

**Comite River Diversion Canal Project Task Force**

**Minutes of Meeting  
2017 Interim  
January 25, 2017**

**I. CALL TO ORDER**

Representative Valarie Hodges, chairwoman of the Comite River Diversion Canal Project Task Force, called the meeting to order at 10:04 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

**II. ROLL CALL**

**LEGISLATIVE MEMBERS PRESENT:**

Representative Valarie Hodges, chairwoman  
Representative Barbara Carpenter  
Representative Rogers J. Pope  
Senator Regina Barrow  
Senator Dale Erdey  
Senator Bodi White, vice chairman

**LEGISLATIVE MEMBERS ABSENT:**

**NON-LEGISLATIVE MEMBERS PRESENT:**

Mark Harrell  
Christopher Knotts  
Jerry Passman  
Brandon Rogilio  
J. R. Saucier  
Paul Sawyer  
Tom Stephens  
Jerry Thibeau  
Brenda Zeringue

**NON-LEGISLATIVE MEMBERS ABSENT:**

Jason Lanclos

**STAFF MEMBERS PRESENT:**

House:

Ashleigh Clare-Kearney, attorney  
Craig Cassagne, attorney  
Angelique R. Mozee, committee secretary  
Danny Leming, sergeant at arms

Senate:

Josh Marcelle, sergeant at arms  
Shelton Jolliff, sergeant at arms

### III. OPENING REMARKS

Representative Hodges introduced and thanked the staff for being instrumental in organizing the meeting. She gave an overview of the Comite River Diversion Canal Project and the steps that are needed to complete the project.

Representative Hodges referenced a report by the Louisiana Legislative Auditor Office stating that the Corps of Engineers could build the Comite River Diversion Project within two to three years if the Corps had the funding. She stated if the project had started three years ago a lot of homes would not have been affected by the 2016 flood.

Representative Hodges gave an account of the horrific encounters and physical and emotional trauma her family and constituents in the region endured during the flood, and how it affects them today. She said it will happen again if the project is not completed.

Representative Hodges thanked the task force members for serving on the committee.

Representative Hodges spoke about "The Flood of 2016", and how it was the largest flood in the history of the United States. She gave a few highlights from the audit report, which will be presented to the task force by Chris Magee from the Louisiana Legislative Auditor Office, performance audit services.

Representative Hodges gave an overview/history of the project, and a comparison for the time of completion for the Comite River Diversion Canal and the Panama Canal. She stated that the Panama Canal Project was a forty-eight-mile canal that was completed in ten years, whereas, the Comite River Diversion Canal Project is a thirteen-mile canal that the Corps cannot build in sixteen years.

Representative Hodges stated that \$117 million was spent on engineering fees, salaries, and other expenditures. She said that the state will receive \$1 billion that has been allocated from the federal government for flood relief. She stated that \$220 million should be set aside for the Corps to begin the process of building the Comite River Diversion Canal.

### IV. PRESENTATIONS AND BRIEFINGS

#### **Louisiana Legislative Auditor Office**

Mr. Chris Magee, Louisiana Legislative Auditor Office, performance audit section, 1600 North Third Street, Baton Rouge, Louisiana 70804, (225) 336-6071, spoke for information only. Mr. Magee presented history on the issues found and gave an overview of the performance report entitled, "Comite River Diversion Canal Project, Status and Reasons for the Delays," and provided a handout, Exhibit A, which is included in the committee records.

Senator White and Mr. Magee discussed a Channel 2 News headline stating that the auditor's report recommended the state to abandon the Comite River Diversion Canal Project. Mr. Magee advised Senator White that the auditor's office did not make that comment.

Mr. Daryl Purpera, legislative auditor, 1600 North Third Street, Baton Rouge, Louisiana 70804, (225) 339-3300, spoke for information only. He clarified to the committee that the Louisiana Legislative Auditor Office did not make the statement to abandon the Comite River Diversion Canal Project and referenced to the report Mr. Magee presented to the task force.

Senator White and Mr. Purpera discussed matching federal and state dollars for funding the project, the commitment of General Lee with the Corps of Engineers to build the canal and bridges in approximately two years if they had \$120 million, and the option of the Comite River project becoming a design build based on the legislative auditor's estimation on the project, if legislation was passed. Mr. Purpera stated that his office can study the design build option and get back to the task force with their findings.

Representative Hodges and Mr. Magee discussed the Cooperative Endeavor Agreement (CEA) the Amite River Basin Commission signed in 2015 giving the Department of Transportation and Development (DOTD) the right to buy the mitigation land, along with the \$15 million dollars Senator Vitter appropriated for the Corps of Engineers. Representative Hodges asked what happened to the \$15 million dollars. Mr. Magee advised Representative Hodges that the \$15 million dollars was not reflected in the auditor's report because the auditor's office does not have the authority to get the necessary information to perform a full financial audit on a federal agency. He stated the state received, in the actual funding in 2015, \$12.1 million dollars that was used to purchase the Land Easements Relocations Right of Way and Disposal Sites (LERRDS) credits, agencies designs, and construction for the Comite River project. Mr. Magee advised Representative Hodges to address the issue of the \$2.9 million dollars with the Corps of Engineers.

Senator Erdey commended Mr. Magee on his presentation of the audit report and thanked him for a job well done. Senator Erdey addressed Mr. Purpera and Mr. Magee about issues with funding in the past, a statement by Mr. Sawyer about Congress prioritization of flood control in the capitol region, and the moving of funds to other projects by the Corps of Engineers. Mr. Purpera and Mr. Magee suggested to Senator Erdey that Mr. Sawyer speak more about the process on how the federal officials can advise the Corps of Engineers to place those funds towards the project.

Senator Erdey and Mr. Magee discussed the percentage of dollars that would have been saved in terms of damages if the Comite River project been completed. Mr. Magee gave an overview about those percentages, estimates, and dollars from the auditor's report.

Senator Barrow and Mr. Magee discussed reevaluation of the current flood plan due to global warming and the occurrence of floods.

Representative Carpenter asked Mr. Magee to explain the redirecting of \$4.5 million dollars from the project in 2011-2012. Mr. Magee referenced the auditor's report for the breakdown of funding during those years. He stated if monies are not spent in the year its appropriated to the Corps, the monies can be reprogrammed and moved to other projects to help fund those issues.

Representative Pope made a brief statement in reference to the clarification of the news headline report. He gave a personal overview of his experiences during three floods and his and constituents' concerns on the taxes paid to the Amite River Board of Commissioners toward the Comite River project.

Senator White advised the Legislative Auditor Office to make sure that the press retract the statement made in reference to the auditor's report on the Comite River project.

### **Congressional Designee**

Mr. Paul Sawyer, congressional designee, Office of Congressman Garrett Graves, commended the auditors office on their report. He read into record a prepared statement and gave an overview of the Comite River Diversion Canal Project, the Corps of Engineers involvement to initiate flood control measures in the Amite River Basin, Northshore, and the Capital Region to prioritize flood control projects for congressional funding, the contributions of funds from the taxpayers of the Amite River Basin, and other matters pertaining to the project. He provided a copy of the statement, Exhibit B, which is included in the committee records.

Representative Hodges and Mr. Sawyer discussed a law passed by Congress in December 2016 instructing the Corps of Engineers to expedite, develop, construct, and complete the Comite River project.

Senator White and Mr. Sawyer discussed enhancement, modification, and reengineering of the comprehension plan for the Comite River project.

Senator Erdey and Mr. Sawyer discussed the passing of local taxes to make it a priority of the Corps to complete the Comite River project.

Senator Barrow, Mr. Sawyer, and Mr. Saucier made brief statements on opening up the competition for other options to complete the Comite River project.

Mr. Harrell had concerns about the Hazard Mitigation Funding. He asked Mr. Sawyer to give an overview.

Representative Hodges asked Mr. Sawyer if he could coordinate a meeting with the congressional delegation and the task force members to travel to Washington, D.C. to discuss their concerns about the Comite River project.

**U.S. Army Corps of Engineers**

Mr. Bobby Duplantier, U. S. Army Corps of Engineers, 7400 Leake Avenue, New Orleans, Louisiana 70118, (504) 862-1037, spoke for information only. Mr. Duplantier addressed the task force members' questions in reference to funding, design build options, prioritizing projects, and current mitigation credits.

**Department of Transportation and Development**

Mr. Shawn Wilson, Department of Transportation and Development (DOTD), 1201 Capitol Access Road, Baton Rouge, Louisiana 70804, (225) 379-1200, spoke for information only. He gave an overview on current projects, funding, and other transportation matters.

Christopher Knotts, Department of Transportation and Development, 1201 Capitol Access Road, Baton Rouge, Louisiana 70804, (225) 379-3015, spoke for information only. He narrated a PowerPoint presentation entitled "Comite River Diversion Canal Project Status", and provided a handout, Exhibit C, which is included in the committee records. Mr. Knotts gave an overview on U.S. Highway 61, estimates for utility relocations at U.S. 61, mitigation summary, and project expenditures.

Representatives Hodges and Carpenter, and Senators White, Erdey, and Barrow addressed questions to Mr. Knotts in reference to acquired mitigation credits, loan acquisitions, meeting a two year deadline with design build, appropriation of monies in the capital outlay bill, construction of pipeline and utilities, environmental credits, and the impact on business and industries during relocation.

**Amite River Board of Commissioners**

Mr. Larry S. Bankston, attorney, Amite River Basin Commission (ARBC), 8708 Jefferson Highway, Baton Rouge, LA 70808, (225) 413-2549, spoke for information only. Mr. Bankston explained to the task force that the Jindal administration had no funding for the Comite River Project in HB 2 (Capital Outlay Bill) in 2015. He made brief comments on the \$142 million dollars request by the state to the Obama administration for the project, the \$252 million dollars for Hazard Mitigation, and he explained the difference between appropriation and authorization.

Mr. Dietmar Rietschier, commissioner, Amite River Basin Commission, 3535 South Sherwood Forest Boulevard, Suite 135, Baton Rouge, Louisiana 70816, (225) 296-4900, spoke for information only. He narrated a PowerPoint presentation entitled "Comite River Diversion Canal Project/Amite River Basin Drainage and Water Conservation District", and provided a handout, Exhibit D, which is included in the committee records. Mr. Rietschier gave an overview on the Comite River revenues (taxes) and expenditures from 2001-2016; ARBC land acquisitions; floodplain management plan; flood forecasting and hazard analysis; basin-wide highwater survey and mapping project after August

2016 flood of record event; and the ARBC Resolution No. 1130, which requests the congressional delegation to secure funding to complete the Comite River Diversion Canal Project.

Mr. Rietschier and Mr. Bankston addressed Senator Erdey's request to give an explanation of the \$2,506,726 dollars pertaining to "other" expenditures.

Mr. Rietschier clarified Senator White's question in reference to matching state dollars from DOTD towards the purchasing of property.

Mr. Saucier addressed the Amite River Floodplain Management Plan, methods of preventing water flow through the basin, and funding.

Representative Hodges advised the task force members that a discussion on floodplain management rules that is enforceable, will be on the agenda for the next task force meeting.

## **V. PUBLIC COMMENTS**

Mr. Junior Shelton, mayor, City of Central, 7437 Conestoga Drive., Central, LA 70739, (225) 261-8254, spoke for information only. He commended the task force for a job well done in moving the Comite River project forward. Mr. Shelton gave a brief synopsis on funding, the meeting in Washington, DC with Senator White and the Corps of Engineers general, and the article that appeared in The Advocate newspaper discussing the project funding/ratio of benefit cost.

Mr. Lawrence E. Callender, emergency manager, Village of French Settlement, P.O. Box 3, French Settlement, LA 70737, (225) 658-6100, spoke for information only. He gave a brief history of the Amite River Basin and the Village of French Settlement pertaining to flooding issues and floodplain management plan.

Mr. Wayne Massina, councilman, City of Central, 7256 Woodlett Drive, Central, Louisiana 70818-6523, (225) 505-7137, spoke for information only. He made a brief statement on appropriation of funding, flood insurance and zoning, and advising the congressional delegation to meet with the president to fund and complete the project.

Mr. Robert Burns, 13454 Oak Trail Avenue, Baton Rouge, LA 70818, (225) 955-4484, spoke for information only. He made a brief statement on completion of the canal to prevent flooding and saving lives and project funding.

Mr. John Day, 11843 Port Hudson Pride Road, Zachary, Louisiana 70791, (225) 654-0953, spoke for information only. He advised the task force and other entities involved in planning the project to consider the upper basin of the Comite River. Mr. Day stated that he is willing to give an easement on 15-20 acres of private land, which is in the floodplain plan to help move the project forward.

Mr. Bill Stewart, 16908 Weyanoke Drive, Zachary, LA 70791, (225) 235-7215, spoke for information only. He made a brief statement about the broken system, contracting the work to complete the project, and funding.

**VI. CLOSING REMARKS**

Representative Hodges gave an overview on DOTD's request for the \$87 million dollars to fund the Comite River project. She commended the task force members, agencies, and the public for expressing their concerns for this project.

**VII. ANNOUNCEMENTS**

There were no announcements.

**VII. ADJOURNMENT**

The meeting was adjourned at 1:41 p.m.

Respectfully submitted,

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Valarie Hodges, chairwoman  
Comite River Diversion Canal Project Task Force

Date approved: \_\_\_\_\_