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**MINUTES OF THE MEETING OF THE
SABINE RIVER AUTHORITY
STATE OF LOUISIANA
BOARD OF COMMISSIONERS
PENDLETON BRIDGE OFFICE
15091 TEXAS HIGHWAY
MANY, LA 71449
1:00PM THURSDAY, AUGUST 25TH 2016**

MEMBERS PRESENT: Mr. Byron Gibbs, Chairman
Mr. C. A. Burgess, Vice-Chairman
Mr. Mike McCormic, Secretary
Mr. Norman Arbuckle
Mr. Daniel Cupit
Mr. Frank Davis
Mr. Jimmy Foret
Mr. Ned Goodeaux
Mr. Therman Nash
Mr. Stanley Vidrine
Mr. Bobby Williams

MEMBERS ABSENT: Mr. Jerry Holmes
Mrs. Estella Scott

OTHERS PRESENT: Jim Pratt, Executive Director-SRA, Many, LA
Warren Founds, III, Deputy Dir-SRA, Many, LA
Becky Anderson, Adm Asst 5-SRA, Many, LA
Mike Carr, Fac Maint Mgr 3-SRA, Many, LA
Carl Chance, IT Dir 1-SRA, Many, LA
Kellie Ferguson, Adm Prog Dir3-SRA, Many, LA
There were (21) visitors.

35 Mr. Gibbs called the meeting to order Mr. Nash offered the Prayer and Mr.
36 Gibbs led the Pledge. The roll was called and it was noted that Mr. Holmes and Mrs.
37 Scott were absent; however, a quorum was established.

38 Mr. Gibbs asked if there were any additions or deletions to the agenda. Mr. Pratt
39 stated that staff would like to request an addition under New Business, Item #1-Approve
40 Major Repair and Acquisition Funding for SRD. **Mr. Davis moved, seconded by Mr.
41 Goodeaux to amend the agenda. Motion carried unanimously. Mr. Vidrine moved,
42 seconded by Mr. Arbuckle to adopt the amended agenda. Motion carried
43 unanimously.**

44 Mr. Gibbs stated that the minutes of the June 23rd 2016 meeting were in the
45 packet and asked if there were any corrections. Mr. Pratt stated that Mrs. Anderson had a
46 correction. Mrs. Anderson stated that on Page #1, line # 46, the date of April 28th 2016
47 should read June 23rd 2016. Mr. Gibbs asked for a motion to approve correction to the
48 minutes. **Mr. Foret moved, seconded by Mr. Nash to approve the correction to the**

1 **minutes. Motion carried unanimously.** Mr. Gibbs asked for motion to approve the
2 corrected minutes. **Mr. Goodeaux moved, seconded by Mr. Arbuckle to approve the**
3 **minutes of the Board meeting of June 23rd 2016 meeting. Motion carried**
4 **unanimously.**

5 **STAFF REPORTS:**

6 **Item#1-TBPJO-**Mr. Founds stated that Mr. Rumsey's report was included in the
7 packet. He stated that reporting for the month of June- the spillway gates remained
8 opened until the 10th from the last spill in May, and as a result of additional inflows were
9 reopened on the 20th and closed again the 29th. He stated that total releases through the
10 spillway for the month of June were 233,000 acre ft. He continued that Unit #1 of the
11 power house operated 24 hrs per day all month, excluding a shut down for approximately
12 four (4) days to perform a required inspection. He stated that total releases through the
13 power house were 365,740 acre ft, and the combined total release of the month of June
14 was 598,740 acre ft. He stated that the Lake Level at the end of June was 172.00'sml.
15 He stated that reporting for the month of July- there were no spillway gate releases. He
16 stated that Unit #1 was operated 24hr/day the first two days of the month. He stated that
17 due to the lake elevation dropping below 172.0' msl and being in the prime power season,
18 the companies would schedule one day in advance how many hours of generation they
19 wanted each day. He stated that prime power is scheduled from May through September
20 with lake levels between 172' msl and 168' msl. He stated that generation was scheduled
21 on the 6th through the 23rd in various increasing amounts and for 13 hr/day from the 24th
22 through the end of the month. He stated that total releases through the power house for
23 July were 168,000 acre ft. and a total of 178,000 acre ft when combined with the
24 continuous flow through the spillway. He stated that the Lake Level on July 31st was
25 170.85' msl. He stated that reporting for the month of August- the power companies have
26 scheduled 13 hrs of generation for the first 24 days of this month and today August 25th
27 have scheduled 24 hr/day for tomorrow. He stated that relative to generating and lake
28 levels, with similar inflow and generation, the 168' msl lake level should be reached by
29 October 1st. He stated that with the Lake Level at 172' msl, the reservoir holds 4,500,000
30 acre ft. of water and when compared to the current total releases this year of 7,600,000
31 acre ft, we have released an amount equivalent to filling the lake 1 2/3 times.

1 **Item #2-Shoreline:** Mr. Chance stated that activity for the Shoreline department
2 during the month of **June: New Structures-8; Transfers-1; New Water Withdrawals-**
3 **1; Tranfers-1, Total \$615;** for the month of **July: New Structures-7; Transfers-2; New**
4 **Water Withdrawals-3; Transfers-2 Total \$815** with a Grand Total-\$1.430. He stated
5 that staff has completed the inhabited shoreline audit for encroachments for the year and
6 the data is still being complied into a usable format for records and presentation. He
7 stated that a few places along the uninhabited shoreline surveyed from aerial photos need
8 site visits just to make sure nothing is there. He stated that Article #306- Public Safety
9 Plan was submitted and FERC filed it under CEII critical infrastructure document. He
10 stated that Article \$402 requested a temporary modification of the Spillway flow release
11 plan until 10-31-16 to get the gate refurbishing project complete as safely and efficiently
12 as possible. He stated that the HPMP contract for year two studies is in place and that
13 work will begin in the fall. He stated that the non-federal land erosion monitoring sites
14 were selected and the survey monuments installed the past week. He stated that Article
15 #410-Recreation Management Plan, FERC requested additional information in an
16 amenities table; completed and filed on August 3, 2016 and staff continues to gather “as
17 built” diagrams of all the parks to file by September 19 2016 as requested. He stated that
18 Section #18-Prescription- draft upstream passage plan for Juvenile American Eels has
19 been provided to the Agencies on August 8 2016 for comments and plan to file it with
20 FERC on September 17 2016.

21 **Item #3-Operational:** Mr. Carr stated that from the **Toledo Bend Division,** the
22 work continues on the new San Miguel Office. He stated that the buoy crews have been
23 on the reservoir maintaining our 180 miles of boat lanes and over 10,000 buoys. He
24 stated that the crew has installed 2,500 feet of conduit for fiber optic line. He stated that
25 crews installed a new lift pump at Pleasure Point Park. He stated that staff has ordered
26 the materials for the new metal roof for the file/brown building because of the storm
27 damage. He stated that park maintenance and callouts continue through the busy season.
28 He stated that from the **Toledo Bend Project Joint Operations,** there is a report that was
29 included within the packet. He stated that the gate rehab contractor is back on the job and
30 currently working on Gate #4. (see pictures.) He stated that staff met with FEMA on
31 August 8th to discuss damages to the spillway which included movement of the rip-rap,

1 loss of access ladder, loss of upstream buoys, spalling on the spillway apron, (6 places)
2 erosion of the upstream dike, and loss of downstream cable and sign. (see pictures.) He
3 stated that there is a lot of information to be compiled before starting repairs and with the
4 help of divers checking on the upstream dike adjacent to the spillway along with the
5 washouts downstream of the spillway, all these inspection reports will be compiled and
6 provided to FEMA and the insurance for the funding for repairs. He stated that the
7 inclinometers were read on the spillway apron which showed slight movement which is
8 not uncommon. He stated that Entergy has called for thirteen (13) hour runs daily since
9 July 24th; however, on August 26th they have called for a twenty-four (24) hour run. He
10 stated that from the **Sabine Diversion Canal**, the staff reports were included in the
11 packet. He stated that the Servitude for the Coach Williams Drive extension have been
12 completed on our end and submitted to the Calcasieu Parish Police Jury for their review
13 and acceptance. He stated that the third pump for Stations #3 and #4 has been ordered
14 and delivery time could take as long as 300 days at the cost of \$198,900. He stated that
15 he KCS project is underway due to the deposit of funds \$7,575,523.48 which was
16 received July 1. He stated at that time, the contract was signed with Ragnor-Benson. He
17 stated that pipe delivery began on August 8th for the project; inspectors are in place to
18 inspect the pipe before it is unloaded (see pictures). He stated that all servitudes and fee
19 title exchanges have been completed for the relocation of the siphons under the KCS
20 tracks. (see drawing). He stated that servitude was issued to Sasol to set the pipe rack
21 across our canal just north of Pump Station #3. (see pictures.) He stated that a temporary
22 servitude has been issued to Sasol to cross our pipeline with the crane to set the pipe rack
23 which weighs 790 tons or 1,580,000 pounds. Mr. Foret asked Mr. Carr to contact our
24 engineer for the project and asked to have a test done to make sure it is safe for the large
25 crane to “roll” over the culvert. He stated that a pre-construction for Project #12 B was
26 held on Monday June 27 2016 at 2:00pm at the SRA Diversion Canal Office. He stated
27 that due to a hold up on receiving pipe, the contractor just mobilized this week. He stated
28 that Apeck Construction was the low bid at \$486,719 which is the bypass pipe re-routing
29 and the meter installation at Pump Stations #3 and #4. He stated that there still hasn't
30 been a permit granted by the Corps of Engineers regarding the dredging of Canal #1. He
31 continued that a good portion of the land surrounding Canal #1 is classified as wetland

1 which prevents any spoils being located in the area. He state that staff contacted several
2 dredging companies asking for the most economical way to move the spoils to an
3 acceptable location. He stated that the scope of work may have to be reduced and only
4 concentrate on the worst spots which would be at the mouth of the river and at a major
5 parish drainage ditch. He continued that once the permit is received, a bid packet will be
6 sent to perspective companies.

7 **Item #4-Financial Report:** Mrs. Ferguson stated that there was no financial
8 report due to pending the audit results from the auditor's office. She stated that the
9 auditors had visited the office August 2nd thru 4th. She stated that the audit report has to
10 be submitted to the State Legislative Auditor's Office by September 1st and Mr. DeRouen
11 who's group performs the audit, would be present at the September Board meeting to
12 present the audit report.

13 Mr. Gibbs asked for a motion to approve the staff reports as presented and
14 circulated. **Mr. Goodeaux moved, seconded by Mr. Davis to approve the Staff**
15 **Reports as circulated and presented. Motion carried unanimously.**

16 **SPECIAL REPORTS:** None.

17 **PUBLIC COMMENTS:** Mr. George Herr, local fisherman, addressed the Board
18 concerning rules for holding a fishing tournament on Toledo Bend. He stated that he had
19 attended a private tournament where the weigh-in was held at Cypress Bend Park and this
20 particular tournament did not use a "live" release barge to protect the health of the
21 "caught" fish before returning them to the lake. He requested that SRA review the
22 contract for tournaments and somehow "police" the weigh-in to make sure
23 procedures/protocol is followed. Mr. Gibbs asked Mr. Goodeaux to meet with Ricky
24 Yeldell, biologist (retired from Louisiana Department of Wildlife & Fisheries) along with
25 Todd Diskoll of Texas State Parks & Wildlife to discuss the fishing tournaments and to
26 bring any recommendations back to the Board at the September meeting.

27 Next to address the Board was Mr. Jim Mifflin chairman of the Toledo Bend
28 Citizens' Advisory Committee. Mr. Mifflin stated that he would like to see if perhaps
29 SRA would hold a meeting with the local realtors to discuss the Encroachment Policy as
30 to what, when, how, and why this procedure must be followed during any transactions

1 concerning the sale of property on Toledo Bend. Mr. Gibbs stated that staff would take
2 the suggestion under advisement.

3 **OLD BUSINESS: ITEM #1: Encroachment Policy:** Mr. Chance introduced
4 Mr. Chuck Sensiba, legal counsel for the SRA to discuss the Encroachment Policy. Mr.
5 Sensiba stated that this is a follow-up from the Board meeting held in late May at which
6 time; the Board approved the existing encroachment policy. He stated that the policy is
7 based on a couple requirements from the FERC license for the Toledo Bend Project. He
8 stated that staff has worked with local counsel, Chuck Soileau to clarify some of the
9 language used within the policy to meet the requirements in recognizing there are clients
10 that this policy would affect as well as implement the directions of the Board. He stated
11 that there is an issue with the life of these permits. He stated that if the property ever
12 changed hands, the new individual would have to return to SRA for a transfer of the
13 encroachment permit from the prior owner. He stated that creates an administrative
14 burden for the initial landowner and the new landowner. He stated that the solution was
15 not to require a transfer but for these encroachment permits to run with the land so that
16 when the property was sold that the encroachment permit would also transfer by
17 operation of the law. He stated that the problem with that was found to be no
18 requirement to check-in with the SRA, when it is transferred these could run in perpetuity
19 and in most incidents; the encroachments are within the leaseback area of the property.
20 He stated that those leasebacks run for 99 years which would leave approximately forty-
21 to-fifty years remaining. He continued that staff would like to make the procedure easy as
22 possible for all parties but most of all it is done within the legal rights of the SRA and the
23 FERC requirements since the land on leaseback belongs to the State of Louisiana. He
24 stated that the recommendation that a provision be placed on these permits to expire at
25 the same time as the leaseback agreement forty-plus years from now. He stated that does
26 not preclude the owner at that time, the owner of the property if still living to present to
27 the SRA and apply for an extension of the permit at that time. He stated that would
28 ensure those encroachments to continue to meet the requirements. He stated that Mr.
29 Soileau however would like the permit to expire at the “useful” life of the structure
30 however long that might be. He stated that the other issue is those encroachments that
31 are in existence at present and how to handle those encroachments with something more

1 permanent than a permit depending on the description of the extent and nature of these
2 encroachments so once the survey work is done, perhaps some type of easement could be
3 granted. He stated that this survey and data reporting could take five years but the entire
4 purpose is to treat everyone fairly. **Mr. McCormic moved, seconded by Mr.**
5 **Goodeaux to uphold that any permits expire at the end of the 99 yr Leaseback**
6 **expires and once the shoreline survey is completed, the Board could review this**
7 **policy at the time that this report is presented to the Board to make any changes**
8 **that are necessary at that time. Motion carried unanimously.**

9 **NEW BUSINESS: ITEM #1: Conveyance Record Affidavit-**Mr. Chance stated
10 that a copy of the proposed document was included in the meeting packet. He stated that
11 this document is to be filed within the Conveyance Records of Sabine and Desoto
12 Parishes for the purpose of public notice. He stated that the affidavit when recorded is to
13 insure that private property owner adjacent to the Toledo Bend Project whose chain of
14 title failed to convey the “leaseback rights” will have an opportunity to apply for a SRA
15 permitted structure. **Mr. Nash moved, seconded by Mr. Cupit to approve the**
16 **Conveyance Record Affidavit to be used by the Shoreline Department. Motion**
17 **carried unanimously.**

18 **ITEM #2: Approve Major Repair & Acquisitions Funds for SRD:** Mr. Carr
19 stated that staff is requesting approval of purchasing a New Holland TS6.120 tractor and
20 an Alamo Falcon 15’ Hydraulic Rotary flex wing mower at the total cost of \$82,386.25
21 purchased with funds from the acquisition budget as well as approval for \$100,000.00 to
22 be placed into major repairs for emergency situations. He stated that are funds available
23 for both of these requests within the budget. He stated that the funds earmarked for
24 “emergency repairs” prevents having to wait to get Board approval in the instance of an
25 emergency. **Mr. Cupit moved, seconded by Mr. Nash to approve the request to place**
26 **\$100,000.00 in Major Repairs for Emergency Repairs and to approve the purchase**
27 **of a New Holland TS6.120 tractor with an Alamo Falcon 15’ Hydraulic Rotary Flex**
28 **wing mower. Motion carried unanimously.**

29 **COMMITTEE REPORTS:** Mr. Gibbs stated that he would call each committee
30 to order and Mrs. Anderson would call roll and only the members of each committee can
31 nominate and vote for the new chairman.

- 1 **1) Diversion Canal:** Committee Called to Order. Members present Burgess,
2 Cupit, Foret, and Vidrine. **Mr. Burgess nominated Mr. Foret for chairman**
3 **with the nominations to cease and Mr. Vidrine seconded the nomination.**
4 **Mr. Foret was elected by acclamation.**
- 5 **2) Parks:** Committee Called to Order. Members present Arbuckle, Davis,
6 Goodeaux, and Nash. **Mr. Goodeaux nominated Mr. Davis for chairman**
7 **with the nominations to cease and Mr. Nash seconded the nomination.**
8 **Mr. Davis was elected by acclamation.**
- 9 **3) Leaseback:** Committee Called to Order. Members present Davis, Foret,
10 Goodeaux, McCormic, Nash, and Vidrine. **Mr. Foret nominated Mr.**
11 **Vidrine for chairman with nominations to cease and Mr. Goodeaux**
12 **seconded the motion. Mr. Vidrine was elected by acclamation.**
- 13 **4) Finance:** Committee Called to Order. Members present Burgess, Cupit,
14 Goodeaux, McCormic and Williams. **Mr. Cupit nominated Mr. McCormic**
15 **for chairman with the nominations to cease and Mr. Burgess seconded**
16 **the nomination. Mr. McCormic was elected by acclamation.**
- 17 **5) Water Sales:** Committee Called to Order. Members present Arbuckle,
18 Burgess, Davis, Foret, McCormic and Williams. **Mr. Foret nominated Mr.**
19 **Burgess for chairman with the nominations to cease and Mr. Davis**
20 **seconded the nomination. Mr. Burgess was elected by acclamation.**
- 21 **6) Fishery & Lake Management:** Committee Called to Order. Members
22 present Arbuckle, McCormic, Foret and Nash. **Mr. McCormic nominated**
23 **Mr. Arbuckle for chairman with nominations to cease and Mr. Foret**
24 **seconded the nomination. Mr. Arbuckle was elected by acclamation.**
- 25 **LEGAL REPORT:** Executive Session: **Mr. Vidrine moved seconded by Mr.**
26 **Williams to move into Executive Session. Motion carried unanimously. Mr. Foret**
27 **moved, seconded by Burgess to reconvene from Executive Session. Motion carried**
28 **unanimously. Action from the Executive Session: Mr. Burgess moved, seconded by**
29 **Mr. Vidrine to approve amending the Resolution of January 28th 2016 concerning**
30 **the repairs to Unit #2 with additional cost of \$800,000 and the Executive Director to**

1 **execute the necessary document/s on behalf of the Board of Commissioners of the**
2 **Sabine River Authority. Motion carried unanimously.**

3 **EXECUTIVE DIRECTOR’S REPORT:** Mr. Pratt stated that he had
4 presented each member present with a map showing the various areas within the state
5 where there were new projects ongoing and the approximate cost of the project along
6 with the number of jobs each project would bring to the specific area. He stated that there
7 are several projects projected for the Lake Charles-Sulphur-Westlake areas. **Mr.**
8 **Goodeaux moved, seconded by Mr. Burgess to accept the Executive Director’s**
9 **report as presented. Motion carried unanimously.**

10 Mr. Gibbs stated that the next meeting would be September 22nd 2016 at 1:00pm
11 at the Pendleton Bridge Office Many, Louisiana.

12 With no further business to discuss, Mr. Gibbs asked for a motion to adjourn.
13 **Mr. Cupit moved, seconded by Mr. Burgess to adjourn. Motion carried**
14 **unanimously. Meeting adjourned at 3:54 pm.**

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19 **ATTEST:**

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BYRON GIBBS, CHAIRMAN

C. A. BURGESS, VICE-CHAIRMAN

MIKE MCCORMIC, SECRETARY