



Governor's Office of Coastal Activities
State of Louisiana

MEMORANDUM OF UNDERSTANDING

Louisiana Coastal Protection and Restoration Master Plan Implementation

This memorandum of understanding (this MOU) is entered into by and between the Louisiana Governor's Office of Coastal Activities ("GOCA"), the Louisiana Department of Natural Resources ("DNR") and the Louisiana Department of Transportation and Development ("DOTD").

WHEREAS, it is recognized that the protection and restoration of the Louisiana coast will require the utmost attention and resources in the coming years and the breadth of this challenge will require the focus of the state, but particularly the time and attention of DNR, DOTD and GOCA (hereinafter referred to as the "Parties"); and

WHEREAS, upon the adoption of Louisiana's Comprehensive Master Plan for a Sustainable Coast ("Master Plan") by the unanimous vote of the Louisiana House and Senate, Louisiana has undertaken the responsibility of managing over future decades the implementation of one of the largest and most complex civil works efforts ever undertaken in the history of this country; and

WHEREAS, the implementation of the Master Plan must reflect a sense of urgency necessary to protect and restore the coast, but at the same time incorporate best practices in adaptive management, program management and the use of a multi-disciplinary approach; and

WHEREAS, the legal responsibilities related to coastal restoration and hurricane protection are spread across state entities and the Coastal Protection and Restoration Authority has the legal responsibility to develop and enforce the Master Plan (R.S. 49:213.1 et seq.), GOCA has the legal responsibility to coordinate policies, plans and programs to achieve a safe and sustainable coast (R.S. 49:213.1 et seq.), DNR has the legal responsibility for the conservation, management and development of water, minerals and other such natural resources of the state, including coastal restoration and management (R.S. 36:351) and DOTD has the legal responsibility, among other things, for developing and implementing programs in all areas of hurricane flood protection (R.S. 36:501);

WHEREAS, a framework must be developed by which the Parties can integrate their efforts, avoid duplication, promote efficiency, effectively execute on the Master Plan and carry out their applicable legal mandates; and

NOW, THEREFORE, in consideration of the above, the Parties agree as follows:

ARTICLE 1

Term and Review

Section 1.1 Term. The term of this MOU begins on the date the instrument is executed by the parties and continues indefinitely until cancelled or modified by the parties.

Section 1.2 Review. This MOU will be annually reviewed by the Parties to determine its effectiveness. A report, in a form determined by the Parties, will be reviewed and necessary modifications to the MOU will be incorporated as appropriate. Any modifications to the MOU must be agreed to by all of the parties.

Section 1.3 Cancellation. This MOU may not be cancelled during the first year, without unanimous consent of the parties or by order of the Governor. After the first year, the Governor may cancel the MOU at any time or any party may cancel the MOU on the anniversary date by giving notice to the Parties at least 90 days prior to the anniversary.

ARTICLE 2

Statutory Authorities

Section 2.1 Applicable Statutory Authority. The Parties are legally empowered to employ and manage such persons as necessary to fulfill the duties of their agency (see R.S. 36:502(A)2 and 504(B)1), R.S. 36:354(B)1, R.S. 49:213.4(B)11-12). As such, they have the opportunity to coordinate their existing staff and hire new staff, pursuant to applicable laws, in an effort to integrate their related coastal restoration and hurricane protection legal mandates.

ARTICLE 3

The Executive Committee for Implementation

Section 3.1 Structure. The Executive Committee for Implementation (“Executive Committee”) is hereby formed and shall consist of the Executive Assistant to the Governor for Coastal Activities, the Secretary of the Department of Natural Resources and the Secretary of the Department of Transportation and Development. The executive committee shall meet bi-weekly during the first year of the MOU and thereafter as required, at the request of one of the members.

When required, decisions will be made by consensus. In a situation where the committee is unable to come to agreement on a particular issue, any member, after informing the other members, may elevate the issue to the Governor for review and instruction.

Section 3.2 Roles and Responsibilities. The Executive Committee will oversee the Master Plan including, but not limited to, implementation, planning, adaptive management and applied science efforts. The committee will work together to efficiently and effectively manage the work of their organizations. In particular, the Executive

Committee will ensure coordination between their organizations, provide guidance about priorities when necessary and coordinate its work with the **Coastal Protection and Restoration Authority** ("CPRA").

When necessary, the Executive Committee will hire a **Director of Implementation** ("DOI") to oversee the implementation of the Master Plan. The Executive Committee will inform and direct the work of the **Director of Implementation**. The Executive Committee will review the **Ecosystem Restoration and Hurricane Protection Annual Plan** ("Annual Plan") and any modifications to the Master Plan, as developed by the Governor's Office of Coastal Activities in coordination with the DOI, before these documents are submitted to the CPRA for consideration and approval. The Executive Committee will receive a quarterly progress report on the current annual plan that should include information on project status and other program management activities.

Section 3.2 Coastal Protection and Restoration Fund. For each fiscal year, the Executive Committee will coordinate DNR, DOTD and GOCA's budget requests as they relate to the distribution and management of the **Coastal Protection and Restoration Trust Fund** ("CPR Fund"). This coordinated budget request will be consistent with the development of the **Ecosystem Restoration and Hurricane Protection Annual Plan** ("Annual Plan") for that fiscal year. Any subsequent inter-agency fund transfers necessary to carry out the Annual Plan will be coordinated by the Executive Committee.

Section 3.3 Annual Master Plan Review. The Executive Committee will organize an annual review of the progress and process of the Master Plan. The review will be led by person(s) outside of Louisiana government. The annual review will be presented to the Coastal Protection and Restoration Authority along with the Executive Committee's response to the review.

Section 3.4 Annual Fiscal Review. The Executive Committee will apply the highest appropriate level of fiscal oversight to the execution of the Master Plan. The Executive Committee will coordinate with the Louisiana Legislative Fiscal Office and any other entities necessary to provide capable and comprehensive fiscal oversight. In addition, in order to establish the highest level of transparency and inspire trust and confidence in the use of public funds, the Executive Committee will engage an outside audit firm to conduct an annual financial audit to be delivered to the CPRA.

ARTICLE 4 Director of Implementation

Section 4.1 Description of Position. The Director of Implementation shall be an experienced manager, able to oversee and direct activities necessary for the successful implementation of the Master Plan. Management skills should include working with multiple government agencies, knowledge of long-term planning, organizational development and a proven ability to develop and implement strategic and operational plans, programmatic and project management skills, superior communication skills, and problem solving and analytical skills.

The DOI will report to the Executive Committee and will serve as the Executive Committee's designee to oversee the implementation of the Master Plan. At the direction of the Executive Committee, the DOI will supervise a team (referred to herein as the "CPR Implementation Team") consisting of DNR, DOTD and GOCA staff tasked to implement the Master Plan.

Section 4.2 Hiring and Firing. The Executive Committee, with the concurrence of the Governor, is responsible for hiring and firing the DOI as well as setting the DOI's salary. Provided further that the Executive Committee will review and appraise the performance of the DOI on a regular basis.

Section 4.3 Roles and Responsibilities. Through this MOU, the Parties task the DOI with integrating the coastal protection and restoration efforts of DNR, DOTD and GOCA and managing the program for the implementation of the Master Plan. Responsibilities tasked to the DOI include:

1. Playing an integral role in the development of the Annual Plan and modifications to the Master Plan.
 - a. The Governor's Office of Coastal Activities will have overarching responsibility for the updating of the Master Plan and development of the Annual Plan.
2. Developing a strategic plan for the implementation of the Master Plan and current Annual Plan including setting measurable standards and performance objectives
 - a. Develop and update written policies and procedures ensuring compliance with requirements set forth in the master plan
3. Responsibility for project planning, engineering and design
4. Responsibility for project construction
5. Responsibility for project monitoring and analysis
 - a. This includes a responsibility for performance assessment that is to be integrated into real-time project management as well as planning, engineering and design
6. Coordinating the integration of the program for science and technology assessment which promotes scientific, engineering, and technical advancements for the implementation of the Master Plan; supports the adaptive management of the planning, implementation and assessment of the Master Plan. coordinates with other on-going research and data collection initiatives such as LSC S&T, CREST, LCA Science Coordination Team, etc. Also, the DOI will ensure that the science and technology program is integrated with established measurable performance

objectives that support project and large-scale planning, prioritization, and sequencing decisions.

- a. This responsibility will be coordinated with the Governor's Office of Coastal Activities, which will manage the coastal science program, including the coordination of outside science groups in a manner that allows their work to inform Master Plan project planning, engineering, design, construction and operation.
7. Participating in robust regional planning efforts with other state agencies as led by the Governor's Office of Coastal Activities.
 9. Recommending the organizational structure and processes for the CPR Implementation Team.
 10. Initiating contracts as necessary for Master Plan and Annual Plan activities, which will remain in the appropriate agency office, and including recommending integrated selection panels and processes.
 11. Coordinating with CPR Fund manager(s) and Executive Committee to provide necessary resources to the CPR Implementation Team and track CPR Fund status and implementation needs.
 12. At the direction of the Executive Committee, representing the Executive Committee's position on matters related to the Master Plan.
 13. Any other roles and responsibilities necessary to manage the program for the implementation of the master plan as determined by the Executive Committee.

ARTICLE 5

Coastal Protection and Restoration Implementation Team

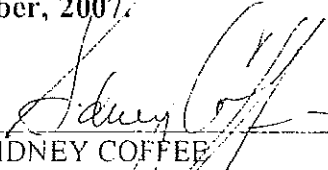
Section 5.1 Composition. The CPR Implementation Team is to be made up of the Director of Implementation, his/her executive staff and assigned employees from DOTD, GOCA and DNR as determined by the DOI and Executive Committee.

Section 5.2 Executive Staff. The DOI will hire fire and/or otherwise select an executive staff pursuant to the approval of the Executive Committee. The staff is charged with assisting the DOI in managing the program for the implementation of the Master Plan.

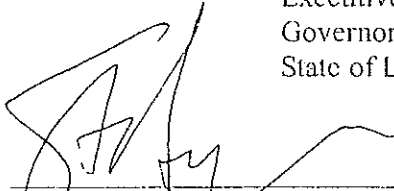
Section 5.3 Assigned Staff. The Executive Committee, in consultation with the DOI, will assign appropriate staff from DOTD, GOCA and DNR to the CPRA Implementation Team. The assignment of staff from DOTD, GOCA and DNR shall not conflict with the laws and regulations governing employee job descriptions and responsibilities.

Section 5.4 Source of Funding. The CPR Implementation Team will be funded out of the Coastal Protection and Restoration Trust Fund.

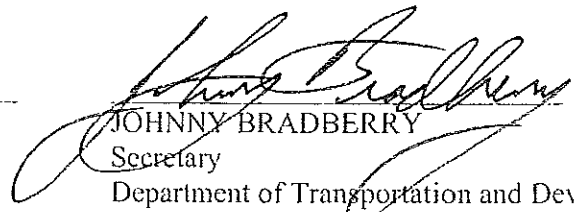
IN WITNESSES WHEREOF, the undersigned parties have hereby agreed to the terms of and executed this MEMORANDUM OF UNDERSTANDING on the 3rd day of October, 2007.



SIDNEY COFFEE
Executive Assistant to the Governor
Governor's Office of Coastal Activities
State of Louisiana



SCOTT ANGELLE
Secretary
Department of Natural Resources
State of Louisiana



JOHNNY BRADBERRY
Secretary
Department of Transportation and Development
State of Louisiana