

**Minutes – Atchafalaya Basin Program (ABP)  
Research and Promotion Board Meeting  
September 3, 2015**

Meeting was called to order at 1:00 pm by the Chair - Gerald Alexander.

Introductions were made by attendees.

A Roll Call was conducted and showed the following members present and that a quorum was present:

Gerald Alexander, Linda Hardy (for Alex Appeaning), Ray Berthelot (for Dwight Landreneau), Keith Lovell, Paul Naquin, Brad Spicer, and Randy Myers.

Sign-in sheet is attached to document other attendees.

A motion to approve the agenda was made by Paul Naquin, seconded by Brad Spicer, and passed unanimously by voice vote of the members.

A motion to approve the minutes from the June 2015 meeting was made Randy Myers, seconded by Brad Spicer and was passed unanimously by voice vote of the members.

Don Haydel gave update of current projects which include the dredging of Grand Lake and Little Bayou Pigeon, working with The Nature Conservancy to implement projects in the new Atchafalaya Basin Preserve, construction of Wilson's Landing in St. Mary Parish, partnering with LDWF to build a multi-purpose building at the Sherburne WMA, partnering with the Boy Scouts to develop Atchafalaya Swamp Base in Catahoula (formerly Camp Atchafalaya), development of a nature trail at the Butte LaRose Visitor Center, and development of a Geo Cache trail. He noted also that the Corps has confirmed that bids were awarded for Buffalo Cove, and construction should begin next month.

Don Haydel gave an update on the FY2017 nomination: Re-evaluation of Dog Leg Canal. He relayed that at the Sept. 2 TAG meeting, the group decided to put this project on hold until next year. (No action at this time).

**Don Haydel asked for the board's approval to take the draft FY2017 Annual Basin Plan to public meetings, which are to be held in Morgan City at the new Cajun Coast Welcome Center, in Henderson at the Town Hall, and in Plaquemine at Parish Council Chambers.**

**A motion to approve the FY2017 Annual Basin Plan was made by Brad Spicer, seconded by Keith Lovell, and was passed unanimously by voice vote of the members.**

**Dr. Jim Bergen, director of Freshwater and Wetland Conservation at The Nature Conservancy of Louisiana, presented the Atchafalaya Basin Initiative. Dr. Bergen introduced himself as a waterfowl/duck biologist.**

**He stated that the center and focus of TNC's view is the people of the basin and that the overall vision is to conserve this special place and work with partners, such as the ABP and others, to ensure that people and wildlife can enjoy the basin for years to come.**

**He presented three strategies for the Atchafalaya Basin Initiative: restoration, science, and community.**

**Dr. Bergen stated that land acquisition is a big part of the 1<sup>st</sup> strategy. Without land, he said, it's tough to move things ahead. TNC has acquired 5,359 acres from A. Wilbert's Sons, who had never sold an acre of land. Dr. Bergen said that TNC is happy to develop relationships that culminate in successful partnerships.**

**Dr. Bergen showed specific tracts of acquired land. He said that tracts were strategically chosen in areas where existing cypress/tupelo forests could be sustained and restored. Dr. Bergen said that other tracts are expected to be acquired by the end of the calendar year.**

**Dr. Bergen said that deposition of sediment was occurring at rates much higher than what would occur naturally and that TNC hopes to work with the ABP to implement water management features in the E. Grand Lake units. TNC has had conversations with State Lands, and they are enthusiastic that features can be constructed on state land.**

Dr. Bergen stated that TNC is currently laying out the pre-project monitoring scheme, which will occur as a partnership of internal and external people. The first monitoring meeting is next Friday to lay out a plan for the monitoring program. They plan to monitor water quality and quantity, forest health, and biology such as crawfish and bird use.

Additionally, TNC has funding to invest in a fellowship program. Shell has donated money for this program. TNC is looking for Master's, Ph.D, and even post-doctoral students to advance research in the basin. This program provides a way to link graduate students to real world situations.

Dr. Bergen stated that TNC seeks to strengthen the community, so that everyone can see the value of investing in conservation. He noted a group of students from Zambia who came to see and explore the Atchafalaya Basin. Opportunities such as this provide important linkages between the Basin and other floodplains around the world.

TNC hopes to diminish obstacles encountered by the ABP with landowners, so that restoration can be accomplished. The focus of this work would be to repair hydrological alterations. Dr. Bergen stated that he hopes more partners can get behind this work. TNC is currently working with DNR to revise the existing Memorandum of Understanding from 2010 to incorporate these other elements, so that funding from the E. Grand Lake project can be matched dollar for dollar to complete restoration. TNC has already submitted a proposal to the North American Wetland Conservation Council, and the proposal was ranked #2 in the nation. It will go through the Migratory Bird Council in September, and depending on congress, funds should be released around the beginning of next year. Those funds are specifically to match Atchafalaya Basin Program funds for the E. Grand Lake restoration.

Gerald Alexander asked if TNC was going to try to enlarge the existing tracts.

Dr. Bergen replied that 1,100 acres had been appraised and that Wilbert's was interested in working with TNC on those tracts, which are immediately adjacent to already-acquired tracts. TNC has intention of acquiring those as well.

**Charles Caillouet (Friends of Atchafalaya) made public comments. He stated that the ABP and TAG are reviewing strategies and goals. They are trying to determine what we need to do to preserve the resources we have and to decide which actions should be taken first.**

**Concerning TNC, Mr. Caillouet said that the community engagement part is important. We have gradually lost support, partly because of lack of progress because of inability to acquire land and get permits, and also lack of funding. He said that the partnership with TNC is great for that goal. Working with hunting clubs and managing according to what stakeholders want is progress toward repairing relationships. Everything is heartening. He recently attended the public meeting of the Mississippi River Commission and said that the Corps is also happy about this development and that everyone is in agreement.**

**Don Haydel went over the timeline for the FY2017 Annual Basin Plan: after ABP takes the plan to public meetings, we will come back to the RPB for approval of the final draft that we will present to CPRA in November. We will ask for approval from them in January and will deliver the approved plan to the legislature for the March session.**

**Gerald Alexander asked Charles Reulet to organize a field trip for the board to Tiger Pass in October.**

**Old Business: Audience member Karen St. Germain was asked to come forward. Don Haydel stated that when he began working for the ABP, Steve Chustz (previous director) referred to Karen as the "Godmother of the Basin." Mr. Haydel said that now he understands what Mr. Chustz meant. He stated that Ms. St. Germain has been a constant and energetic proponent of the Basin Program who works harder than anyone he knows. He told Ms. St. Germain that it has been a pleasure to work with her. On behalf of the ABP, DNR, the TAG, and the Research and Promotion Board, he thanked her and said that we count on her moving forward.**

**Karen St. Germain stated that she want to thank everyone for the team effort. She said there were so many people who started before us. TNC helped us strike**

that balance. As a lover of the basin, she has watched it go from not being noticed to where it is today, and she is proud of it. She said that being a part of the Basin is what we all want. Her recent trip to Alaska made her realize how much she loves Louisiana. She said they don't have anything in terms of wildlife that we don't have.

**New business:** Dan Collins introduced himself as a petroleum land man with his own firm. He is a Baton Rouge native and an outdoorsman who loves to fish and hunt. He used to be a member of the ABP Research and Promotion Board. He has spent 30+ years performing mineral research as a petroleum land man He is a member of AAPL, which is the largest landman association in continental US. He helped form the Baton Rouge chapter of Petroleum Landman Association. Mr. Collins stated that Louisiana is the largest landowner in the state of Louisiana.

On June 3, Mr. Collins visited the site of the Bayou Fourche project. This was a project in 2009 and was on the board in 2010. When he first discovered this project, Mr. Collins notified the director of the ABP, Mr. Stephen Chustz, that it involved oil and gas and that there was an oil and gas prospect over those lands at Bayou Fourche. He passed out copies of his letter to Mr. Stephen Chustz [dated August 23, 2010] and a vicinity map, which also showed the Bayou Postillion dredging project. Mr. Collins stated that he had provided that information to Mr. Chustz so that it would be made available to the TAG so that they would be aware that this was an oil and gas project. Mr. Collins stated that it is his belief that the project was specifically dredged for oil and gas and not for water quality as it was intended. Mr. Collins stated that he was surprised to find out that the Bayou Fourche project had been dredged despite the information he had sent to the ABP director and now Secretary of DNR.

Mr. Collins then decided to do a Title 44 Freedom of Information Act (FOIA) request and was shocked at the similarities between the Bayou Postillion project and the Bayou Fourche project. He passed out a plat for state lease #21404. He stated that state lease #21404 was nominated and executed in April 2014. He pointed out on the vicinity map and state lease map the intersection of

Postillion and the intracoastal waterway. A bayou on the map is labeled as "Bayou Latanier, which he stated is actually south of Alexandria. The largest bayou in the state lease is Postillion, and in the middle is Bayou Fourche that was dredged this year. Mr. Collins stated that he considers this a mislabeling of the nomination plat. He notes that the mislabeling is directly over Bayou Postillion. Mr. Collins stated that he finds it interesting that the bayou was mislabeled on the plats and then was subsequently dredged in the name of water quality. He stated that the same thing happened with Bayou Postilion. Mr. Collins explained that when state water bottoms are nominated, the State gets minerals of that production. He stated that the public bid process takes 90-100 days. Mr. Collins stated that changing the name on a bayou is what he considers deception. He said that it is misleading and borderline fraudulent if not fraud. He stated that it had occurred once before and passed out additional plats that show Bayou Postillion labeled as "Bayou Gravemburg". He stated that just after this lease, the ABP came in and dredged in the name of water quality. Mr. Collins stated that the deception was to the public, stakeholders, anyone who might want to oppose the project, additional oil and gas companies that might want to bid, and possibly this very board and the TAG, unless they knew that it was first and foremost a project for oil and gas access and secondly a water quality project. He questioned whether there was going to mitigation in regards to the Bayou Postillion project.

Mr. Collins stated that Mr. Haydel was gracious in providing information for the FOIA request. He noted that the joint permit shows the owner of the adjacent property as Tortuga Operators, which is the same company that was promoting oil and gas prospects. He stated that Mr. Chustz was aware in 2010 that this was an oil and gas prospect, and he and the program were aware in 2015 when it was dredged. He questioned why the Tortuga Operating Company, John Hines was listed as adjacent landowner. Mr. Collins stated that it is his belief and understanding is that the land is owned by Kyle Peterman Corporation, whose CEO is Governor Foster's cousin. He is not sure why the joint permit shows inaccurate landownership.

Mr. Collins stated that this information is public record. He asked Mr. Alexander if he was aware that there was an oil and gas prospect over this property and that it may be foremost an oil and gas prospect and not a water quality project. Mr. Alexander said he would rather not comment, but he is aware of oil and gas activity in all the parishes in the spillway from north to south and levee to levee. Mr. Collins agreed that there is oil and gas all over the basin, but that oil and gas companies spending their money on these projects is one thing but the state spending money on them under the pretense of water quality improvement is another. He stated that the cost of the Bayou Fourche project was budgeted at \$250,000, but that the landowner wouldn't cooperate, and the cost increased to \$500,000. There were no landowner agreements with the property owner. The state would have first and foremost had to get approval from the original lessee, but there was none of that in the file. At one point, the Bayou Fourche field was producing over \$1,000,000 a day in revenue. They drilled seven wells at the direct end of the dredge.

Mr. Collins said that this is what we are famous for, corruption, in this state. No one has picked up on this except for the press and committees like this if you do your job. Mr. Collins passed out an article from the "Teche News" titled DNR bidding tainted. He said that he has always considered the state oil and gas bidding process as a sacred procedure but that twice oil and gas companies have benefited from the mislabeling of bayous on the leases. He stated that his firm will be filing a complaint. He hopes that an investigation is commenced and that the new administration does it. He added that ethics complaints were filed in 2010, and to this day, there have been no formal findings from the Ethics committee. He ended by saying that Louisiana is famous for food, politics, and corruption, and that as recently as June of this year, he has witnessed it again. He thanked the board for letting him speak.

[NOTE: An electronic transcript of Mr. Collins' presentation is part of the minutes and is available on request.]

Gerald Alexander stated that at the Levee Board, in situations like this, these issues are referred to counsel, and he recommended that counsel review this issue and present the board with a recommendation. He thanked Mr. Collins for the presentation.

Linda Hardy stated that Dr. Alex Appeaning has tendered his resignation at DEQ. He has taken a position at Louisiana Technical College. She relayed that he is respectful of the efforts of the board and has enjoyed working on this committee. She added that Dr. Appeaning is very appreciative of the opportunity to have worked with each and every one of the board members and staff. Mr. Haydel asked Ms. Hardy to extend the ABP's thanks to Dr. Appeaning, whose pointed and sometimes difficult questions always kept us on track.

A motion to adjourn was made by Keith Lovell and was passed unanimously by voice vote of the members. The meeting adjourned at 2 pm.

PLEASE PRINT



Atchafalaya  
BASIN

PLEASE PRINT

EVENT/LOCATION

Research & Promotion Board

DATE:

9/3/15

NAME	ASSOCIATION	MAILING ADDRESS	ZIP	PHONE NUMBER	FAX NUMBER	E-MAIL ADDRESS
Don Haydel	ARPO	on file		on file		on file
Charles Reulit	LDNR/ABP	on file				on file
Paul Maguire	ST MARK'S PARISH	on file		on file		on file
Sara Krupa	LDNR	on file		on file		on file
April Newman	ARBP	617 N. 3rd St. BR. LA		342-6437		april.newman@la.gov
Raymond Bernstet	OSP	PO Box 4426, BR. LA	70804-4426	342-8128		ris@dnr.la.gov
Brad Spicer	LDNF			225-927-1269		brads@dnr.la.gov
Honora Zuras	OPRA	on file		on file		on file
Charles Calloast	FOA	"		"		"
Michelle Hardy for the upcoming	LDNR	"		"		"
Debra Collins	Days 8/14/15, CP4 AS2A,	PO Box 66773 BR LA	70896	241 7122		collinsd@dnr.la.gov
Jim Bergan	TNE	PO Box 4425 BR	70821	225 723 6059		JBergan@tne.org

