orleans Commander
9 Cheryl Felder,
10 Committee Chair

11 COMMITTEE MEMBERS PRESENT:

12 Olie F. Morton, Turn Services
13 Joy M. Manthey, Kirby Inland Marine
14 Zeland D. DeLoach, DeLoach Marine Service
15 Diane Baum, EnviroScore
16 George Duffy, NSA Agencies
17 Karl C. Gonzales, Gulf South Marine
18 Transportation
19 Michael Fewell, Dow Chemical
20 Christian D. Bonura, Port of New Orleans
21 Sharon J. Balfour, Port of South Louisiana
22 Ron Branch, Louisiana Maritime Association
23 John L. Pennison, Port of Plaquemines
24 George C. White, Port Greater Baton Rouge
25

1 CHERYL FELDER:

2 First things first. Can I get the
3 committee members to turn their name
4 tags around? All good.

5 Also, for the committee members,
6 before I forget it, in your folder
7 there is a form regarding your
8 lobbyist status. Please sign those
9 forms and you can hand them to me or
10 LTJG [REDACTED] who is here today
11 filling in for LTJG [REDACTED]
12 (phonetic) and I appreciate his being
13 here today. Thank you so much.

14 [REDACTED]:

15 Thank you.

16 CHERYL FELDER:

17 Just make sure you guys get those
18 forms for me. I would like, before we
19 start, to say Happy Birthday to the
20 Corps of Engineers. The Corps of
21 Engineers was started on this day, a
22 long time ago, to basically pave the
23 way for George Washington and his
24 crews and over the last 240-plus
25 years, they've obviously evolved into

1 much more than that. So Happy
2 Birthday to the Corps.

3 Let's go ahead and start with
4 giving our names and companies and
5 Capt. Schifflin, would you like to
6 start?

7 SCHIFFLIN:

8 I'd be happy to start. Phil
9 Schifflin, Captain of the Port of New
10 Orleans.

11 Z. DAVE DELOACH:

12 Z. Dave Deloach, Deloach Marine
13 Services, Port Allen, Louisiana.

14 COURTNEY WHITE:

15 Port of Greater Baton Rouge.

16 JOHN PENNISON:

17 John Pennison with the Port of
18 Plaquemines.

19 RON BRANCH:

20 Ron Branch of Louisiana Maritime
21 Association.

22 CHRIS BONURA:

23 I'm Chris Bonura. I'm with the
24 Board of Commissioners of the Port of
25 New Orleans.

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MICHAEL FEWELL:

Michael Fewell, Dow Chemical.

KARL GONZALES:

Karl Gonzales, Gulf South Marine
Transportation.

GEORGE DUFFY:

George Duffy of George Duffy
Maritime Services.

JOY MANTHEY:

I'm Joy Manthey of Kirby Inland
Marine.

OLIE MORTON:

Olie Morton, Turn Services.

CAPT PHILLIP SCHIFFLIN

Phillip Schifflin, Chief of
Prevention, Coast Guard Sector New
Orleans.

JIM MURPHY:

Jim Murphy, Maritime
Administration.

[REDACTED]:

[REDACTED], Coast Guard.

[REDACTED]

[REDACTED], Waterways, Sector New

Orleans.

1 TIM OSBOURNE:

2 Tim Osbourne with NOAA.

3 LYNN MUENCH:

4 Lynn Muench, AWO.

5 VIC LANDRY:

6 Vic Landry, Corps of Engineers.

7 BOB TURNER:

8 Bob Turner, Southeast Louisiana

9 Flood Protection Authority East.

10 JOHN MONZON,

11 John Monzon, Southeast Louisiana

12 Flood Protection Authority West.

13 HEATHER JENNINGS:

14 Heather Jennings, Corps of

15 Engineers, Mississippi River

16 Operations Manager.

17 MIKE LOWE:

18 Mike Lowe, Corps of Engineers,

19 Atchafalaya Operations Manager.

20 JIM STARK:

21 Jim Stark, Gulf Intracoastal Canal

22 Association.

23 [REDACTED]:

24 [REDACTED], Commanding

25 Officer, Coast Guard Baton Rouge.

1 WAYNE ARDOIN:

2 Wayne Ardoin, Deputy, Sector New
3 Orleans.

4 DIANE BAUM:

5 Diane Baum, Enviroscore.

6 JOHN PAUL GOBEKA (Phonetic):

7 John Paul Gobeka, DW Gulf.

8 KAREN REISCH:

9 Karen Reisch.

10 ERSTON REISCH:

11 Erston Reisch.

12 TODD CLOWER:

13 Todd Clower, Harbor Towing &
14 Fleeting.

15 HOWARD VACCO:

16 Howard Vacco, USCG.

17 JIMMY CRAMOND:

18 Jimmy Cramond, Crescent Pilots.

19 CLAIR STEWART:

20 Clair Steward, Massman
21 Construction Company.

22 MARTIN LEGG:

23 Martin Legg, Shell.

24 CHERYL FELDER:

25 Very good. Thank you.

1 Oh, Sharon walked in.

2 SHARON BALFOUR:

3 Sharon Balfour.

4 CHERYL FELDER:

5 I also need to remind you that
6 there is a sign-up sheet going around.
7 Please sign it, and Dorothy, our court
8 reporter, is here again today. So if
9 you have anything to put on the
10 record, please try to get as close to
11 her as possible and say your name for
12 the record. So thank you very much.

13 We'll go ahead and jump right into
14 the agenda. Captain Schifflin, would
15 you like to start, please?

16 CAPT. SCHIFFLIN:

17 Sure. Thank you, ma'am. First,
18 I'd just like to say thanks for
19 everybody taking the time to be here.
20 It's really great to have this group
21 together at LMRWSAC. I'd also like to
22 thank Ron Branch and Christine Hines
23 (phonetic) for giving us facilitating
24 this venue and making it available to
25 us. So thank you, Ron. Thank you,

1 Christine for all the logistics you
2 put together.

3 Before we start, there's a
4 statement I need to read for certain
5 legal requirements under the proper
6 guidelines so just bear with me. At
7 this meeting, we will be reviewing the
8 issues as listed on the agenda. None
9 of these issues is a particular matter
10 for the purpose of a criminal conflict
11 of interest statute. And with that,
12 ma'am, I am happy to turn it back over
13 to you.

14 CHERYL FELDER:

15 Under old business, status of
16 action items, I'll just mention a
17 couple of things. One of the most
18 important things was that the Gulf
19 Intracoastal Canal Association under
20 Jim Stark's leadership is going to
21 take the lead on the alternate route
22 during the closure of the IHNC. That
23 is an issue that will come up later.
24 That has happened. There's been a lot
25 of interaction with the Corps, the

1 Coast Guard and GICA and we'll discuss
2 that a little bit later on.

3 Also, Mr. Petrus, George Petrus is
4 going to look into some reports and
5 issues regarding Algiers Point and VHF
6 communication problems.
7 Unfortunately, he's not here today so
8 we will just table that until the next
9 meeting.

10 Let's go on into agency updates.
11 Mr. Turner, I'm so glad you're here
12 and if you would like to give us your
13 report, that would be great.

14 BOB TURNER:

15 Certainly. I've got a quick
16 little Powerpoint presentation. So
17 I'll direct your attention to the
18 screen over there and I'll try to talk
19 as loud as I can so everybody can here
20 me.

21 So I thought it would be a good
22 idea just to kind of go over how we're
23 going to be operating the navigation
24 structures in our Hurricane Storm
25 Damage Risk Reduction System this

1 year. We went over this last year.
2 There are no major changes, but I
3 think it's a good idea just to kind of
4 bring this up again as a reminder.

5 CHERYL FELDER:

6 While we're loading, we can do one
7 thing. I overlooked the approval of
8 the minutes from the April 23, 2014
9 meeting. They're in the packets.

10 Does anyone have any comments about
11 the minutes, and if not, I would like
12 a motion.

13 PAUL GONZALES:

14 Approve.

15 GEORGE DUFFY:

16 Second.

17 CHERYL FELDER:

18 All in favor?

19 COMMITTEE:

20 Aye.

21 CHERYL FELDER:

22 Thank you very much.

23 BOB TURNER:

24 So there we go. So when it comes
25 to operating the navigational gates,

1 we have to worry about taking care of
2 them on a routine basis. That means
3 we have to exercise them pretty much
4 on a regular basis throughout the year
5 and then we have the reaction to a
6 tropical event and how we have to
7 operate them then. Next slide.

8 This is the layout for the east
9 closures here. You can see the Gulf
10 Intracoastal Waterway. The gate that's
11 probably the most looked at from the
12 people that are here today is going to
13 be the GIWW east closure gate. You
14 can see the routine procedures for
15 operating these various gates. On a
16 Monday at 12:30, we operate that gate
17 every week. The bypass barge gate, we
18 only operate once a month, but that
19 really doesn't impact navigation
20 anyway, except that the velocity in
21 the Gulf Intracoastal Waterway at the
22 sector gate increases a little bit as
23 we operate that gate.

24 The lift gate, which is mainly for
25 commercial fisherman and recreational

1 people, we operate that weekly at 9:00
2 a.m.; Seabrook, 10:30 on Tuesdays;
3 and, of course, the lock is part of
4 this too and the Corps takes care of
5 that, as needed. Next.

6 So this is what the system looks
7 like just in advance of a storm. Most
8 likely, everything is going to be
9 open. So you see the green dots there
10 as to where the gates are. Next.

11 Then the first gate to close is
12 always going to be the bypass barge
13 gate. Again, no major impacts to
14 navigation there. That gates closes
15 about 96 hours before there is a
16 potential threat to the New Orleans
17 area. And you can see some of the
18 other information that's up there. No
19 big deal with usually closing that
20 gate. Next.

21 The next gate that's closed is
22 that lift gate for Bayou Bienvenu.
23 Again, not really for commercial barge
24 traffic. It's going to have impacts
25 perhaps for the fisherman more than

1 anybody else. That's closed when the
2 predicted surge in the area is going
3 to be about 5 feet or higher. And
4 then it's about 36 hours before
5 tropical storm force winds get here
6 that we close that gate. Next.

7 This is the big one. This gate
8 right here is the next gate to close.
9 And so a storm is coming our way, the
10 predicted surge is 5 feet or greater
11 in the IHNC, we don't close this gate
12 until the water level at the sector
13 gate itself, or the east closure
14 sector gate, is about 1.5 feet. Once
15 it reaches 1.5 feet, one of these
16 other three things has to occur before
17 we close that gate. Either the Coast
18 Guard tells us all the vessels are out
19 of the regulated navigation area. If
20 that's the case, we close it
21 immediately. If not, then we're
22 monitoring the onset of tropical storm
23 force winds. That's another trigger.
24 We want to get that closed before that
25 happens. But if none of those two

1 things trigger it, if the surge gets
2 to be 4 feet on the outside, even
3 though not everything has been
4 evacuated from the corridor, and even
5 though we haven't reached tropical
6 storm force winds yet, we will close
7 the gate. Next.

8 And then finally, the last thing
9 to close will be the Seabrook
10 structure. That's closed after all
11 the other gates are closed and the
12 water level starts to equalize with
13 the level in Lake Pontchartrain. Once
14 that occurs, then we would typically
15 close that gate. And we want to get
16 that closed before the onset of
17 tropical storm force winds, as well,
18 for the protection of our workers.
19 Next.

20 So, the storm's coming. This is
21 what the system looks like.
22 Everything is closed in that area.
23 Next.

24 Then we're going to open them back
25 up. It's kind of like reverse order

1 except for we skip the Seabrook
2 structure first. So we're going to
3 come in and we're going to open up the
4 sector gate first in the Gulf
5 Intracoastal Waterway.

6 Next will be the Seabrook
7 structure, and then next will be the
8 Bayou Bienvenu lift gate and then
9 finally, if there are no other
10 tropical storms within the Carribean
11 or the Gulf of Mexico, then we would
12 operate the bypass barge gate. Next.

13 And that's what the system looks
14 like after everything is opened up.
15 Next.

16 So how do we get out all of this
17 information? There's a lot of things
18 happening here in advance of a storm.
19 Well, we have our website that you can
20 always go to, but we also have a
21 particular site set up, a page set up,
22 that updates the status of all the
23 structures during a tropical event.
24 So you might want to take a look at
25 that, copy that down. And if you

1 would like text alerts, or email
2 alerts regarding any of those gates,
3 you can sign up for that at that third
4 link that's shown up there. And then
5 we've got the emergency numbers that
6 you can also call and get information
7 on, as well.

8 So any questions? Yes?

9 Z. DAVE DELOACH

10 I noticed that they close the gate
11 once the RNA is clear. Is there a
12 procedure for any vessels that may be
13 stuck outside that are trying to get
14 in there and get through Industrial to
15 get out of the Sound? And I don't
16 know specifically what would happen,
17 but say a guy lost an engine and he
18 was running half speed and he just
19 can't get there in time and they
20 closed the gate. What happens?

21 CAPT PHILLIP SCHIFFLIN:

22 We try and give notice to vessels
23 that might be heading towards those
24 structures far enough in advance to
25 tell them quit heading in this

1 direction if you're not going to make
2 it in time. But if you get into a
3 circumstance where somebody thinks he
4 can make it there in time and then
5 runs into a challenge, we will need to
6 work with them on a case-by-case
7 basis.

8 Z. DAVE DELOACH:

9 Okay.

10 CAPT PHILLIP SCHIFFLIN:

11 I mean, I think ultimately some of
12 those triggers have a certain amount
13 of flexibility, but at a certain point
14 they do need to close and like any
15 potential Search and Rescue case,
16 which I think is what move to now, you
17 would manage that case based on the
18 specifics and circumstances trying to
19 do what we can to either hopefully
20 save the mariner and the vessel, but
21 certainly the mariner.

22 BOB TURNER:

23 And I think the key to making all
24 of this work is constant updates and
25 communication. So everybody that's

1 out there that has an interest in this
2 needs to be monitoring this. We'll be
3 putting the information out there.
4 We, and the Corps, will be
5 coordinating a lot of this stuff
6 together with the Coast Guard. We'll
7 be trying to give a minimum of 24
8 hours advance notice before we close
9 that east closure gate so people know
10 what's coming.

11 KARL GONZALES:

12 I think one of the things to add
13 on to what Capt. Schifflin stated is
14 one of the important factors that
15 we've had is the PCT calls. A lot of
16 that is determined, but Dave, to
17 answer your questions on the PT, PCT
18 calls, Jim and myself will do a random
19 search of the areas and contact
20 members to see just in a particular
21 situation. Also, we have in place for
22 the last few years, is that we contact
23 the Mobile Sector so they will put out
24 to the mariners that may be thinking
25 about leaving from the east side to

1 head to the flood gate as to what is
2 determined on the PCT meters, as a
3 caveat to Capt. Schifflin's comments.

4 CAPT. SCHIFFLIN:

5 Again, the intention of having
6 them not head in that direction at a
7 certain point where it becomes
8 questionable as to whether or not
9 they'd make it through in time.

10 CHERYL FELDER:

11 Joy Manthey.

12 JOY MANTHEY:

13 Mr. Turner, back in November, I
14 was lining up one of the gates coming
15 westbound and it was on a Monday,
16 right around noon, and the gate
17 started to close on me as I was lining
18 up and approaching the gate. I kept
19 trying to call anybody to find out are
20 they working on the gates, are they
21 closing the gates, what exactly was
22 happening, and I could not find any
23 information. I called Vessel Traffic
24 Center, New Orleans. I called the
25 Lock, Industrial Lock, to see if I

1 could get any information. I couldn't
2 find any information from anybody.
3 Finally, there was an article written
4 in the Waterways Journal previous to
5 that and I called the writer of the
6 Journal and said, "Hey, who did you
7 talk to when you did this story on the
8 gate," because this -- I mean, I don't
9 know if this gate's going to continue
10 to close, open. I just backed up and
11 just pushed into the bank because I
12 didn't know what they were doing.

13 So I finally got Mark Herd
14 (phonetic) and Feldon gave me a call
15 later on, about 4:00 that afternoon,
16 and told me that they do this on a
17 regular basis. So I was wondering
18 when they do the exercise on the
19 gates, it may be nice to have somebody
20 there with a radio.

21 BOB TURNER:

22 Well, that is standard procedure
23 and if that's not occurring, then I'll
24 have to get with our crew that's out
25 there and make sure that we do that

1 because we're supposed to give --
2 broadcast a quick little bulletin
3 before we close and then after we
4 close -- I mean, after we close and it
5 reopens.

6 JOY MANTHEY:

7 You may want to reiterate that to
8 them because I've been there several
9 times and I've never heard any kind of
10 broadcast.

11 BOB TURNER:

12 I'll take care of that.

13 JOY MANTHEY:

14 I want to commend Mr. Herd and
15 Feldon. They were very, you know,
16 when they got back to me, they put me
17 on the email list and now I do get
18 emails when they do close. So thank
19 you.

20 CHERYL FELDER:

21 Any other --

22 JIM STARK:

23 Captain, I can put those out as a
24 GICA notice. I have not been doing
25 that as a matter of just routine

1 because it's such a short-term notice
2 that I just haven't bothered, but if
3 you think that's valuable and the rest
4 of the tow industry does, then I can
5 certainly send that out.

6 JOY MANTHEY:

7 I can tell you if I wouldn't have
8 had an empty, I would have been in
9 trouble that day.

10 JIM STARK:

11 Well, I'll start putting it out.

12 JOY MANTHEY:

13 It might be a good idea, Jim.

14 CHERYL FELDER:

15 Matt Lagarde.

16 MATT LAGARDE:

17 Matt Lagarde. Has there been
18 anymore consideration given towards
19 handling those navigation gate control
20 structures back over to the Corps of
21 Engineers?

22 BOB TURNER:

23 We consider it all the time.

24 Actually, to be honest with you, the
25 latest Water Resources Development Act

1 authorized the Corps to operate and
2 maintain the facilities with the non-
3 federal sponsor acting as a partner to
4 the tune of about 35 percent of the
5 cost. But the problem is is that that
6 legislation only gives authorization
7 and no funding. And so while we're
8 always going to be working very
9 closely with the Corps, we're not
10 going to make any kind of decisions in
11 a vacuum. It's still ultimately our
12 responsibility until, if they ever get
13 funding, to start operating on a
14 regular basis. But even then, we're
15 trying to work something with the
16 Corps to where we're going to continue
17 to do the day-to-day operations of
18 maintenance and then the federal
19 government can step in and do these
20 really big maintenance items every ten
21 years or so. That's still to be
22 worked out, but there is movement
23 there.

24 CHERYL FELDER:

25 And Matt, I think Vic's going to

1 address some of that too, aren't you?

2 VIC LANDRY:

3 That's correct, Cheryl.

4 CHERYL FELDER:

5 Anything else for Mr. Turner?

6 Thank you very much. We appreciate
7 your being here today.

8 BOB TURNER:

9 I appreciate the opportunity.

10 CHERYL FELDER:

11 Let's move on to the west side.

12 JOHN MONZON:

13 Good morning. My name is John
14 Monzon. I don't have a Powerpoint
15 presentation for you this morning. My
16 system's a lot like Bob's. This year
17 we will open, operate and close the
18 sector gate much like we've done in
19 the past in conjunction with the Corps
20 of Engineers and CPRA up in Baton
21 Rouge.

22 The western closure confluence for
23 those of you who are not familiar with
24 the area, I think most of you are,
25 it's at the confluence of the Algiers

1 and Harvey Canals. Preparation for
2 the closure begins five days out. At
3 that time, our agency, along with the
4 Corps of Engineers will notify all the
5 stakeholders. The Coast Guard will
6 continue communication and start
7 testing equipment, send divers out to
8 make sure it's clear.

9 Day 3, three days before predicted
10 landfall, that's when the decision --
11 we'll have a better picture as to when
12 the actual closure will take place.
13 So three days before landfall, we will
14 know about what time and at that time,
15 communication with stakeholders for
16 any stranded vessels, they will have a
17 better picture. You've got three days
18 to get in or seek another place of
19 refuge. We will continue to monitor
20 the storm. At the time that the
21 decision is made to close the sector
22 gate, there is a flow chart that the
23 Corps has created. It has four
24 different trigger mechanisms by which
25 the gate can be closed.

1 One of them is if navigation is
2 clear, we can close it. There's a
3 high water trigger mechanism whereas
4 if there's a predicted water elevation
5 inside of that basin is a plus 4, then
6 we can close it. There's a low water
7 trigger mechanism which is if the
8 water is at a plus 1 and falling, we
9 have to close it. Reason being is
10 this is the largest sector gate in
11 North America and it closes based on
12 buoyancy. So you have to have enough
13 water in the canal to actually float
14 that sector gate, swing it shut and
15 then sink it back down. So if the
16 water elevation's a plus 1 and
17 falling, we have to close it.

18 And then the fourth trigger
19 mechanism is based on wind speed which
20 shouldn't be an issue. It is the
21 fourth trigger mechanism, but you
22 never know what these tropical storms
23 do. So those are the trigger
24 mechanisms that we will abide by. We
25 will not make that decision behind

1 closed doors. That decision will be
2 made with the Corps in conjunction
3 with the Coast Guard and CPRA Baton
4 Rouge. That is our only federal
5 navigable waterway patrol structure.
6 We have another one at Bayou Segnette,
7 which is a much smaller structure. I
8 believe in years past that was a place
9 where a lot of shrimp vessels made
10 their way in. There's room for about
11 a hundred vessels in the Bayou
12 Segnette area, small shrimp boat-type
13 vessels. And we will close that
14 according to the water patrol managers
15 prescribed by the Corps of Engineers,
16 as well.

17 Opening, we will follow the same
18 sequence based on water levels in the
19 canal, outside and inside. And
20 basically, that's all we have at the
21 west part.

22 CHERYL FELDER:

23 Any questions, comments? Thank
24 you so much. I appreciate your being
25 here. I will say one thing. Did I

1 also read that the issue with the
2 shrimp boats was an issue a couple of
3 years ago and didn't I see recently
4 that they sort of came to a conclusion
5 about the Houma Nav Channel for some
6 of those guys for safe harbor or is
7 that still being --

8 CAPT PHILLIP SCHIFFLIN:

9 I think that's still being
10 reviewed.

11 CHERYL FELDER:

12 Thanks. Tim Osborne, would you
13 like to give the NOAA report, please?

14 TIM OSBORNE:

15 If you recall last year with the
16 Captain of the Port's first year, I
17 committed to the fact that we wouldn't
18 have a hurricane season last year.

19 And, of course, then everyone runs to
20 the Admiral and the Admiral then pegs
21 me at a meeting and said Tim said
22 there's no hurricane season. And as
23 we can say, and as I have a reply for
24 this year is, you're welcome because
25 if you recall, the Atlantic basin was

1 very, very quiet. But I wanted to
2 bring up to you the fact the Pacific
3 basin, if you actually at it, was very
4 active. So the overall level of
5 activity throughout the hurricane
6 season this year, last year and this
7 year has got to be assumed that we
8 will actually see a busy season. How
9 much of it will be in the Atlantic,
10 we'll have to wait and see.

11 One second before I turn on the
12 slides and I will rip quickly. One of
13 the things you need to realize this
14 year and you actually should, we need
15 to schedule a meeting with the Captain
16 of the Port is that the National
17 Hurricane Center will be coming out
18 with a parallel forecast for storm
19 surge and flooding, coastal invasion,
20 in addition to the regular National
21 Hurricane Center forecast, track,
22 landfall potential, the whole thing.
23 What that means is when they punch
24 that button and it gets transmitted
25 three to four times a day, everybody

1 gets it at the same time. That means
2 everyone like Bob, south and west,
3 Houma Nav and everyone is going to
4 have then their own interpretation of
5 what that surge forecast is going to
6 be saying and therefore your
7 communication together is going to be
8 very critical because Bob may see
9 something very different than what the
10 Coast Guard or the U.S. Army Corps of
11 Engineers and you're all right. So
12 your level of activity and your
13 coordination is actually going to be
14 more important because we're going to
15 give you surge forecasting as the
16 storm comes closer and closer to the
17 coast and everyone's going to get it
18 at the same time. Go ahead.

19 First of all, I want to talk about
20 electronic navigation. We actually,
21 in terms of deriving it, that's the
22 Southwest Pass, this is with Capt.
23 Wyman (phonetic) NOBRA pilots going up
24 the Mississippi River. Everything
25 that we're seeing today in terms of

1 transit, is essentially being run
2 digitally from those laptops.
3 Everything we are doing today is
4 becoming more and more digital. We're
5 dealing with three surfaces in this
6 coast. We're dealing with
7 atmospheric. Bob just talked about
8 it, as well as John, in terms of
9 reaction to storms, tropical events.

10 Water levels is the next surface
11 interacting with weather and tides
12 astronomical and then obviously, us
13 inside the land/water interface in
14 terms of our navigation, in terms of
15 control of floodgates in reaction to
16 storms and storm surge. Digital
17 navigation is never going away. We
18 are never going to go backwards. And
19 yet we, today, are really struggling
20 to keep up of how fast it's moving
21 forward.

22 In terms of what is being depicted
23 on the screens, of those navigation
24 laptops to how we're reacting to them
25 in terms of navigation, to what it

1 actually looks like digitally on those
2 screens. And if you're a pilot, and
3 like I was on that ship looking at
4 that screen of us going through that,
5 it actually gives you cause in terms
6 of needing to be as accurate and as
7 precise as possible in the digital
8 placement of our world into that.

9 Now the nice thing is, you can do
10 this at night, you can do this in zero
11 visibility, if you're accurate.

12 And accuracy is very important
13 because as storms and as surge and as
14 coastal features change, and this is
15 actually a year ago right here in Lake
16 Pontchartrain where a cold front
17 flooded out Lakefront Drive. So just
18 don't think that tropical storms and
19 hurricane seasons are the only seasons
20 we need to worry about. We're
21 actually in the most severe weather
22 season of the year right now with the
23 winter seasons and our reaction and
24 our planning and our having to respond
25 to them is actually something that's

1 happening on a daily event, witness
2 outside here in terms of the fog
3 condition that we have right now.

4 So our measuring and our recording
5 these water levels is very important.
6 Not only as the trends go up, but also
7 is the fact that we have a change in
8 landscape. This is an important one I
9 wanted to bring up and it'll just take
10 one second because this is what Bob is
11 talking about, as well as John. This
12 is Hurricane Ike. Hurricane Ike, this
13 is all the flooding from Hurricane Ike
14 of southeast Louisiana and the area
15 that we're talking about. What were
16 the winds during this event? Almost
17 nothing. It was a Cat 2 making
18 landfall in Galveston, Texas and the
19 coordination you have got to have for
20 an Ike event such as this is very
21 important. It never came close to
22 southeast Louisiana and yet it flooded
23 every coastal parish in the state.
24 And, in fact, prompted major flood and
25 storm surge warnings going up, Bob and

1 John are going to react to this. Even
2 though there's not a single wind event
3 involved in this whole process, you're
4 going to see this water event and
5 we're actually parceling out what we
6 do, just what Bob was talking about,
7 looking at the surge forecast, looking
8 at the RNA being implement, looking at
9 traffic trying to be either turned
10 away or actually make through before
11 closure of these structures is very
12 important in events where we're not
13 even seeing wind. We're actually not
14 even seeing the track, as John brought
15 up, we're not even seeing a track even
16 coming to us. It went to Galveston
17 and yet we're going to have to react
18 to these things, as well, and this
19 coordination is really important. And
20 this is also, this is a Cat 0. This
21 is a Cat 0 storm surge inundation of
22 southeast Louisiana, Grand Isle and
23 Fourchon and we're not even able to
24 forecast a Cat 1 anymore in terms of
25 flooding because it floods everything.

1 But this shows you that the need for
2 coordination is very important. This
3 is an actual -- this is Isaac. This
4 is an actual model run before Isaac
5 and this is actually kind of what
6 happened right here, Cat 1, long, slow
7 moving, stayed for three days, heavy
8 rainfall, creating a very, very large
9 surge event and it was only a Cat 1
10 for maybe eight hours.

11 As the land forms change, we're
12 essentially looking at increasing
13 risks in terms of our highways' access
14 to ports and as with our talks and,
15 Cherie, you just brought it up in
16 terms of storm harbors and safe
17 harbors for commercial shrimping
18 fleets. We really are working on
19 that. We are happy to see that South
20 Lafourche Parish, just inside the
21 Golden Meadow flood lock now has a
22 very robust brand new storm harbor.
23 The HNC actually serves functionally
24 as a storm harbor as long as we can
25 get those guys in before that HNC

1 floating barge gate closes. There's
2 large areas inside that are well
3 protected and a lot of marinas and so
4 hopefully, we can really continue
5 that.

6 Hero Canal is under the process of
7 being looked at, although I really,
8 please, anyone that can encourage the
9 parishes down there with the state to
10 look at more efforts to put in a storm
11 harbor down there, that would be very
12 important because the RNA, and
13 compliance with the RNA is so
14 critical. That's really important.

15 This year we are working very,
16 very hard and we commend the Corps of
17 Engineers and we commend the Coast
18 Guard for providing us much, much more
19 and frequent and accurate digital
20 files to put in terms of the charting
21 updates to our charts of the entire
22 area of the coast and especially, the
23 Mississippi River.

24 The reason for this is not only
25 with the navigation, but the

1 environmental factors like in the
2 oceanographic real time systems we
3 have basically create a working
4 structure by which that transit, that
5 deep draft shift is transient. Now
6 the Mississippi River doesn't have, of
7 course, depth issues and draft issues,
8 but if you go to the Calcasieu in Lake
9 Charles, go to La Long Beach, go to
10 Mobile, you're talking about extreme
11 under kill clearance issues that
12 actually require them to actually surf
13 in with high tides and surf back out
14 with high tides. These kind of
15 oceanographic real time systems
16 actually are combined with our coastal
17 models that actually create the
18 opportunities for us to give you
19 better forecasting of high water
20 events, tide events, anything that
21 actually can create a threshold so
22 that you can safely get a deep draft
23 ship into a port and out with the kind
24 of information we can give you today.
25 We can give you now 48-hour advance

1 forecasting of water levels across the
2 entire coast of Louisiana. And in so
3 doing it, what we do is allow you then
4 to have that information to then look
5 at your physical requirements. What
6 are your wind speeds? What are your
7 currents? What are your air drafts
8 underneath the bridges, like the Huey
9 Long? And we really have appreciated
10 the work of the Coast Guard in terms
11 of re-establishing and confirming that
12 just recently.

13 But also having that information,
14 this is the payoff. By having these
15 systems, by having good digital
16 navigation layers on these navigation
17 laptops, we've done a study recently
18 and across the country, because of
19 these two things, the digital
20 navigation and these increased
21 presences of oceanographic real time
22 systems, we've seen a net result of 59
23 percent reduction of groundings, 37
24 percent reduction of property damage,
25 45 percent reduction of injuries, 60

1 percent reduction of deaths, 21
2 percent reduction in oil spills. That
3 is the pay off. I mean, if we were
4 talking like 5 to 6 percent or 3
5 percent, we get 3 percent less oil
6 spills. People are going to grab that
7 in a heartbeat. We start talking
8 double digits. That's why digital
9 navigation and digital real time
10 information of weather and coastal
11 parameters like currents, like wind
12 speeds, like tides, like water levels,
13 pay off huge. And all of this is seen
14 right here in the lower Mississippi
15 River with the assistance and the
16 support of the membership of LMRWSAC.

17 Here's the thing I want to show
18 you. This is going to fold into your
19 storm surge future forecast. This is,
20 for instance, let's say this is Shell
21 Beach -- Shell Beach, St. Bernard
22 Parish, outside of the Mississippi
23 River Gulf Outlet. We'll actually
24 show you the bottom one is the
25 predicted tide levels, astronomical.

1 The upper one is the actual -- the
2 green one is the observed water
3 levels. You can see it's above normal
4 astronomical tides, but you see that
5 yellow going out? That's our
6 forecasted water levels specific to
7 that point like in St. Bernard, Shell
8 Beach. That is our forecast models
9 that the weather service is going to
10 use. Then they're going to piggy back
11 the surge models on top of that and
12 create for you a 48-hour advance
13 notice with all the weather that we're
14 anticipating in the next two days of
15 what your water levels may be and then
16 trip up into the hurricane forecast
17 coastal surge models that will be
18 feeding on with the storm event
19 itself.

20 JOHN MONZON:

21 Tim, is that going to be available
22 on the regular NOAA website?

23 TIM OSBORNE:

24 Right now it's available. You can
25 go to Shell Beach right now. We have

1 poorly explained it. We keep hearing,
2 "What's that line going farther out?"
3 Well, that's actually our forecast
4 model. And our forecast models, like
5 this, give you the ability to start
6 seeing what we will be anticipating
7 will occur at that station in the next
8 48 hours.

9 Z. DAVID DELOACH:

10 What's the closest one you have
11 west --

12 TIM OSBORNE:

13 Well, Shell Beach. We don't have
14 one at west closure. We're hardening
15 and we'll create one at Bayou Gauche
16 this month, next month. And, in fact,
17 we're installing, on our nickel, we're
18 installing and putting one up in
19 Laplace that will be online by the
20 hurricane season to protect that area.
21 It's got to have tidal data and it's
22 got to have these forecast models
23 applied to it. So that's why we're
24 talking with you and others because we
25 want this to be at your closures and

1 other things. This is not cheap.
2 This is not watching water go back up
3 and forth. This is actually applying
4 data -- putting and applying a ton of
5 weather models to the water levels and
6 then creating this kind of model. And
7 then in real time, this is really
8 important for all of us, this is why
9 we need this kind of thing. Next,
10 please.

11 Last, examples of this in terms of
12 looking at transits. This is another
13 case of the examples of the models
14 planning ahead. When do you have the
15 lowest water underneath a bridge like
16 in the Chesapeake and then looking at
17 your slack tides for getting in
18 underneath and controlling that
19 transit at the least known current
20 that's actually occurring.

21 Lastly, what I want to say is the
22 partnership with you guys is really
23 critical. We are doing ship rides all
24 the time with pilots looking for
25 navigation being used, looking for

1 terminals, looking at the features.
2 We really appreciate it and really
3 welcome and continue to collaborate
4 closely with Coast Guard, Captain of
5 the Port and Sector NOLA to
6 essentially deal with the busiest
7 waterway on the planet and it works.
8 It works. There's some clean-up
9 items. [REDACTED] Howard Vacco, have
10 been terrific in terms of the
11 discussions with it and as we continue
12 to work with Ze-De in terms of
13 navigation, electronic navigation
14 carriage on the tow vessels, these are
15 all progressing forward to improve the
16 safety of navigation.

17 I'll end it there and I want to
18 again appreciate the opportunity to
19 present here at LMRWSAC and at this
20 presentation, with the membership here
21 and the other guys, we can hand it to
22 you and again, thank you, Captain.

23 CHERYL FELDER:

24 Thanks so much, Tim.

25 Z. DAVID DELOACH:

1 Don't go away. This is a great
2 audience to be sure that we get an
3 understanding about something. You
4 talked about electronic chart
5 navigation, ECDIS, Electronic Chart
6 Display Information System. And the
7 reason I'm saying this, there's a
8 problem that we have, especially on
9 the Intracoastal Canal and inland
10 system with a ruling, a rule, a policy
11 of the Coast Guard about carrying
12 paper charts aboard our vessels. A
13 good analogy of this would be when you
14 start out life you're riding around in
15 a stroller and you move to a bicycle
16 and then at some point you start
17 driving a car. What we are using
18 presently on the Intracoastal Canal
19 for navigation is an electronic chart
20 system, but it's not ECDIS approved.
21 The Electronic Chart Display
22 Information System which actually uses
23 all this good information that Tim
24 puts out and a whole bunch of other
25 stuff. It ties into the mechanics of

1 the vessel and it actually will
2 operate your vessel for you. We're
3 nowhere near that on the Intracoastal.
4 But what we would like to be able to
5 use as an approved method, is the
6 electronic chart system. But the
7 Coast Guard, somewhere in Washington
8 is hung up over this ECDIS word and
9 won't give us permission to use plain
10 and simple electronic charts which is
11 like the bicycle stage, but they're
12 requiring us to carry the stroller in
13 the trunk until we get to be a
14 Cadillac. So we'll never get there if
15 we can't progress like you normally do
16 in life. And so be sure that you
17 explain there is a difference in an
18 electronic chart display information
19 system and a simply electronic chart
20 system.

21 TIM OSBORNE:

22 I think that first of all, we
23 don't -- we don't have any desire for
24 you to buy an updated paper chart
25 every month and put it on the back

1 shelf. It doesn't do us any good. We
2 actually have gone and actually talked
3 to Headquarters at Coast Guard,
4 Headquarters at Coast Survey Marine
5 Chart Division and we certainly agree.
6 Coast Guard -- in fairness, Coast
7 Guard Headquarters is very aware of
8 the need to move forward with
9 something like that. Timelines,
10 obviously are not to meeting your
11 satisfaction. But I can tell you
12 right now, I think there is a way, I
13 think the Coast Guard Headquarters and
14 staff there are terrific, CAPT Burke
15 and CAPT Scott Smith and folks like
16 that. And we really -- if Lynn Muench
17 with AWO and you and others can sit
18 down with us near term, I think
19 there's a way that we can go ahead and
20 do this because getting on that same
21 face, getting on that same digital
22 display and seeing the same thing at
23 the same time in that same traffic
24 scheme is a real priority, I think,
25 for all of us in terms of maintaining

1 an accuracy of navigation and the
2 transits that are occurring. So I
3 agree with you completely. I agree
4 with you completely and I think this
5 is one of those issues, and I think I
6 mentioned, we're not going back.

7 We've got to go forward. And bringing
8 you forward into this in the ways that
9 the Coast Guard feels is the best way
10 to do it in terms of approval of what
11 systems and how they're actually
12 looked at and inspected, I think are
13 ways that we can actually see
14 hopefully in the near future.

15 Z. DAVID DELOACH:

16 Thank you.

17 CHERYL FELDER:

18 Would it be appropriate at this
19 time for this group to send a letter
20 to the folks at Headquarters just
21 saying we encourage you to move
22 forward as quickly as possible with
23 this or is this too premature at this
24 point?

25 TIM OSBORNE:

1 Honestly, you're not going to be
2 hurting them at all, I mean, by saying
3 this is an issue. I mean, you've got
4 an incredible -- As much as the
5 Captain is dealing with 15,000 deep
6 draft ship movements every year,
7 that's dwarfed by the towing side in
8 terms of the sheer amount of that, as
9 well. And I think in terms of raising
10 awareness, you're not going to be
11 upsetting them at all, but they're
12 aware of it.

13 CAPT. SCHIFFLIN:

14 If you'd like my personal opinion,
15 I think they're aware. I don't think
16 the letter would do any harm unless
17 you change things dramatically either.
18 I think most folks in this room are
19 aware the regulatory process is slow,
20 generally speaking. I think we should
21 also point out that there are certain
22 regulations in place that maybe don't
23 make sense to them. The Coast Guard
24 tries through that slow deliberate
25 process that when we finally do get a

1 regulation out, hopefully it makes
2 sense a whole lot more often than it
3 doesn't. There are resources working
4 on a lot of regulatory projects and
5 this is one of many. But I do think
6 that they have been outreach. Both
7 NOAA and industry has let them know
8 that they'd like the required paper
9 charts to go away with the vast
10 majority of commercial and
11 professional mariners using electronic
12 charting and they are aware of that
13 issue. It's just one amongst a lot of
14 issues that they're working and I
15 think when they do come out with
16 regulation, they want to make sure
17 they get it right. So to do that,
18 they're doing it in a slow moving
19 process.

20 Z. DAVID DELOACH:

21 The problem though about getting
22 it right is their vision is the ECDIS.
23 We can't get there if we don't take
24 the incremental step of simply using
25 an electronic chart first. The ECDIS

1 system is -- you're talking about a
2 million dollars to put it on some
3 vessels. You're never going to see
4 that down here.

5 CAPT SCHIFFLIN:

6 Again, in my current position
7 with respect to that particular
8 regulation, I hate to speculate as to
9 what they're thinking, but in a macro
10 sense, we try to get it right more
11 than get wrong and to do that, we are
12 slow and we want to take comments. We
13 want to take the comments onboard and
14 adjust regulations in doing so so that
15 hopefully we get it right more than
16 get it wrong.

17 TIM OSBORNE:

18 Z, why don't we talk later and
19 again, our appreciation in terms of
20 the Captain being not only so much
21 aware, but also the fact of how
22 important it is to this area, as well.
23 Thank you again.

24 CHERYL FELDER:

25 Very good. Thank you, Tim. Let's

1 move on to the birthday boys, Vic
2 Landry, Board of Engineers. Are you
3 ready?

4 VIC LANDRY:

5 Good morning everybody. I'm Vic
6 Landry of the Corps of Engineers. I'm
7 going to give you a waterways update
8 basically that impacts the navigation.
9 Just to follow-up on some of the prior
10 presentations. I think our mainstream
11 is our ability to communicate with
12 everyone, especially emergency events.
13 Coast Guard navigation industry, flood
14 protection authorities, NOAA, all our
15 partners when it happens, we all talk
16 and things fall out the way they
17 should.

18 The IHNC lock dewatering - Last
19 week I sent out some information and
20 shared with everyone the fact that we
21 decided to defer the planned
22 dewatering until 2016. It was going
23 to be this summer,
24 August/September/October timeframe and
25 due to a lot of events and things

1 going on and we decided to defer it
2 and mitigate as much risk as possible
3 and lessen all the impacts to all of
4 our users.

5 Basically what we're looking at,
6 like I said, we're trying to mitigate
7 risk. We have new gates being
8 fabricated. They won't be delivered
9 until the June timeframe. If there's
10 issues with the amount of water when
11 they're floated out from Georgia, that
12 could really impact delivery. So that
13 was a concern and we didn't want that
14 to interfere with any dewatering
15 activities. And also by delaying it,
16 it also gives us the ability for
17 critical repairs at Bayou Sorrell
18 Lock. Bayou Sorrell Lock has some
19 more critical elements that need to be
20 addressed more so than IHNC lock. And
21 also, the Harvey lock emergency crane
22 that we use for installing our
23 bulkheads for dewaterings or
24 emergencies, it's beyond its repair
25 and certification status. So we need

1 to address it at the earliest possible
2 time and I'll get into that in a
3 little bit.

4 So basically, we wanted to -- we
5 didn't want to deal with the risk of a
6 late cancellation. We wanted to give
7 you guys as much notice as possible
8 and definitely by LMRWSAC. So this is
9 a good group. If anyone was not
10 aware, I apologize. We tried to share
11 it and disseminate the information as
12 much as possible.

13 These are the upcoming maintenance
14 priorities that Operations Division at
15 the Corps has currently. The Tripping
16 Dolphins at the surge barrier, at the
17 Lake Borgne IHNC surge barrier, east
18 closure complex. The Tripping
19 Dolphins have been quite a little
20 while in the workings. Anyway,
21 construction is imminent. We're going
22 to begin next month. We know that's a
23 high priority item. We've been
24 working with all you guys very closely
25 on this, the state. It's finally

1 coming to fruition.

2 The Bayou Dupre flood gate,
3 there's some repairs, the upper hinge
4 repairs that are basically, all these
5 repairs are being done by our internal
6 labor forces. We have a floating
7 plant. We call it our hire labor
8 units. We have three floating plant
9 units that do all this work. So
10 there's only so many of those folks to
11 share all this workload. So they'll
12 be doing the Bayou Dupre work and
13 that's more of a risk reduction
14 system. It's not really anything that
15 impacts commercial navigation.

16 Harvey lock, like I said, the
17 emergency crane repairs, they need to
18 be addressed.

19 Bayou Sorrell Lock - the north
20 sector gates and upper hinge anchorage
21 repairs. That's really a critical
22 high need that needs to be addressed.
23 So that got moved up in the rotation.
24 And then the IHNC lock dewatering,
25 that got pushed back due to these

1 other items that we felt were more
2 critical and could lessen impacts to
3 navigation.

4 SHARON BALFOUR:

5 Vic?

6 VIC LANDRY:

7 Yes, ma'am?

8 SHARON BALFOUR:

9 When did you say the Tripping
10 Dolphins are going to be put in?

11 VIC LANDRY:

12 We're going to start. I'm going
13 to get to it in a second, but we're
14 going to start next month, mid-May.

15 The Lake Borgne IHNC surge barrier
16 Tripping Dolphins - This is the big
17 thing that I told you we've all been
18 working on and we still are going to
19 install ten pile clusters, five on
20 each side, on the east side and the
21 west side for navigation. This is the
22 main thing that we've worked very hard
23 on because when we have high flows and
24 high velocities coming through the
25 barge gate and sector gates, we know

1 it's a challenge to navigate that and
2 buck the current. So these will
3 assist and this will work out well for
4 everyone and we think it will be a big
5 safety item there. So there are going
6 to be three pile clusters, and like I
7 said, they'll be five on each side.
8 The pipe has been ordered and at the
9 end of the month it should be
10 delivered and they'll actually start
11 about a month from now, mid-April.
12 And the duration, we're anticipating
13 80 days, so about a month and a half
14 there.

15 The Harvey lock crane repairs -
16 Basically, we have corrosion on the
17 existing crane. It's the original
18 crane, 80-year-old crane that's done a
19 great job, but somewhat IHNC, aging
20 infrastructure, it has maintenance
21 needs and we're going to do that here.
22 This is something we've been working
23 on for about the last two years. This
24 work will not start until September,
25 after the Bayou Sorrell work is done.

1 We're trying to sequence it. And the
2 last thing we ever want to do is have
3 two locks shut down that would impact
4 navigation. So this will happen after
5 Sorrell to not impact you guys as
6 much. So when the work is actually
7 transpiring, we're going to shut
8 Harvey lock down to navigation then
9 route everything around to Algiers or
10 Port Allen, but Algiers primarily.

11 Anyway, the unique thing about
12 Harvey lock is that it doesn't have
13 much of a forebay and it has great
14 impacts from the river. So we're very
15 concerned with what could happen if
16 there were an emergency and we didn't
17 have a crane there to use because
18 there's no interior protection, and
19 John is very familiar with this,
20 behind Harvey lock, between the Harvey
21 lock and the Lapalco sector gate,
22 there's no interior protection.

23 There's nothing. So if the water gets
24 over two, that's a concern. So we
25 don't want any impacts or any risks to

1 put water back there. So currently
2 the derrick is only certified for
3 emergency use. So this is a high
4 ticket item. It's not big on most
5 people's radar, but we do consider it
6 a major issue. Next.

7 Here's a photo of Harvey lock and
8 you can see the forebay and how
9 shallow that forebay is as compared to
10 Algiers or IHNC or Port Allen and it
11 has great impacts from the river.
12 Next.

13 And this just shows some of the
14 corrosion on the crane. The center
15 mast has corrosion at the base of it
16 and that's been a big challenge there.
17 Next.

18 The impact of closure - Basically,
19 when we shut down the Port Allen to
20 Morgan City alternate route for the
21 Bayou Sorrell dewatering, we know this
22 is an inconvenience and it's
23 essentially 171 mile detour instead of
24 going up the alternate route, you'll
25 have to transit east to Algiers lock

1 and then up the river if you're going
2 up to Baton Rouge. But we still have
3 a work around, that's the main thing.
4 Next.

5 The Bayou Sorrell lock dewatering
6 and repairs - Mike Lowe, who's the
7 Atchafalaya Operations Manager, he
8 manages Bayou Sorrell lock and he and
9 his team have been working on this and
10 we've been coordinating also with all
11 the other operations managers. But
12 essentially the scope of work on this
13 is to address the north end gates, the
14 hinges, the anchorages. There's been
15 a lot of corrosion, a lot of concerns
16 and it's another older structure that
17 needs some TLC. This work is going to
18 start 1 June and you're looking at a
19 three month duration, 90 days. So
20 June, July, August, Bayou Sorrell will
21 be shut down to traffic. One of the
22 other things here is this actually was
23 supposed to start now and IHNC was
24 going to happen in late summer, but
25 the issue was the river stage. It has

1 to be below 2.7. They couldn't get
2 the right river stage to start the
3 next work. So because of it, it had
4 to be deferred. So that kind of
5 pushed everything back with all our
6 labor forces. We had to schedule
7 everything that had to move out. So
8 that was the big issue there. And
9 like the big risk there is the
10 corrosion on the upper hinges and
11 anchor rods. That's a big risk. We
12 don't have those current concerns with
13 IHNC. Yes, IHNC is old; it's older.
14 It does have issues, however we're not
15 in any concern within the risk of
16 failure, especially on the gates. So
17 we can put that off another year.

18 CHERYL FELDER:

19 Vic, isn't there a closure of
20 Bayou Sorrell like coming up like
21 soon?

22 VIC LANDRY:

23 I believe they're doing some
24 guidewall work.

25 GEORGE DUFFY:

1 Monday, just for one day.

2 Z. DAVID DELOACH:

3 You said June 1st at Bayou
4 Sorrell?

5 MIKE:

6 That's outdated. It's now July
7 15th.

8 Z. DAVID DELOACH:

9 That's what I thought.

10 VIC LANDRY:

11 Thank you, Mike. These are some
12 photos of the Bayou Sorrell sector
13 gates. You can see the timber is in
14 pretty bad condition. You can see the
15 corrosion on the skin plate and I
16 don't know if you can see these photos
17 very well, but those gates definitely
18 need some attention. Next.

19 The IHNC lock dewater - As I said,
20 we decided to put it off until 2016,
21 but all the things that come into it,
22 there's been advanced planning and
23 we've been involved in this for the
24 last two years and I think I've
25 communicated with you guys everything

1 going into it and I know everyone's
2 trying to develop their workaround
3 plans and alternate routes and we've
4 worked with CAPT Schifflin and Coast
5 Guard on Baptiste Collette across
6 Breton Sound. As a matter of fact,
7 we've been surveying that and about 50
8 percent of it is complete. The
9 weather hasn't been cooperative.
10 Adam, I wish I could tell you we're
11 done, get a little bit more breathing
12 room. However, we still planning on
13 completing that. So our
14 hydrosurveying efforts are underway.
15 We've only been able to complete about
16 50 percent of it though.

17 Baptiste Collette will be dredged
18 to minus 14. The Coast Guard's going
19 to mark the channel with ATONs both
20 real and virtual, I believe. And
21 also, we've been talking about
22 evacuation plans with the RNA. We'll
23 have our floating plan. Now this is
24 not until next year, but this gives us
25 more time to work that through with

1 you guys for the RNA concerns.

2 But essentially, we're going to
3 get four new miter gates. We're going
4 to install the new miter gates. Like
5 I said, they're coming from
6 Bainbridge, Georgia. So it has to
7 come down the
8 Flint/Chattahoochee/Apalachicola to
9 the GIWW. So it's not an easy float
10 out. It will be a draft concern and
11 we're working with the Corps' Mobile
12 District on that. But this buys us a
13 little more time so stage won't be so
14 dependent on delivery. We're going to
15 basically do a lot of well-needed
16 maintenance to the lock in addition to
17 the gates. We're installing new lock
18 operating machinery, gate machinery,
19 hydraulic equipment so we won't have
20 issues like last year. We're
21 anticipating 90 days at this point.
22 It could go a few days beyond or
23 shorter and hopefully we can minimize
24 impacts as much as possible. But the
25 big thing here is 6 feet on the

1 Carrollton gauge before we can dewater
2 because there's uplift concerns on an
3 old concrete chamber. Next.

4 WRDA - I'm not a WRDA or
5 legislative expert. I'm just going to
6 give you sort of a snapshot of where
7 we are and what I've been told and
8 this is where we are. WRDA language
9 basically says that the Corps will be
10 responsible for the O&M of any
11 floodgate or pumping station
12 constructed within a navigable channel
13 among the inland waterways. So Bob
14 basically hit it right on the head.
15 You've got IHNC surge barrier; you've
16 got the west closure complex; you do
17 not have the Seabrook closure complex.
18 However, you do have -- and you also
19 have the Harvey/Lapalco pump station
20 which we've always had O&M responsible
21 for, responsibility for. But the
22 language does include those and it
23 does say that the sponsors, which is
24 the State and levee authorities, will
25 be responsible for 35 percent of the

1 cost of O&M. Now the implementation
2 guide says that no funds have been
3 appropriated for this purpose. So
4 there's no current funding available,
5 just like Bob said. So this is sort
6 of a very dynamic situation. We're
7 waiting for a lot of guidance from
8 above.

9 CHERYL FELDER:

10 Before you get off of this, this
11 is an issue that also came up at the
12 Inland Waterway User Board, at their
13 recent meeting in Birmingham, because
14 everybody feels very strongly that
15 WRDA is now the law of the land and
16 this needs to be implemented. Your
17 industry partners feel fairly strongly
18 that in the last two years budget
19 cycles 13 and 14 industry partners
20 have gone to the hill and really
21 helped and have gotten a plus up in
22 the O&M budget for the last two years
23 of almost \$1.6 million -- \$900 million
24 in 2013 and like \$600 million in 2014.
25 So we feel like there's -- I think I

1 heard a number of like \$4 million
2 which would be the 65 percent share
3 for this on an annual basis. We
4 really hope and encourage the Corps to
5 look somewhere for \$4 million out of
6 that huge plus up that we helped to
7 get in the last few years. We
8 understand about the appropriation
9 cycle and all that, but we really feel
10 like that there's probably a little
11 money out there that can be found
12 somewhere. So we're just encouraging
13 you guys to do that and I would like
14 to say that Mike Parks is here and he
15 may want to add something to this.
16 He's the new Chris Accardo. We thank
17 you so much for being here and I know
18 this is your area. You may want to
19 jump in there and say something or
20 not.

21 **MIKE PARKS:**

22 So what Vic is saying is dead on
23 with the implementation guidance that
24 was provided for Section 2013 under
25 WRDA. It very specifically says

1 although the legislation directs
2 responsibility for operation of these
3 facilities to the Corps, no funds were
4 appropriated for this purpose. And
5 then it goes on to say that O&M funds
6 are appropriated on an annual basis
7 implying that this could be
8 incrementally funded annually and
9 there's no guarantee that in any
10 subsequent year there would be a
11 continued funding screen.

12 And then it says subject to the
13 appropriation of funds and the non-
14 federal sponsor providing their 35
15 percent cost share then, and then
16 only, can we move forward with an
17 amendment with the project partnership
18 agreement to acknowledge the federal
19 responsibility for operation of the
20 facilities. And so we got a little
21 ways ahead of us. Even if there were
22 an appropriation, we would then have
23 to accept funds from a non-federal
24 sponsor and then move forward with re-
25 negotiation or an amendment to the

1 project partnership agreement as it's
2 currently written. As it's currently
3 written, the responsibility is 100
4 percent non-federal responsibility for
5 operation and maintenance of these
6 facilities.

7 So we didn't get into the FY 16
8 budget and the funds that were
9 provided through the work plan
10 allocations for FY 15, no funds were
11 provided for this purpose in that
12 package and so our next opportunities
13 would be possibly funding provided
14 through a work plan in FY 16 or
15 seeking a regular appropriation FY 17.
16 So this could be a little ways out
17 ahead of us while we're still
18 continuing to work in close
19 partnership with the flood protection
20 authorities on the affected operation
21 of these facilities. There's not an
22 immediate solution that's on the
23 horizon necessarily unless at the
24 Corps Headquarters level decisions are
25 made to apply funds that were provided

1 through the work plan for this
2 purpose. And so we're really not able
3 at this level to redirect funds to the
4 operation and maintenance of these
5 facilities, but that would probably
6 have to happen at the ASA's level in
7 order for us to move forward with the
8 O&M.

9 OLIE MORTON:

10 Well, it appears to me that
11 Congress can't allocate money in the
12 budget for this specific thing cause
13 that would be an earmark and they're
14 not doing earmarks. What they're
15 doing is they're giving the Army Corps
16 of Engineers a bunch of money and
17 said, "this is all we have" and you
18 have to decide accordingly and you
19 guys have failed to do it. Don't go
20 say Congress didn't appropriate money,
21 they appropriated a lot of money and
22 we go up there and walk up and down
23 the hill and beat up on senators and
24 representatives to get them to
25 allocate that money and you're the

1 ones that have the responsibility for
2 that. So don't go saying Congress
3 didn't allocate money for this. They
4 allocated a bunch of money and it's
5 been decided somewhere within the Army
6 Corps of Engineers structure not to
7 spend it on this.

8 MIKE PARKS:

9 And I'm not making any excuses,
10 I'm just echoing what was written in
11 the implementation guidance that was
12 signed by Mr. Stockton and delivered
13 to us for how we would proceed with
14 the implementation of this
15 requirement. So we're obliged to
16 observe the implementation guidance
17 and if it says that we've got to wait
18 until there's an appropriation, that's
19 where we are right now.

20 OLIE MORTON:

21 I'll be talking to Steve.

22 CHERYL FELDER:

23 I appreciate your comments, Mike,
24 and I understand your position
25 entirely and we'll continue to work on

1 our end and Bob, I appreciate your
2 comments, you know, what's going on
3 with the levee districts and your
4 willingness to be able to do the daily
5 work and we appreciate that. Sharon,
6 do you have anything to add from the
7 State's perspective, DOTD, on this
8 issue at this point? I don't mean to
9 put you on the spot.

10 SHARON BALFOUR:

11 Well, we would like to see the
12 Corps take over.

13 MIKE PARKS:

14 To just address the comment that
15 was made about earmarks, the way that
16 the legislation was actually written
17 says that the Corps would have the
18 responsibility for operation and
19 maintenance of 65 percent of the cost
20 of sector gates or flood gates and
21 attendant pump stations that cross
22 waterways that are funded by the
23 inland waterway user's tax. So that
24 didn't specifically say these
25 facilities in Louisiana and this

1 district, but it broadly defined it
2 while it still only applies to those
3 few facilities. So it was a bit of
4 legislation that was coordinated
5 through Senator Vitter's office with
6 the Corps legislative drafting
7 services to achieve the intent as much
8 as possible.

9 CHERYL FELDER:

10 Vic, do you have anything else?

11 VIC LANDRY:

12 No.

13 CHERYL FELDER:

14 Does anyone have any questions for
15 Vic?

16 VIC LANDRY:

17 Yes, sir, Z. David.

18 Z. DAVID DELOACH:

19 On the July 15th closure of Bayou
20 Sorrell, is there any possibility if
21 the river is not low enough that that
22 could be pushed back? And the reason
23 I say this, I have seen the river, the
24 40 foot Red River all the way up to
25 like August 15th and it's pretty

1 critical that we be able to run up the
2 Atchafalaya because all the fleets in
3 Baton Rouge basically move their
4 operation to old river when you have
5 one of these events for that time, for
6 a 90-day closure, and we have to run
7 up and down the Atchafalaya River. So
8 we've got to make sure that the
9 Atchafalaya is down low enough where
10 you duck the bridges.

11 VIC LANDRY:

12 The limitation on river stage
13 ability to dewater is basically the
14 strength of the dewatering needle beam
15 and so we're going to look at that and
16 maybe that can be strengthened, but we
17 really have a very low river stage
18 during which we can dewater the lock.

19 There may be an opportunity
20 because our plan is within this 90
21 days we're going to remove the north
22 gates and the wet and there may be a
23 period of time during which we're able
24 to operate in an open pass mode or on
25 a pair of gates. So we're going to

1 try and minimize the impacts of
2 navigation during that window, but
3 there will be times when we're going
4 to want to unwater the, certainly the
5 north gate bay for the reinstallation
6 of the gates and we also want to get
7 in and unwater the south gate bay so
8 that we can replace seals. The seals
9 are in really bad condition and do
10 some brush blasting and touch up some
11 of the paint and replace the damaged
12 timber racks on those south gates.

13 Z. DAVID DELOACH:

14 If you have some -- I guess we
15 really need some good lead time of
16 when you might have one of those
17 windows when you can do the open pass
18 because that way we can get down there
19 and make sure that vessels are lined
20 up and ready to go when you do that
21 and get them there quickly.

22 VIC LANDRY:

23 We'll make sure that that's well
24 coordinated if those opportunities
25 arise. Any other questions?

1 CHERYL FELDER:

2 Lynn.

3 LYNN MUENCH:

4 Lynn Muench. I don't know if you
5 or Mr. Marks are the right person to
6 ask this, but are you talking about
7 the work plan. Is that the thing that
8 comes out up in the federal register
9 Aprilish, that you can comment on? Is
10 that what you're talking about?

11 VIC LANDRY:

12 No, this is a -- they are funds
13 that are allocated for the Corps to
14 apply at its discretion to backlog
15 activities upon O&M requirements that
16 were otherwise funded.

17 LYNN MUENCH:

18 What is the one that comes on the
19 federal register? What's that called
20 that we can comment on?

21 VIC LANDRY:

22 I'm not sure what that -- what you
23 might be referring to there. Sorry.

24 CHERYL FELDER:

25 Anything else for Vic?

1 JOHN MONZON:

2 Mike, how high does the work plan
3 go to get approved? Is it the
4 District, Headquarters --

5 MIKE PARKS:

6 Those allocations are made at the
7 Headquarters.

8 CHERYL FELDER:

9 Thank you, Vic. We appreciate it,
10 as always.

11 VIC LANDRY:

12 Thank you.

13 CHERYL FELDER:

14 Moving into the Coast Guard area -
15 Lt. [REDACTED] is going to address
16 the alternate route and Jim Stark is
17 also here from GICA to help with that.
18 The good news is, I guess we don't
19 need to use it this year, but we will
20 be prepared and have it on the shelf
21 for next year.

22 [REDACTED]

23 You're correct, ma'am. My name is

24 [REDACTED] with the Coast Guard. I work

25 with the waterway staff at Sector New

1 Orleans. As Mr. Landry discussed, the
2 Inner Harbor Navigation Canal Lock
3 Dewatering and Repair project has been
4 postponed until low water in 2016.
5 Prior to this recent decision, the
6 Coast Guard, in coordination with
7 Federal and Industry Work Group, had
8 made significant strides towards an
9 actionable plan to redirect traffic
10 through an alternate route. The
11 alternate route bypasses the Inner
12 Harbor Navigation Canal and Lock
13 rerouting eastbound traffic down the
14 Lower Mississippi River and out
15 Baptiste Collette through Breton and
16 Chandeleur Sounds to rejoin the Gulf
17 Intracoastal Waterway through the
18 Gulfport Ship Channel.

19 The working group has agreed upon
20 a rough track line that the Army Corps
21 of Engineers is currently surveying as
22 Vic had mentioned about 50 percent
23 done. Once a survey is complete, the
24 information will be used to mark a
25 final track line in best water for a

1 review by the navigation partners.

2 Finally, it will be marked with
3 temporary aids to navigation and this
4 is funded through the Coast Guard.

5 Industry, led by the Gulf
6 Intracoastal Canal Association, has
7 submitted Best Practices to the Coast
8 Guard listing minimum standards tow
9 traffic using the alternate route will
10 comply to assure safe navigation
11 practices while operating outside
12 routine routes.

13 One Coast Guard concern is how
14 well one-way traffic, tow traffic,
15 will be managed within Baptiste
16 Collette and how well current Baptiste
17 Collette users will adapt to the
18 increased traffic.

19 Also being reviewed are the barge
20 documentation requirements for
21 transiting Breton/Chandeleur Sounds.
22 The work group has agreed to complete
23 planning the Inner Harbor Navigation
24 Canal alternate route for use in 2016.
25 Based on the recent changes, we'll

1 begin coordination of industry leaders
2 to evaluate the impact closing Bayou
3 Sorrell and the Harvey lock in 2015
4 and look for means to mitigate
5 concerns and limit risks associated
6 with the diverted traffic.

7 Specifically, the impact closing
8 the Port Allen route would have on the
9 Morgan City route and New Orleans lock
10 structures during the hurricane season
11 and the enforcement of the regulated
12 navigation area within the Hurricane
13 Storm Damage Risk Reduction System.

14 I open it up for questions.

15 CHERYL FELDER:

16 Jim, do you have anything you'd
17 like to add before we --

18 JIM STARK:

19 No, I think LCDR [REDACTED] covered it
20 very well. I do want to thank the
21 Coast Guard and the Corps for their
22 coordination and help on the issue.
23 We've worked very closely over the
24 past few months. I guess we'll take
25 it on a slow bell from here, but there

1 are still some pieces to fall into
2 place. Commander mentioned the best
3 practices, the one-way traffic
4 resolution and I think we, at least
5 from an industry standpoint, agree
6 that one way along the length of Bayou
7 Sorrell, or Baptiste Collette, would
8 be appropriate with priority given to
9 the westbound traffic, having the
10 eastbound traffic hold up in the river
11 in a safe spot.

12 But key is also going to be
13 coordination with the other users. I
14 think he pointed that out, as well.
15 And, in fact, today starting that
16 process with some local port
17 authorities at a meeting this
18 afternoon. So we'll continue that
19 going and I think the other last piece
20 is the documentation issue for vessels
21 operating outside of the boundary
22 lines. We've got some time on that
23 too. Again, thank you to the Corps
24 and NOAA, I appreciate your help on
25 this as well.

1 CHERYL FELDER:

2 Does anyone have any questions?

3 GEORGE DUFFY:

4 Yes, George Duffy. With this one-
5 way traffic, is that set on barge
6 traffic only?

7 JIM STARK:

8 Well, that's something, I think,
9 we still have to coordinate well with
10 the other users of the waterway down
11 there. From our standpoint, trying to
12 police ourselves, absolutely it would
13 be one-way for us. But I think
14 starting that dialogue with the
15 fishing vessels, the offshore supply
16 vessel folks down there is something
17 we can all do.

18 GEORGE DUFFY:

19 The second part of it, where will
20 the barges on the river side hold up?

21 JIM STARK:

22 I'm not sure yet, but on the bank
23 somewhere.

24 Z. DAVID DELOACH:

25 You know George brings up a good

1 question. The alternate route will be
2 established, charted and also marked
3 and this utilization of that channel
4 in addition to just tow vessels could
5 actually become something of
6 consideration in terms of maybe
7 considering possibly having to
8 establish some kind of priority use by
9 the tow vessels themselves, first and
10 foremost, in terms of on top of all
11 the other vessels because that's a
12 pretty good and common run to go from
13 the Gulfport area up to Baptiste
14 Collette and could be a consideration
15 to think about with the time it will
16 have now.

17 JIM STARK:

18 And what we have done is polled
19 our users to get a feel for how many
20 tows, numbers of barges in the tows,
21 would actually use that route during
22 that three-month closure. I've got
23 some preliminary numbers, but I
24 wouldn't hang my hat on them yet.

25 Z. DAVID DELOACH:

1 George, I want to be sure you
2 understand the one-way traffic he's
3 talking about is only about a 30-
4 minute stretch of the Baptiste
5 Collette itself. And this is nothing
6 that we haven't done in the past.
7 That's a pretty common courtesy that
8 we've exhibited before when we have to
9 use that waterway, the guy in the
10 river just holds up to make sure that
11 the guy coming out of the Sound gets
12 out and it's actually not the entire
13 waterway, but at the mouth where it
14 goes out into the Sound, out into
15 Breton Sound.

16 GEORGE DUFFY:

17 That's the only point that would
18 be one way?

19 Z. DAVID DELOACH:

20 Yeah, yeah. So you're only
21 talking about a 30-minute delay.
22 We're not talking about putting fleets
23 of barges down there to one-way the
24 entire transit across to Gulfport.

25 KARL GONZALES:

1 We did the same thing in 2008 when
2 we used it when the MRGO was open for
3 that particular effort.

4 CHERYL FELDER:

5 Chris?

6 CHRIS BONURA:

7 I have more of a comment than a
8 question. It's great that this
9 planning is going on and there's
10 really no alternate route right now
11 for the closure. So I just think the
12 way that this is playing out, the
13 delay, giving us time to plan the
14 alternate route a little bit better
15 and see how it works. The feedback
16 that I've gotten, I know almost
17 nothing about navigation, but this
18 affects my tenants at the Port of New
19 Orleans. It seems like there's some
20 skepticism on the part of the towing
21 community about are there mariners who
22 know how to do this, is it safe and so
23 I would just encourage the feedback
24 back and forth between the industry so
25 that it is something that is widely

1 used and doesn't wind up being a way
2 around the construction.

3 JIM STARK:

4 I didn't hear all that, but some
5 skepticism or hesitance to use for
6 that? Is that what --

7 CHRIS BONURA:

8 Yeah, just that mariners aren't
9 real familiar with the route. They're
10 going to be in open water.

11 JIM STARK:

12 And what I would say is again,
13 GICA members and the folks that I've
14 been working with, there's about a
15 50/50 split. About half of the
16 mariners and companies want to do this
17 and some say they won't. They've got
18 alternate means to get their cargos to
19 where they need to be and they'll do
20 that. But there are others that are
21 very comfortable and feel that it will
22 work fine. Our task, as assigned last
23 year when we started this, was to come
24 up with a viable route and make it as
25 safe as possible and implement an

1 alternative to putting it on trucks,
2 trains or coastal shipping.

3 CHRIS BONURA:

4 I'd like to reiterate. I think
5 ya'll are doing a great job. I hope
6 more people see that it's safe and
7 will adapt.

8 JIM STARK:

9 I think the major companies that
10 I've talked to feel comfortable. I
11 won't speak for all of them, but many
12 of them do.

13 CAPT SCHIFFLIN:

14 There's no doubt that the
15 alternate route proposed poses certain
16 risk that the current route does not.
17 And that's why we've done, and
18 continue to do the planning and
19 coordination that we're doing. I
20 think we'll wind down that risk to a
21 manageable level with the best
22 practices put in place. And we do
23 expect the best practices with respect
24 to alternate patterns for the weather
25 folks to look at. It's going to be

1 best practices with the way you might
2 rig up the tow which again might be
3 different from the traditional route
4 now. So taking all of those factors
5 in and with the work group that we
6 have with the other members of the
7 industry, I think we can make it risk
8 manageable, but it's definitely an
9 accurate statement to say that the
10 risk profile is different than the
11 current route.

12 KARL GONZALES:

13 As a company that's going to run
14 it, work with this and Jim and them
15 and we're going to cut the tow sizes
16 and get the tow sizes down to six
17 barges and two jumbos. At the same
18 time, when it's initially in place,
19 we're probably going to put extra
20 horsepower and run two boats across
21 just so they get familiar with it.
22 That's -- our company's looking at
23 that right now just to make sure
24 everybody's familiar with it.

25 GEORGE DUFFY:

1 Following Paul's comments, two
2 aspects of this is one, that when the
3 closure of the MRGO came up, maritime
4 industry attempted to have a gate put
5 on so that in case we had this
6 circumstance come up, we would not
7 have to go out into the open water
8 which again, I know LCDR ██████
9 mentioned about the certifications
10 that are in place because of going in
11 open water and that was nixed
12 terribly.

13 The other point is at Baptiste
14 Collette, the Corps does not control
15 the dredging in the whole channel. Is
16 that correct, Vic?

17 VIC LANDRY:

18 Just from the river out through
19 the bar.

20 GEORGE DUFFY:

21 To the bar, but the rest of it is
22 under the State; is that correct?

23 VIC LANDRY:

24 We don't dredge anything across
25 the sound. That's correct.

1 GEORGE DUFFY:

2 So there's nothing dredged by
3 anybody across the sound?

4 VIC LANDRY:

5 Correct.

6 JIM STARK:

7 The Corps is in the middle of a
8 survey. They surveyed half of it and
9 I think the preliminary results look
10 pretty good.

11 VIC LANDRY:

12 Yeah, we're seeing good draft. It
13 looks like there's plenty water. We
14 haven't seen any draft at zeros and
15 normal maintenance of Baptiste
16 Collette is scheduled for this July.

17 JOY MANTHEY:

18 The offshore boats use that now so
19 a lot of those draw more than the
20 shallow draft towboats.

21 JIM STARK:

22 Well, we did find some shallow
23 spots at the bar at Baptiste Collette.

24 GEORGE DUFFY:

25 The dredging program is coming up

1 in the spring or summer, early summer.

2 CHERYL FELDER:

3 Well, the good news is we've got a
4 little more time to deal with it. So
5 that's all good. Thank you so much.

6 Next we'll move on to LCDR Howard
7 Vacco who's going to talk to us about
8 the 81 Mile Point Sensors and whatever
9 else he's got on his mind.

10 LCDR VACCO:

11 Thank you very much. I appreciate
12 it. Good morning everyone. I'm LCDR
13 Howard Vacco, Director of Vessel
14 Traffic Service Center here at the
15 Sector.

16 As of today, I'm happy to announce
17 the tower is constructed with all the
18 utilities and services available. The
19 tower is located at mile marker 178.

20 You can kind of see in the area where
21 it said the proposed site, a little
22 yellow pin that's there. Actually,
23 it's behind the levee. So just as a
24 point of clarification for surge and
25 weather purposes, it's actually on the

1 dry side. That's where it's actually
2 located.

3 Currently the utilities include,
4 we have installation of the T1 lines
5 which those are critical certainly for
6 support of our DHF radiocomms. We have
7 installation of an emergency
8 generator, as well as a 500 gallon
9 diesel fuel tank. Now the tank will
10 provide us approximately 30 days or so
11 worth of emergency power to continue
12 operations at that site.

13 There's a teleconference that's
14 scheduled for Tuesday, March 17th with
15 the other Coast Guard contracting
16 officials to discuss a timeline for
17 completion of the project. Currently
18 our target dates for the hardware
19 installation and the complete system
20 operational test of everything, that's
21 scheduled for 15, June. So the
22 completion for that to be installed
23 and everything, all the systems will
24 be tested and ready to go. We're
25 ready to go live by 15 June 2015.

1 Now, of course, anybody that's
2 dealt with anything technical, this is
3 all, of course, everything goes well
4 and that we don't have any hiccups or
5 issues during the testing process.
6 But certain 15 June is our target
7 date.

8 Once completed, the new tower will
9 provide us the following. Minus the
10 traffic lights, we're going to have
11 the same functionality as Algiers
12 Point, cameras, radar, low level
13 communications and backup AIS in the
14 event that we should lose one of our
15 towers over at Vacherie.

16 For the two cameras, you can kind
17 of see here shaded in red, we'll have
18 digital capabilities upriver at the
19 bend at Philadelphia Point and
20 downriver at Branier (phonetic) Point.
21 In addition to that, the anticipated
22 radar is going to be approximately
23 about three to five miles upriver and
24 downriver within that area. So you
25 can kind of get just a general picture

1 of what we're going to be looking at
2 there.

3 Once again, when we do the testing
4 of the system, we're going to get a
5 better idea. We know what we expect
6 to have, but certainly once we
7 actually run through the test, we'll
8 certainly have a better, more accurate
9 picture of what we're actually going
10 to see and what we're experiencing out
11 there on the waterway.

12 Ultimately, once this is
13 completed, it will provide us with
14 better communication producing a safer
15 and more efficient waterway. Does
16 anybody have any questions?

17 CHERYL FELDER:

18 This is very good news considering
19 we started this project ten years ago,
20 something like that, we had the
21 initial stages to take care of the
22 situation. So this is very good news.
23 Thank you very much for delivering it.
24 Anybody have any questions?

25

1 MATT LAGARDE:

2 Can we do the same thing at
3 Wilkerson Point?

4 LCDR HOWARD VACCO:

5 There's no plans or proposal right
6 now for that obviously in the
7 challenging fiscal environment. We
8 are looking at everything. Certainly
9 we welcome feedback. And also, once
10 this thing goes live, we want that
11 feedback from the users to say, "Hey,
12 how's it working for you?" In
13 addition to that, our watchstander
14 certainly will give us feedback, as
15 well, so we actually know our
16 capabilities and our challenges, if
17 there are any that we run into.
18 Certainly for any future projects, we
19 welcome any kind of feedback like that
20 and we can propose it up.

21 CHERYL FELDER:

22 And seriously, Matt, I mean, it
23 really did start with this group. We
24 put an ad hoc group together because
25 it started because there were a number

1 of accidents that were happening at 81
2 Mile Point and LMRWSAC did put a group
3 together to look at it and make some
4 recommendations. So that's totally
5 within the realm of our -- you know.

6 MATT LAGARDE:

7 And I agree that the aid of LRQFC
8 (phonetic) looking at accidents still
9 shows that the Baton Rouge area is the
10 highest concentration in the country
11 for inland stuff, so we need to take a
12 look at that.

13 Z. DAVID DELOACH:

14 Matt, the problem we have with
15 Wilkerson Point is that for years and
16 years, industry has managed that in
17 high water. It only comes about in
18 high water and it's just recently that
19 the Coast Guard's taken over the VTS
20 system for our high water at Wilkerson
21 Point and they really hadn't had a
22 good high water event since they did
23 that. Let them get one or two under
24 their belt and they'll have cameras on
25 the bridge.

1 MATT LAGARDE:

2 Well, I worked with VTS and the
3 Coast Guard for the last event --

4 Z. DAVID DELOACH:

5 But it only lasted a little short
6 period of three or four days. When we
7 get one like we did, I don't know, six
8 or seven years ago and it lasted for
9 30 days and we were up at over 40 feet
10 in Baton Rouge, they'll figure it out.

11 CAPT SCHIFFLIN:

12 And this is just from the Coast
13 Guard perspective, in a high water
14 environment, I'd like sensors every
15 place. I mean, information -- the
16 more information we have the better
17 and then we could use a little piece
18 of meat at the time. I do think
19 Cherie's comments about this group
20 being a good group to make a
21 recommendation like that is spot on
22 and the folks who serve in other
23 capacities and have the capacity to
24 interact with other folks. We don't
25 generally get to generate projects

1 like that ourselves here at the Sector
2 level. Those come from someplace
3 else. We do recognize the unique
4 challenges Wilkerson Point can pose in
5 a high water environment, sure. So we
6 do have a new business section. We
7 can definitely add some items on it,
8 but there's opportunities for other
9 comments. Let's say at least at the
10 Sector New Orleans area as Captain of
11 the Port I would not be opposed to
12 having more sensors in other areas
13 along the river, including Wilkerson
14 Point.

15 SHARON BALFOUR:

16 Cameras on the bridge won't work.
17 DOTD tried to put cameras for the
18 traffic and the vibration on the
19 bridge is too much. The cameras never
20 really worked. So they got rid of the
21 cameras. So if you want cameras
22 somewhere, you're going to have to put
23 them somewhere else, not on the
24 bridge.

25 COLIN CAMPBELL:

1 If anything, this is going to increase
2 their capabilities and now they'll
3 have visual. It's going to make it a
4 lot better for the watchstander to
5 make more, I guess I would say, real
6 time decisions and so they'll have
7 better information at their disposal.

8 CHERYL FELDER:

9 Thank you. Anything else? Thank
10 you so much. CAPT Dittman.

11 CAPT DITTMAN:

12 Good morning, Cherie. As Cherie
13 mentioned, my name is Paul Dittman. I
14 think I know most of you in the room.
15 I'm Chief of Prevention at Sector New
16 Orleans. I'd like to give you just a
17 quick update on where we are with our
18 L&G projects.

19 We have two letters of intent for
20 L&G facilities that have been provided
21 to the Captain of the Port, one for
22 Cambridge Energy and one for Louisiana
23 L&G.

24 Captain of the Port met with
25 Cambridge Energy just last week and if

1 you recall, they were one of the
2 presenters at the March Port Safety
3 Counsel Meeting of last year. Based
4 on some updated information that
5 they've provided us during the meeting
6 regarding the size of the vessels that
7 they plan on bringing in and some
8 modifications to the footprint,
9 they're going to be submitting to the
10 Captain of the Port an updated,
11 preliminary waterway suitability
12 assessment probably within the next
13 three to six months. Once we receive
14 the PWSA of preliminary waterway
15 suitability assessment, we'll comment
16 on it and the following action will be
17 a full-blown waterway suitability
18 assessment.

19 Just to remind everyone, the WSA
20 or waterway suitability assessment,
21 will then be reviewed by the Captain
22 of the Port in consort with the local
23 community, other federal and state
24 agencies, but most importantly also
25 with the impacted maritime community

1 to look at potential waterway security
2 and safety issues and any potential
3 risks and any mitigating strategies
4 that could be put in place to go ahead
5 and drive down that risk. So again,
6 Cambridge Energy, we're looking at
7 about another three to six months
8 before the updated PWSA.

9 Louisiana L&G submitted a
10 preliminary waterway suitability
11 assessment to the Captain of the Port
12 several months ago. We've commented
13 on it and we've provided them some
14 feedback. Initially we were told that
15 the WSA should be received by the
16 Captain of the Port sometime in the
17 early spring, maybe as early as
18 February. Well obviously, that hasn't
19 happened. So we anticipate again
20 within the next three to six months
21 receiving the full-blown waterway
22 suitability assessment from Louisiana
23 L&G.

24 So really not a lot of traction
25 since the last LMRWSAC meeting, but

1 again, they're continuing to move
2 forward with both of these and both
3 companies are still intent on
4 designing and building their
5 facilities and obviously, as that
6 progresses we're going to be reaching
7 out more and more to the maritime
8 community, with many of the members
9 here in the room to go ahead and
10 assess and mitigate any potential
11 safety and security risks.

12 Any questions for me?

13 CHERYL FELDER:

14 Thank you so much.

15 CAPT DITTMAN:

16 Thank you, ma'am.

17 CHERYL FELDER:

18 We're moving into new business
19 now. LCDR ██████, I think you're going
20 to talk to us about the memorandum of
21 understanding Mile Marker 73.

22 LCDR ██████:

23 Yes, ma'am. So this year the mile
24 marker is 71 and it was updated to
25 include Cooper Consolidated 111, LLC

1 and their fleets between mile markers
2 72 and 73 on the left descending bank
3 of the Mississippi River.

4 We also took advantage of this
5 opportunity to update all the points
6 of contact for the MOU and modify the
7 method for making future changes to
8 reduce the impact on signatories. So
9 future changes will be a lot more
10 efficient and won't require a big
11 meeting of all the signatories to
12 resign. It will be agreed upon
13 electronically or via other means that
14 won't require everyone's presence.

15 As a best practice, learn in
16 tropical event KAREN in 2013 enacting
17 the mile marker 73 MOA will be
18 preceded by a conference call and
19 discussion with signatory
20 representatives. This will be
21 conducted outside of the normally held
22 Port Coordination Team Call with the
23 decision to enact the MOA to be
24 announced during the following Port
25 Coordination Team Call. So we'll have

1 a separate discussion so that those
2 signatories and impacted members
3 aren't caught off guard during the
4 Port Coordination Team Call by any
5 decision.

6 CHERYL FELDER:

7 That makes sense. Questions about
8 that? I think you're also going to
9 give us an update on the anchorage
10 amendments?

11 LCDR JAMES [REDACTED]:

12 Yes, ma'am. So in coordination
13 with industry leadership, the Coast
14 Guard has initiated a rule making to
15 modify the Cedar Grove anchorage and
16 create two new anchorages. The two
17 new anchorages are at Plaquemines
18 Point and Point Michele. The Cedar
19 Grove anchorage was modified to an
20 area 1.4 miles in length along the
21 right descending bank extending from
22 mile marker 69.5 to 70.9 ahead of
23 passes and the width is 500 feet.

24 You see the jog in the anchorage.
25 It's not continuous and that's to --

1 we've already run this through with
2 both the Corps and NOAA. We received
3 great cooperation there and we've
4 moved it out a little bit to prevent
5 it from overlapping through the
6 revetment. We don't want anyone
7 dropping anchors on the revetment.

8 Point Michele anchorage is
9 proposed to be an area 1.2 miles in
10 length along the right descending bank
11 of the river extending from mile
12 marker 40.8 to mile 42 ahead of
13 passes. The width of this anchorage
14 is also 500 feet.

15 And then our final anchorage is
16 Plaquemines Point anchorage and it's
17 proposed to be an area .5 miles in
18 length on the right descending bank
19 extending from river mile 203.9 to
20 mile 204.4 ahead of passes. The width
21 of this anchorage is 500 feet.

22 This anchorage adds a critical
23 anchorage for emergent situations
24 between White Castle and Baton Rouge
25 general anchorage, which is the

1 longest transit between anchorages
2 below Baton Rouge at almost 30 miles.

3 We thank the Corps of Engineers
4 and NOAA for assisting us with the
5 initial review and we look forward to
6 future cooperation. The rule making
7 has been initiated via Advanced Notice
8 to Proposed Rul Making, which are
9 recommended for significant changes
10 like this. This should be signed by
11 the Admiral and posted in the Federal
12 Registry within 30 days.

13 Are there any comments or
14 questions about the anchorages? In
15 total, we've gained eight anchorage
16 spots for the river and I think this
17 is great, especially for grain season
18 where it gets very congested. From
19 the Coast Guard's standpoint, the
20 advantage is when we have a marine
21 casualty and we need to get a vessel
22 into an anchorage, there's a higher
23 probability that they'll be an open
24 anchorage nearby.

25 Some of the concerns we have is

1 during grain season and we have a
2 casualty aboard a vessel and that
3 vessel needs a transit for an hour or
4 two before it can find a safe
5 anchorage.

6 There are other options where we
7 can establish temporary anchorages,
8 but that puts a vessel in a not
9 normally used anchorage. They'll be a
10 safe place for them to anchor, but
11 other vessels may not be used to it
12 and, of course, that's always a
13 concern.

14 CHERYL FELDER:

15 There's another project that was
16 started long ago that I think Ron
17 Branch was concerned about when he was
18 Captain of the Port and that's been a
19 few years ago.

20 Thank you very much. CAPT
21 Schifflin, I'm going to turn it over
22 to you for Systematic Port Planning
23 Issue.

24 CAPT. SCHIFFLIN:

25 In the Systematic Port Planning

1 has been a misnomer and it's got a
2 tough idea of giving an exact name to
3 what this is, but let me describe kind
4 of the issue that I'm hoping LMRWSAC
5 might help deal with and before I go
6 into great detail there, I'd like to
7 say my purpose today is to kind of
8 throw out something to consider, take
9 on any comments, but not seek any
10 action until the next LMRWSAC meeting.
11 So the intention really is just to
12 kind of get the thoughts of LMRWSAC
13 and see if this is something that this
14 body is interested in undertaking in
15 any way, shape or form or potentially
16 in the form of an ad hoc working
17 group.

18 But the issue I was troubled by is
19 during my two and a half years here at
20 Sector New Orleans, first as the
21 Alternate Captain of the Port and now
22 as the Captain of the Port is at
23 different times, permits would come
24 before me for comment as the Captain
25 of the Port or Alternate Captain of

1 the Port and it had become clear that
2 there would be somebody in the process
3 that didn't have the benefit to all of
4 the information that folks in this
5 room might have available to them,
6 whether it was a person requesting a
7 permit or whether it was the impact of
8 maritime community or other permit
9 holders, there were conflicts and
10 issues not fully incorporated in that
11 permit and that often would cause
12 challenges to either the maritime
13 public or the person seeking the
14 permit, that is, they might have
15 already acquired the land, invested a
16 lot of money and now found out there
17 are other challenges and complications
18 that they were unaware of and wished
19 they had known earlier on.

20 Along the river, we obviously have
21 facilities, anchorages, fleeting
22 areas, buoy systems, etc., and a lot
23 of times these uses can conflict with
24 each other. What I was hoping LMRWSAC
25 might do is take a look at the river,

1 that is, the Sector New Orleans
2 portion of the river, starting at the
3 northern most and coming down the
4 river and looking at these areas and
5 making determinations of available for
6 all uses potentially. So if there's a
7 piece of river that's good for
8 everything. It would be a great place
9 anchorage, et cetera or might not be
10 good for whatever reason. Maybe it's
11 at a particularly hazardous location
12 and now we're ready and anything that
13 would turn it to one-way traffic. I
14 mean, I'm trying to provide a
15 overarching holistic view of the river
16 as it exists today and give the best
17 advice. And again, this would be
18 purely advisory. It's not -- it would
19 have no binding impact on the Corps or
20 the Coast Guard, MENSAs. It would just
21 be another kind of gaining the wisdom
22 of the folks in here and others as by
23 ad hoc work group and kind of
24 memorializing what the faults are.
25 I've also experienced in my two and

1 half years a lot of folks have
2 something like that already. That is,
3 they have kind of their document of
4 good spots and bad spots. And
5 somebody else has their document of
6 good spots and bad spots and they
7 don't necessarily benefit from the
8 synergies of sharing that information
9 in a collaborative fashion so kind of
10 has an overarching overview. That's
11 kind of what I hope LMRWSAC might take
12 on at the next meeting. But I would
13 now like to throw it out for any
14 comments and questions to better
15 clarify what my thoughts are.

16 **MATT LAGARDE:**

17 I completely agree. And in
18 addition, something that we may need
19 to look at going forward from the
20 MENSA standpoint we've seen and these
21 are available in the Ohio River. We
22 have emergency mooring buoys and
23 places of refuge for towing vessels
24 and the same problem we have with the
25 places of refuge for a ship with

1 marine casualty if you're going to
2 anchor. We're running out of spots
3 for towing vessels to be able to stop
4 in foggy weather. We have one spot,
5 when you close out at Algiers Point,
6 the only place to pull in is right
7 below Harvey lock and if somebody
8 tries to curve and not right there
9 then we're running out of spots to
10 stop. So we need to create a reserve
11 or set aside some areas for that type
12 of purpose.

13 CAPT SCHIFFLIN:

14 And a list of items that we are
15 talking about would be all inclusive.
16 But by all means, that would help an
17 ad hoc working group would have the
18 liberty to consider all issues that
19 have an impact on the safe use of the
20 Lower Mississippi. I mean, that goal
21 is to minimize those conflicts that
22 decrease the safety of the river.

23 CHRIS BONURA:

24 Captain, you mentioned the river.
25 In your view, would this also

1 incorporate some of the shallow draft
2 channels in the area, as well? I
3 mean, the river is obviously where
4 most of the traffic is, but...

5 CAPT SCHIFFLIN:

6 Well, you know, I would be happy
7 to take on board LMRWSAC's thoughts as
8 to how much this ad hoc working group
9 could bite off --

10 CHERYL FELDER:

11 Are you're talking about like
12 Harvey, Algiers, Industrial Canals, as
13 well?

14 CHRIS BONURA:

15 Yeah, right. The situation that
16 you mentioned, there was a lease that
17 I was working on in the Industrial
18 Canal where the perspective tenant
19 thought that they were going to get a
20 permit and based their economics and
21 business plan on that and when they
22 didn't get the permit that they
23 thought that they were going to get
24 and so the whole deal just kind of
25 vaporized. Having a little bit more

1 understanding of, just on my part,
2 whether or not they were going to get
3 the permit, I could have saved myself
4 a lot of time and hassle.

5 CAPT SCHIFFLIN:

6 And I can -- again, if LMRWSAC at
7 the next meeting, decides to take this
8 challenge on, we have some time to
9 figure it out now. But I'll share how
10 we managed a very different process.
11 Another thing I'm responsible for is
12 finding pollution events. One of the
13 lessons learned from the Deep Water
14 Horizon response was that our --
15 things that we call geographic
16 response, that is, plans specific to a
17 certain area. So if I know there's a
18 pollution event taking place in area
19 "X" I break out the response plan. It
20 already identifies sensitive areas and
21 that are protective to the techniques
22 for the sensitive areas, booming,
23 strategies, so on and so forth. In
24 doing that, we have in this area, a
25 fair number of sensitive areas,

1 especially along the coast, on the
2 marsh or something like that. And
3 then we have the river system areas
4 that protect our waterway intakes and
5 stuff like that. To bite off the
6 whole piece at one time was considered
7 a reach too far for us. So we did
8 break it up into a couple of pieces
9 and said we'll develop geographic
10 response panels here. And right now,
11 as I speak today, the whole coast was
12 done and we're working on the river
13 now up through Baton Rouge.

14 So maybe, it might be that if
15 LMRWSAC decides to take this project
16 on they decide on choosing the first
17 piece where there's half the river and
18 next half of the river and then maybe
19 go into the shallow waters next rather
20 than overwhelming them with everything
21 at once.

22 CHERYL FELDER:

23 George?

24 GEORGE DUFFY:

25 Captain, are we looking at taking

1 over the Corps permit process?

2 CAPT SCHIFFLIN:

3 No, because I think -- the
4 difference is the Corps has legal
5 authority, binding authority to issue
6 permits. And this would be another
7 piece of information for the Corps,
8 for the Coast Guard, the same kind of
9 stuff we try to consider now, but the
10 one advantage, I think, is that,
11 potential advantage, is this is your
12 public available document so if you
13 had an interest in a piece of property
14 for a purpose, you could at least see
15 that when this ad hoc working group
16 got together in, let's say 2017, they
17 thought this about that piece of
18 property. It doesn't mean you still
19 couldn't go to court and say they said
20 no, but I think it should be yes
21 because and then MENSA, the Corps
22 could, if the because is there is a
23 change of circumstances between 2017
24 and now, you could still get a permit.
25 It's not going to have any binding

1 authority. It's really the type of
2 information that folks already have.
3 I wish we were all immortal, but we're
4 not and there is a lot wisdom that
5 either moved from the area because of
6 a change in jobs or just moves on
7 because we all move on and that type
8 of information and then we can add to
9 it. I mean, there's nothing saying
10 that at some routine interval that
11 people think we're wild, the new
12 experts can add to that and update the
13 document and all it would be is a way
14 to memorialize the information.

15 GEORGE DUFFY:

16 Just going back, I've seen so many
17 permits over the years that came in
18 and they were not properly engineered.
19 The Corps puts them out; there's
20 public commentary; the pilot's make
21 comments on it whether they would be a
22 navigational issue. The local people
23 make comments on it because it's
24 public procedure. And I think that
25 politically, looking to say that this

1 committee will say do not put a
2 mooring or an operation in any part of
3 the river in St. Charles Parish or in
4 Plaquemines Parish is going to become
5 a very, very political issue.

6 CAPT SCHIFFLIN:

7 You've hit the stick with it. And
8 I recognize it's hard. And that's why
9 I'm -- I think most folks see a kind
10 of echo match point of it makes sense
11 in the macro but it is hard and a lot
12 of potentially sticky issues or causes
13 are thrown my way, I admit it, but
14 that is one reason I did not want to
15 put it to a vote today. I want people
16 to have an opportunity to think about
17 it, chat it out and if ultimately this
18 group decided while there might be
19 some gains, it's not worth the pains,
20 I can respect that.

21 GEORGE DUFFY:

22 I think the best message to get
23 out is the situation that we brought
24 up over here. I mean, we've had
25 people come to us and say we're going

1 to start -- and we say wait, don't
2 start anything until we find out the
3 details. And the devil is in the
4 details, as we all know. And some of
5 these people rush out and say, "I can
6 do this," and then all of a sudden
7 they're arguing with you and it
8 becomes a very difficult issue at
9 times. I think your point is good if
10 there is some way to work out the
11 river and say this is an area that we
12 really would recommend no maritime
13 facility.

14 CAPT SCHIFFLIN:

15 When there's an advocate for a
16 particular project, the reality is it
17 gets much harder for everybody to --
18 let's say be frank and open and
19 unimpacted by the natural politics of
20 the process. It's just reality. And
21 it's still going to happen. I'm not
22 naive enough to expect that a future
23 permit won't have some of that. But
24 at least, and that some of that might
25 even, hopefully not, but might even

1 happen during this ad hoc work group,
2 but I think to a lesser extent because
3 there won't be a particular permit
4 under review. When a particular
5 permit is under review, there is an
6 advocate for that permit and that just
7 makes it harder for, I think
8 everybody, especially if it happens to
9 be somebody you know well and they're
10 professional and we are, and I think
11 it's a positive thing, we are the
12 tight maritime community here, but
13 nobody wants to say no to somebody's
14 permit. And that's just reality. And
15 so what we do because we have to. But
16 generally speaking, we want the
17 support of the economic development of
18 the river and each project, but some
19 projects are more challenging for all
20 the reasons you know than others.

21 **KARL GONZALES:**

22 I think the reception of it is --
23 conception of it is a good idea, but I
24 think you're throwing another monkey
25 wrench into the process that's going

1 to elongate the process that's already
2 taking a longer period of time by the
3 time everybody comments. It's a
4 political issue. I think George is
5 right there. And I think every
6 request has to be looked at on an
7 individual and its own merits. I
8 think for us to put a blueprint out
9 and say that this particular area
10 could be used for this, but when that
11 guy applies for a permit, the
12 particular area in question for what
13 he wants, can't happen. We've had
14 situations in the past that we've had
15 areas that have a Corps of Engineers'
16 permit, in hand, and for whatever
17 reason, the fleet itself no longer
18 existed, somebody else came in because
19 there was a permit in place,
20 automatically assumed that he could go
21 forward with what was there existing
22 and reapply. The next minute you
23 know, the Coast Guard, et cetera, put
24 in the letter of objection and the
25 person was not allowed to proceed with

1 a fleet perspective that was already
2 approved and already had been
3 grandfathered in. So I think adding
4 an additional situation where somebody
5 else is going look at it, we all have
6 the opportunity to public record when
7 they apply for a permit. Plus this
8 group doesn't meet on a more frequent
9 basis other than possibly annually,
10 even if that. So if this working
11 group is a part of this group, I would
12 think it would ultimately have to come
13 for a vote by this group at an in
14 globo meeting. That could prolong the
15 process for somebody who is trying to
16 economically proceed on a very fast
17 pace.

18 CHERYL FELDER:

19 I would think -- I mean, from my
20 perspective, if the decision is made
21 that an ad hoc working group be put
22 together to look at this situation and
23 come up with a recommendation to the
24 full group, then they could work
25 whenever they needed to work basically

1 and then report at one of these
2 meetings and then this group votes to
3 approve those recommendations or not
4 and then it becomes the record and
5 then there's nothing else that
6 happens.

7 KARL GONZALES:

8 But you've had a year since we've
9 had our last meeting.

10 CHERYL FELDER:

11 Oh, but I don't think that
12 matters. I mean, I'm not
13 understanding --

14 KARL GONZALES:

15 I don't understand how -- well, if
16 the working group is going to make a
17 recommendation to this group and let's
18 say --

19 CHERYL FELDER:

20 Well, their work may take a year.
21 I don't know at this point.

22 KARL GONZALES:

23 The process now shouldn't take a
24 year. That's in the review process.

25 CHERYL FELDER:

1 It's not going to impact what's
2 going on now.

3 KARL GONZALES:

4 Well, if he's saying he wants a
5 recommendation.

6 CAPT SCHIFFLIN:

7 Let me -- and maybe I wasn't
8 clear. Let me clear up what I'm
9 trying to say. This ad hoc working
10 group would be, under no circumstance,
11 comment on specific permits.

12 CHERYL FELDER:

13 No.

14 CAPT SCHIFFLIN:

15 They would never. In other words,
16 if there's a permit request for
17 something that happened at mile marker
18 whatever, this ad hoc working group
19 would never look at that permit. The
20 permit process remains unchanged to
21 this day. All this would do is give
22 another piece of information for those
23 people who comment on the permits now
24 to review and consider. All it would
25 be is ultimately prepare a document

1 that says something about the river
2 for the various areas. Let's say
3 hypothetically a year from now this
4 community decides to try its ad hoc
5 working group. And let's say
6 hypothetically takes the ad hoc work
7 group two years to do the work. I
8 don't know how long it takes. That
9 three-year period the permit process
10 is exactly the way it is today.
11 There's no change because they haven't
12 done anything. Let's say they haven't
13 completed anything. Let's say three
14 years from now you come with a product
15 and this group doesn't like it and
16 they say, "Go back and do something
17 else." We still haven't changed the
18 process. Let's say it takes six years
19 for the ad hoc work group to get
20 something that LMRWSAC votes on and
21 says yes. Then at that point, we now
22 have a document that anybody who wants
23 to seek a permit, comment on a permit
24 or review a permit can just use as a
25 piece of information. Karl, I wish I

1 knew half of what you know about the
2 river. This would help me if you
3 share that information. I'd say I
4 wonder what Karl Gonzales would think
5 about this mile of the river. Maybe
6 Karl Gonzales and the other experts in
7 this ad hoc work group, assuming you
8 participated, that collective wisdom
9 and I, as Captain of the Port, Corps
10 of Engineers, seeking to obtain a
11 permit could flip up and say on,
12 whatever date they thought this or I
13 think they're wrong because of and you
14 could still do that. We'd have no
15 binding authority on the person who
16 issued the permit, that's the Corps.
17 It's independent discretion. It'
18 merely information --

19 Z. DAVID DELOACH:

20 I think that you're going down a
21 very slippery slope with this with the
22 description that you're talking about
23 and part of me says it's a good idea,
24 but you've got to be very careful once
25 you make this map and you stamp all

1 the locations on there, good for this
2 or good for that and I'm going to give
3 you an example. In Baton Rouge, we
4 had a problem with the Louis Dreyfus
5 Grain Elevator wanting to put a fleet.
6 It went before MENSA. MENSA looked at
7 it and said there's no reason that
8 they can't have a fleet there. But
9 when it got out to the public that
10 they were going to put a fleet, the
11 fleet that they were going to put was
12 about three times larger than what
13 should have been allowed there. And
14 had it not been -- we got together
15 with the Port Allen lock master and
16 raised holy hell over it and it got
17 thrown back into the pot for review
18 and we had several meetings with Louis
19 Dreyfus and we finally got the Coast
20 Guard onboard with what we were trying
21 to say was that this is going to be a
22 big impact on navigation if they build
23 that fleet like they want.

24 So if you stamped it as available
25 for a fleet or not available for a

1 fleet, then it's kind of like giving
2 preapproval to them to be able to go
3 in there and do things. The problem
4 is that we need to revise the process
5 and you need to stand behind, and I'm
6 going to pick on you now. The Coast
7 Guard needs to stand behind the
8 recommendations that MENSA puts out
9 because so many times MENSA says,
10 "that's dangerous," and it's allowed
11 because you're not in the process and
12 the Corps is the one giving the
13 permit. We need to be able to rely on
14 the Coast Guard from the navigation
15 standpoint to look at these things and
16 stand with us and say, "Yeah, you
17 shouldn't have that type of facility
18 there."

19 CAPT SCHIFFLIN:

20 I'm unaware of a MENSA
21 recommendation, a safe recommendation
22 the Coast Guard has not supported. So
23 please give me some specifics on that
24 one.

25 Z. DAVID DELOACH:

1 Well, we had to back up and get
2 you involved in the issue at Louis
3 Dreyfus.

4 CAPT SCHIFFLIN:

5 I will -- if there is a letter
6 from MENSA that describes a safe
7 navigation issue, unless at my
8 independent discretion do not concur
9 with that. And then we'll have a
10 strong conversation on that, I'm
11 unaware of a single instance where
12 that has happened. So give me some
13 specific examples, and I'll be happy
14 to take those under review. But with
15 respect to pre-approval, in no way,
16 shape or form is it my intent or
17 desire to have a pre-approval. It
18 would be collect information and allow
19 it to be used in that fashion alone.

20 So with those caveats, for
21 example, could say something like
22 potentially good for putting a fleet
23 there because the devil is in the
24 details and specifics, the size of the
25 fleeting area. What other activities

1 happened between the date that this ad
2 hoc work group meets and now? For
3 example, things can change. I think
4 we're all aware of certain permits
5 currently in existence that were
6 issued 50 years ago that would not
7 likely be issued today because of
8 changed circumstances. This would
9 happen here too. So in no way, shape
10 or form do we pre-approve. We rather
11 capture the collective wisdom at one
12 time of putting together so that we
13 minimize the risks of people
14 proceeding down a path before the
15 right person comes away because it's
16 happened more than once that a
17 scenario like you've described has
18 happened where folks have done
19 outreach to some folks, but they
20 missed a really important person. And
21 that really important person says,
22 "Hey, you forgot about X, Y and Z and
23 that's going to dramatically make an
24 impact," and it just makes the process
25 more complicated than it has to if we

1 all had pertinent information.

2 This is not perfect information.

3 It's just hoping it will get us closer

4 to it. I don't, again, intend to, and

5 I'm not recommending to this any

6 change in permit process. If folks

7 want to change the permit process they

8 need to talk to the Army Corps of

9 Engineers about that. If they think

10 they can make a better mousetrap on

11 the permit process, they're the people

12 who own that. This is just to try and

13 take the existing permit process and

14 add more information to it.

15 KARL GONZALES:

16 Would this document become public

17 record?

18 CAPT SCHIFFLIN:

19 Absolutely. It has to.

20 CHERYL FELDER:

21 It has to.

22 CAPT SCHIFFLIN:

23 I mean, --

24 CHERYL FELDER:

25 It has to come from this group.

1 We are a public record.

2 KARL GONZALES:

3 I foresee a legal problem because
4 if this group recommends that this
5 particular piece of property would be
6 suitable for a fleeting operation or a
7 facility, it goes out to public bid,
8 or excuse me, it goes out for public
9 comment when they actually are seeking
10 the permit, they have a group that
11 says a governmental LMRWSAC agrees
12 that it's supposed to be, in their
13 opinion, it's allowable, but yet the
14 navigation and the Coast Guard,
15 through the process, recommends denial
16 of the permit, then we have a conflict
17 of LMRWSAC saying it's okay now and
18 the other group is saying it's not
19 okay.

20 CAPT SCHIFFLIN:

21 And I think with the appropriate
22 caveats, let's just say I recognize
23 that risk. There would be some type
24 of disclaimer back this is based on
25 the information we have again,

1 recognize a few changed circumstances
2 between now and then and there is no
3 binding authority on the regulatory
4 agencies. The person who ultimately
5 issued the permit is the Corps of
6 Engineers. LMRWSAC doesn't get to
7 bind their hand. They get to provide
8 information for consideration, just
9 like the Coast Guard. We don't get to
10 issue the permit. We provide
11 information to the Corps. They are
12 the permit issuing -- they're the only
13 people with the regulatory authority
14 to do so.

15 A lawyer can file a lawsuit for
16 anything. We know that. But how
17 successful it is, I'm doubtful on that
18 one.

19 **MATT LAGARDE:**

20 Matt Lagarde with MENSA. For the
21 record, the Coast Guard has been very
22 engaged with the MENSA group in the
23 last several years. There have been
24 some misunderstandings. I'm not going
25 to say it's been a perfect

1 relationship. They have been very
2 engaged. So they do understand; they
3 do attend the meetings; they do listen
4 to new arguments that we do present.

5 CAPT SCHIFFLIN:

6 Thank you, sir.

7 CHERYL FELDER:

8 Any other comments at this time?
9 I think this has been great discussion
10 and I think it's something that we
11 should put on the agenda for the next
12 meeting. Everyone will have time to
13 give it some more thought. At
14 anytime, please feel free to call me
15 to discuss whatever you'd like to and
16 I'll make notes and we'll have it
17 again on the agenda to make a decision
18 at that next meeting if that works for
19 you.

20 CAPT SCHIFFLIN:

21 Perfect. And again, I recognize
22 it's hard. I recognize it's hard.
23 That's why I kind of just threw it out
24 here for you to chew on, so to say, so
25 we didn't all just choke on it today.

1 So with that said, if a year from
2 now we decide we're more likely to
3 choke than be able to swallow it, I'm
4 okay either way as Captain of the
5 Port. I just saw it as a challenge
6 and that this could potentially make
7 those challenging situations less
8 likely to occur.

9 Z. DAVID DELOACH:

10 So are you wanting to get a group
11 together to discuss this between now
12 and the next meeting? Because if
13 we're just going to come back and
14 discuss it in a year, we're going to
15 be right back where we are right now.

16 CHERYL FELDER:

17 It would have to be informal, I
18 think, because I can't notice it.

19 CAPT SCHIFFLIN:

20 Right. I think the folks in this
21 room interact with each other on a,
22 and others, because I don't think the
23 conversation needs to be limited to
24 folks in this group.

25 CHERYL FELDER:

1 No, no.

2 CAPT SCHIFFLIN:

3 I think folks here walk in the
4 maritime community --

5 CHERYL FELDER:

6 And also understand that if a work
7 group is put together, it does not
8 have to be limited to the members of
9 the Committee. It can be -- anyone
10 can be part of that.

11 CAPT SCHIFFLIN:

12 So there are a lot of folks whose
13 opinions I respect a lot that aren't
14 in this room. And I'm sure that's
15 true of other folks here, as well. So
16 I'd say what type -- the type of folks
17 that you consult with and the things
18 that help you with deliberations, feel
19 free to chat with who you want to chat
20 with in any capacity and prepare
21 yourself to come back and then talk in
22 a little more formal way a year from
23 now and then make a decision.

24 So those folks you need to talk to
25 in this room, outside, whatever, just

1 to best inform your decision a year
2 from now, feel free to do that. But I
3 don't intend on having any type of
4 formal work group here on the LMRWSAC.

5 CHERYL FELDER:

6 I think we have our marching
7 orders. The last notice, item under
8 new business is the vacancy notice.
9 All of the positions on this Committee
10 expire August 27th of this year. So
11 if you are interested in reapplying,
12 you must do so before March 23rd.

13 LTJG [REDACTED] sent out an email
14 to all the committee members with the
15 attached Federal Register notice that
16 explains to you how to get the
17 information to her. So I encourage
18 you to do it. March 23rd is the date.

19 Jim, have we got a date yet for
20 our joint hurricane?

21 JIM STARK:

22 We do not. There's a couple of
23 meetings circling around that time,
24 but probably late May.

25 CHERYL FELDER:

1 Very good. Capt. Manthey has
2 asked me to let everybody know that
3 MEDMAC and MERPAC which are two other
4 federal advisory committees will be
5 meeting here in New Orleans. MEDMAC
6 meets March 16th and 17th and MERPAC
7 meets March 18th and 19th at the Astor
8 Crowne Plaza downtown. MEDMAC is the
9 medical advisory committee and MERPAC
10 is the merchant marine personnel
11 advisory committee. Matt?

12 MATT LAGARDE:

13 I would also point out that the
14 Towing Safety Advisory Committee --

15 CHERYL FELDER:

16 TSAC.

17 MATT LAGARDE:

18 -- will be meeting in Louisville,
19 Kentucky the 25th and 26th.

20 CHERYL FELDER:

21 Of March?

22 MATT LAGARDE:

23 Yes.

24 CHERYL FELDER:

25 Very good. A couple of other

1 things - I'd like to remind you to
2 sign -- oh, I'm sorry, Ron?

3 RON BRANCH:

4 And I'd like to announce the
5 Marine Industry Day for New Orleans
6 will be May 20th at the Hilton
7 Riverside.

8 CHERYL FELDER:

9 Very good. Remind you to sign
10 your lobbyist status form, please, and
11 if you haven't signed the sign-up
12 sheet, do that.

13 Capt Schifflin, do you have any
14 other comments you'd like to make?

15 CAPT SCHIFFLIN:

16 The public comment.

17 CHERYL FELDER:

18 Oh, yes. I forgot about this.
19 I'm leaving out the public comment
20 period. Do we have any other comments
21 from -- Sharon?

22 SHARON BALFOUR:

23 I'd like to let everybody know
24 that DOTD will be signing a cost
25 sharing agreement with the Corps of

1 Engineers to start the process for
2 deepening the Mississippi River to 50
3 feet. We will be signing that either
4 this month or early next month.

5 CHERYL FELDER:

6 Cool. That's great.

7 SHARON BALFOUR:

8 And it will take three years. The
9 Corps promises three by three by
10 three. So we'll see if that happens.

11 CHERYL FELDER:

12 Very good.

13 KARL GONZALES:

14 Also, CAPT Schifflin, will you be
15 sending out the notice about the R&A
16 to make sure everyone gets their
17 letters in and we add some new fleets
18 established within the R&A. I know
19 they've got their permits, but I think
20 it would be a good idea to send a MSID
21 out. We are looking forward to all
22 the membership just to remind people
23 what the criteria is for those
24 maintaining R&As.

25 CAPT SCHIFFLIN:

1 Absolutely.

2 KARL GONZALES:

3 Thank you.

4 CHERYL FELDER:

5 Any other comments? Anybody at

6 all? Well, thank you very much.

7 I hope to see you at the next meeting.

8 Thank you so much for coming.

9 * * * * *

10 (Whereupon, the meeting was adjourned at 11:15

11 a.m.)

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R E P O R T E R S P A G E

I, DOROTHY N. GROS, Certified Court Reporter in and for the State of Louisiana, the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(B) of the Louisiana Code of Civil Procedure, before who this sworn testimony was taken, do hereby state on the Record:

That due to the interaction in the spontaneous discourse of this proceeding, dashes (--) have been used to indicate pauses, changes in thought, and/or talk overs; that same is the proper method for a Court Reporter's transcription of proceeding, and that the dashes (--) do not indicate that words or phrases have been left out of this transcript;

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C E R T I F I C A T E

I, Dorothy N. Gros, Certified Court Reporter, in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that the above-mentioned witness, after having been first duly sworn by me upon authority of R.S.37:2554, did testify as hereinbefore set forth;

That the testimony was reported by me, a certified voice writer, and transcribed under my personal direction and supervision, and is a true and correct transcript, to the best of my ability and understanding;

That the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board;

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1 as defined by Louisiana Code of Civil
2 Procedure Article 1434 and in rules and
3 advisory opinions of the board;
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5 That I am not of counsel, not related
6 to counsel or the parties herein, nor am I
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10 This certification is valid only for a
11 transcript accompanied by my original
12 signature and original required seal on this
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