

AGENDA
AD HOC COMMITTEE MEETING
EBR LIBRARY BOARD OF CONTROL
SOUTH BRANCH DEVELOPMENT
MAIN LIBRARY AUDITORIUM
7711 GOODWOOD BOULEVARD
NOVEMBER 18, 2009
9:00 A.M.

- I. CALL TO ORDER/ROLL CALL
- II. REVIEW AND APPROVAL OF MINUTES OF LAST MEETING
- III. RECEIPT OF ADDITIONAL INFORMATION
- IV. GENERAL DISCUSSION AND EVALUATION OF DATA
- V. FORMULATE REPORT TO BOARD
- VI. ADJOURN

ALL MEETINGS ARE OPEN TO THE PUBLIC

Minutes of the Meeting of the Ad Hoc Committee of the
East Baton Rouge Parish Library Board of Control
for South Branch Development

November 18, 2009

The third meeting of the Ad Hoc Committee of the East Baton Rouge Parish Library Board of Control for South Branch Development was held in the Auditorium of the Main Library on Wednesday, November 18, 2009. Mr. Stanford O. Bardwell, Jr., Chairman of the Ad Hoc Committee, called the meeting to order at 9:11 a.m. Members of the Committee present were Ms. Beth Tomlinson, Library Board member, Mr. Jermaine Watson, Governmental Affairs Associate with the Baton Rouge Area Chamber, and Mr. Tom DuBos, a member of the community. Also in attendance were Mr. David Farrar, Library Director; Ms. Mary Stein, Assistant Library Director of Administration; Ms. Patricia Husband, Assistant Library Director of Branch Services; Ms. Rhonda Pinsonat, Assistant Library Business Manager; Ms. Liz Zozulin, Executive Assistant to the Library Director; Ms. Lea Anne Batson of the Parish Attorney's Office and Mr. Davis Rhorer, Executive Director of the Downtown Development District. Also present were Mr. Tommy Spinosa of JTS Realty Services, LLC with four members of his pre-construction team for the Rouzan Development; five members of the community and Mr. Steve Ward, reporter with *The Advocate*. Absent from the meeting was Ms. Nikki Essix of the Parish Attorney's Office.

Review and Approval of Minutes of November 6, 2009 Ad Hoc Committee Meeting

The minutes were approved with three corrections.

Receipt of Additional Information and General Discussion and Evaluation of Data

Mr. Bardwell asked the committee members if they had any additional information to present. Ms. Tomlinson distributed three pages of demographic information prepared by the City-Parish Planning Commission. She said the Planning Commission was given the corrected boundaries for the area that would be served by a branch library at Rouzan and also for the area that would be served by a branch library on Burbank Drive with an area that could be served by either branch being indicated as an overlap area. The population figures were broken down by census tracts, by male and female and by age groups ranging from under age 5 to 85 years and older. The statistics were obtained from the census of 2000, and projected census figures for 2010 and 2020 based on a 3.8% growth rate.

Ms. Tomlinson said that these spreadsheets illustrate that all age groups are equally represented in the population area around the Rouzan development; whereas the highest percentage of the population around the Burbank site is the 20-24 year old age group. Ms. Stein added that almost a third of the population near the Burbank site is college age. Ms. Tomlinson said this information is consistent with the claim that there are many college students in the Burbank area.

Mr. Watson asked about the programming needs for the two population areas. Mr. Farrar replied that the branch at Rouzan would be more traditional and similar to the other branch libraries which contain collections for all age groups. The branch at Burbank would contain materials for all age groups, but would additionally have more technology which is of special interest to younger patrons. Mr. Bardwell asked about the third page of the demographics to which Ms. Stein replied that these are the “swing” users who are most likely to use either location depending on the traffic, time of day, etc.

Another sheet of information was distributed which listed the schools near the Rouzan or Burbank sites with their enrollment figures and the mileage from the school to each branch site. Ms. Stein noted that the enrollment numbers were from the 2008-2009 school year because the East Baton Rouge School Board did not have figures available for the current school year. Ms. Stein used other sources to obtain the enrollment numbers. She also noted that some schools such as Jefferson Terrace, which were shown on the map distributed last week, are not on this list because the population, for example, at Jefferson Terrace would more than likely go to the Carver Branch Library rather than a branch at Rouzan or Burbank.

Mr. DuBos asked if this enrollment sheet is helpful to their study and is there a strong favor of one site over another based on the figures shown. Ms. Stein replied that the children come to schools such as Glasgow Middle School on buses, or their parents might drive them. When parents drive them to the library, they may choose a branch near their home. Mr. Bardwell noted that which branch may be used, based on the school’s proximity to it, cannot be determined. Ms. Stein added that the Library in the past has built branches near schools or BREC parks because students do use the library after school hours. She cited the Delmont Gardens and Eden Park Branch Libraries as examples. Ms. Tomlinson said that if a branch library is less than a ½ mile from home, the students can ride their bicycles.

Mr. Bardwell suggested they review the census data on the population figures to determine what conclusion they can make. Ms. Tomlinson said that the area around the Rouzan development has a large number of families representing a variety of age groups. Mr. DuBos countered that either location has a mixture of age groups, but Mr. Bardwell disagreed. Mr. John Berry, a member of the community, said that in 2020, there will be a 20% increase in population near the Burbank site. He said the number of people that come into the library and not the age group is the important factor. Ms. Tomlinson replied that most college students use the college library and not the public library.

Ms. Paulette Elkins, a member of the public with a background in emergency planning agreed that college students including her daughter, use the college, and not the public library. She also said that a pillar of civilization is the public library and those that use it help to keep the library system strong. Many of her peers are returning to Louisiana to assist in the development of the state. She wants to see more people in the 30 to 50 age group returning to build up the state and she supports a healthy library system for them. A literature professor from Louisiana State University said that her students use the East Baton Rouge Parish Library for their research and reading materials. Ms. Stein explained that the Library system has always supported literature collections. However, the Library system does not have a strong collection in math or science

for college students, and some of the Library's databases might be helpful to freshmen and sophomores.

Mr. Spinosa referred to the branch boundary maps that were distributed. He said that the map of the Burbank site boundaries contains wetlands and does not have a large amount of development. Ms. Tomlinson added that there is a reason why there is a lack of development there. Mr. John Berry, a member of the community, said that the area around Rouzan was developed in the 1940's; whereas, the Burbank area has not been developed yet due in part to the lack of roads. He added that development in the Burbank area is still going on all the time in spite of the lack of roads. Ms. Tomlinson replied that the information that she has gathered from sources such as the City-Parish Planning Commission, the American Association of Retired Persons (AARP), and the Louisiana Department of Environmental Quality (LDEQ) indicate that the trend is to save wetlands, and to favor population growth in areas that are already developed, thus producing more compact, dense population growth. She also said that at this time neither she nor Mr. Berry can say for sure what type of growth will occur in the Burbank area.

Mr. Bardwell asked if there is any new additional information for the committee to review. Ms. Kathy Wascom, a member of the community, and a liaison for the Louisiana Environmental Action Network (LEAN) said LEAN sued LDEQ for failure to maintain a safe environment in regard to total maximum daily loads (TMDL). A TMDL is a calculation of a pollutant limit that is placed on a body of water. Ms. Wascom said that as a result of the lawsuit, the LDEQ must submit the TMDL calculations to the U.S. Department of Environmental Quality (USEPA) for its approval.

Ms. Tomlinson said that she has received a letter from LDEQ. This information is appended to these minutes. The cost of mitigation will increase in January.

Mr. Bardwell said that he had several questions for Mr. Robert Cangelosi, an engineer with SJB Group, LLC whose firm surveyed the Burbank site and submitted a wetlands delineation request in 2005 for the Library. Mr. Bardwell said he has a written response from Mr. Cangelosi which includes information obtained from Mr. Bryan Harmon, Chief Engineer with the City-Parish Department of Public Works (DPW). Mr. Cangelosi said that it is his understanding from informal correspondence with Mr. Harmon that "the Parish has developed sites in the floodplain, and that the work was done in accordance with applicable codes and ordinances (i.e., floodplain mitigation, stormwater management, etc.)" Mr. Bardwell further quoted from the letter that DPW is enforcing "planning, design, construction and maintenance strategies for the property [in the floodplain] to maintain or restore its predevelopment hydrology with regard to temperature, rate, volume, and duration of flow (storm water runoff)." Mr. Bardwell also said that Mr. Cangelosi pointed out that the LDEQ is studying TMDLs for water bodies in Louisiana, and that the City-Parish Planning Commission and DPW have been working with LDEQ on requirements for storm water quality control measures.

Mr. Watson commented that all of the information just presented does not address the cost involved or the time required to comply, but that it would seem that the cost and time involved would increase. He asked if the Library Board has a time constraint on building. Mr. Bardwell replied that they do want to build soon because it has been four years since the land donation.

He added that an architect would have to create a footprint and then engineers would have to do their work, so this would take some time to complete.

Ms. Tomlinson said that the City-Parish has developed in the floodplain, but that new storm water ordinances will slow down some developers in the floodplain. She noted that the Library cannot build on the Burbank site without the Corps of Engineers' approval. Also, the State Department of Wildlife and Fisheries would need to investigate habitat loss, and the presence of endangered or rare species. There would also be a required time period for public comments.

Mr. DuBos said they have gathered quite a bit of information, but it points out that there are still some additional questions that need to be answered. He suggested they move on to new concerns that have come to light.

Mr. Bardwell turned the committee's attention to the Rouzan development. He said that a trial date of mid-June 2010 has been set for the lawsuit against the City-Parish Metropolitan Council. The Metropolitan Council had rezoned the 119 acre property where Rouzan is to be built from A-1 residential to a Traditional Neighborhood Development (TND). By definition of a TND, residents must be within a ¼ mile of commercial, civic and open spaces in order to meet the required "walkability" provision. The Metropolitan Council amended the mileage requirement so that all Rouzan residents would meet the mileage requirement. Mr. Bardwell said that if the plaintiffs win and the TND is deemed inappropriate, then there will be issues for the Library to resolve. He said the committee's recommendation should include what the developer could do if the TND is nullified. Mr. Murray McCullough, engineer with Benchmark Engineering Group, LLC said if the TND is voided the property would become A-1 residential again and that the building of a library would be allowed. Mr. Bardwell replied that the planned roads, parking and other infrastructure for the library are part of the TND. If the TND is gone, then the library would be a single standing structure with no surrounding buildings.

Mr. Berry said that the attorney for the plaintiffs told him that the construction of the branch library could begin now, but that if the TND is voided, the developer would be required to retract everything it has done. Mr. Bardwell agreed that this is a risk.

Ms. Tomlinson said that she asked Mr. Farrar to invite Ms. Lea Anne Batson of the Parish Attorney's Office to attend this meeting to provide some insight into the legal actions against Rouzan. Ms. Batson said that she could only speak in Executive Session to the two Library Board members since her department is representing the Metropolitan Council in the lawsuit. She also noted that in order to go into Executive Session, the agenda must state that there is a possibility of this happening. Ms. Tomlinson wondered if there is a serious chance that the plaintiffs will win the suit, why the City-Parish government has not advised the Library Board against building in Rouzan.

Mr. DuBos said this matter can be put into suspense until the trial is over. Ms. Batson said that there were three defects cited in the lawsuit. The first was the ¼ mile "walkability" provision which was amended making this defect moot. The second was the submission of a statement of financial responsibility which was procedural and has since been resolved. The third defect is that the developer does not own all of the land within the boundaries of the proposed TND. She

said that the overturning of a zoning change is highly unlikely. Ms. Batson agreed with Mr. McCullough that the Library could be built on A-1 zoned property. She added that the plaintiff lost the motion for a summary judgment meaning that there is a dispute which cannot be resolved because both parties cannot agree on the facts. Mr. DuBos said that Ms. Batson has confirmed what Ms. Nikki Essix also of the Parish Attorney's Office has explained to them in prior meetings.

Formulate Report to the Board

Mr. DuBos asked in view of the information they have obtained in their last three meetings, what should they tell the Library Board? He added that he is ready to make a motion to discuss the formulation of a report. Mr. Bardwell agreed that they should discuss how to formulate a report. He said he thinks that their objective should be at least almost a unanimous decision by the members of the committee. Mr. Bardwell added that there are at least three issues being the following:

- Do we proceed with Rouzan?
- Do we proceed with Burbank?
- Do we make provisions for the lawsuit keeping Burbank as an emergency site?

Ms. Tomlinson asked if they are going to build on both sites. She said that issue needs to be put to rest.

Mr. DuBos then made the following motion:

I move that the committee recommend to the Library Board that: the Board proceed with plans for the construction of a branch at the site on Perkins Road as part of a development known as Rouzan; that the Board request the Parish Attorney to prepare an addendum to the Agreement to Donate and Accept for execution by the parties setting forth the rights of the City/Parish and the obligations of the Rouzan developer in the event a final judgment in favor of the plaintiffs in the case styled, "Bob Welch & Daniel Hoover vs East Baton Rouge Metropolitan Council, Defendant, and 2590 Associates, L.L.C. Intervenor, #563,619, 19th Judicial District Court" results in the nullification of the TND approvals for the Rouzan site; that the Board seek an extension of 18 months from the donors of the Burbank site.

Mr. Bardwell seconded the motion. Mr. Dubos then said that they had started with fifteen questions and have narrowed that down to five. He noted that with his motion they are suspending the decision at this time of building at both sites or on only one site. He said they should proceed with plans to build at Rouzan, and they should also ask the donors of the Burbank site before the December 15, 2009 deadline for an extension of the deadline. He said they should work with the Parish Attorney's Office on these matters.

Mr. Watson thanked Mr. DuBos for his motion and then he asked if they thought the Burbank donors would be willing to extend the deadline knowing of their ulterior motive. Mr. DuBos replied that he said 18 months based on what Mr. Dan Reed, Library Board President, reported at their last committee meeting. Ms. Tomlinson then read from the minutes of that committee meeting the following:

“Mr. Reed said he spoke to Dr. Kirk Patrick, one of the donors of the property on Burbank Drive. Dr. Patrick said he did not see a problem for the donors with the Library beginning construction after the date of December 16, 2009, the date stipulated in the donation document as the deadline for the commencing of the branch construction. Dr. Patrick also said if the Library needed an extension of the deadline, there might be some conditions placed on this extension of time if building construction did not occur in the near future. Mr. DuBos asked what extension of time would be acceptable to the donors. Mr. Reed said he believes that if the Library agreed to commit to construction within six months to a year, no conditions would be necessary.”

Ms. Tomlinson said the third part of the motion should be changed. Mr. Dubos asked if they should let the Burbank property donation deadline expire to which Ms. Tomlinson replied that the motion should end with the recommendation to build at Rouzan period. They should omit the extension of the Burbank deadline.

Ms. Batson then said that the agreement to donate the property at the Rouzan development would need to be revised to state whether the TND is built or not, the donation would be made. Ms. Tomlinson asked if they would need to take out the word “addendum” to which Ms. Batson said yes if they wish to address the issue of the lawsuit.

Mr. Bardwell said that the committee can make a recommendation to the Library Board. The Library Board can then make certain that the details are correct. Ms. Tomlinson then said she would like to make a substitute motion, retaining the first part of the motion only. The contingencies in the second part are so miniscule that there is no need for that part. Mr. Watson seconded Ms. Tomlinson’s motion.

Mr. DuBos objected to omitting the second and third parts of his motion. He said he is willing to change the word “addendum” in the second part, and that Ms. Batson has not said that they cannot include the second part. He added that it is a protection.

Ms. Batson asked if the donors say that the time extension cannot be granted, does that affect the other two parts of the motion. Mr. Bardwell replied that it’s all one motion. Mr. Watson said he objects to the third part, but accepts the second part. Mr. Bardwell said that the first part is the clear, realistic alternative to build at Rouzan. The second part is to provide a way to address parking, roads and infrastructure should the TND not be built. He said based on his 45 years as an attorney, one cannot predict what a court will do. So the second part is to protect the Library so that a branch can be built. He said that it does not hurt to add the third part. He said they all agree with the issues involved with the Burbank site, but they should still keep it as an option. It does not mean that they will build there.

The committee then took a brief recess at 10:40 a.m. Mr. Bardwell called the meeting back to order at 10:45 a.m.

Ms. Batson said that she wanted to be sure that all understood that in regard to the Rouzan site, the agreement to donate would need to be re-worded, but the use permit would not need to be changed. Ms. Tomlinson remarked on the length of time that was required to complete the act of donation. She said that fences are now going up on the site and that the engineering plans are almost finished. She said she does not want to hold up the construction of the branch any longer. Mr. DuBos said that they have not met any of the deadlines thus far. Mr. Bardwell said that the engineering schedule does not coincide with the Library's schedule. He does not want the library built until the roads and infrastructure are in place. He reminded them that they were told these would be constructed in the first quarter of 2010. Mr. McCullough said that their engineering work should be completed in about six weeks. Mr. Bardwell added that they could stipulate a deadline for the infrastructure. But Ms. Tomlinson and Mr. DuBos did not want to impose a deadline.

Ms. Batson then said that the Metropolitan Council voted in favor of the Mayor signing off on an agreement to donate the property for a branch library at Rouzan. In the actual act of donation the dates would need to be corrected. The donation has not been perfected. There were benchmarks that have passed and were not met, but these can be corrected in the act of donation. Mr. Bardwell said there is an Exhibit C that can be revised to state the actions that must take place if the TND fails, and this can be revised now.

Ms. Tomlinson then said she will rescind her motion, and Mr. Watson agreed. Ms. Tomlinson made a motion to retain part one and two of the original motion and delete part three. Mr. Watson seconded this motion.

Mr. DuBos then said that on December 16th, the Burbank donation expires. He said in light of the fact that the donors have told Mr. Reed they would consider extending the deadline, he would like to see part three retained in the motion. He said he will file a minority report and get the media involved if necessary. Mr. Watson then said they had gathered information that documents why the Burbank site is not a good choice for a branch library. Mr. DuBos replied that he is not seeking to build on Burbank, but rather to have the property as a safety valve for an extension of time. Mr. Watson noted that the recommendation of this committee will affect what decision the Library Board makes.

Ms. Tomlinson then said if they keep the Burbank property, they are maintaining the status quo. She said they are not serving the Board, but are doing a disservice to the Board. Mr. Bardwell replied that part three does not prejudice the building of a branch at Rouzan, and therefore, he wants part three retained.

Mr. DuBos said that they are not doing a disservice to the Board, and that the Board has not rescinded its decision to build on Burbank. Ms. Tomlinson noted that the Mayor does not want them to build on Burbank. Mr. Watson added that if the Mayor does not want it, then the Metropolitan Council doesn't want it. Mr. Bardwell agreed that building two branch libraries is

not feasible. He said leaving in part three does not imply they will build two branches. He suggested they revise part three to say they are asking for an extension of time on the Burbank site in the event that Rouzan collapses. Ms. Tomlinson said that just because they have this donated land on Burbank, doesn't mean they should build on it. Mr. Bardwell replied that if Rouzan goes forward, they won't need the Burbank donation.

Ms. Batson then asked for clarification. If the TND fails, is the backup plan to build on the Ford property? She further asked is it the feeling of the committee that if Rouzan falls through that they won't build there? Mr. DuBos replied that he is not a Board member, so he cannot answer the question. Ms. Batson continued by asking if Rouzan is gone, does that make Burbank more attractive. Mr. DuBos said that he appreciates all the information that was gathered about the Burbank site, but he still feels they should not lose the Burbank property. Mr. Bardwell said that if Rouzan collapses, the design of the building on the Ford property would have to change. Ms. Batson said the extension of the deadline on the Burbank property covers another contingency if Rouzan collapses.

Ms. Batson then suggested that possibly the extension of time in part three to 18 months could be decreased. She asked if they and the Board were concerned that there might not be a site available on which to build a branch. Mr. DuBos said he decided on 18 months based on the conversation that Mr. Reed had with the donor. Ms. Tomlinson said as a committee do they think they would build on Burbank after all of the information that was gathered. Mr. DuBos again said that they are keeping their options open with the Burbank site, but not necessarily building there.

Ms. Batson then asked Ms. Tomlinson if she wanted to make a recommendation that they not build on Burbank and not endorse that site. She asked if there might be a way to add to part three that they would like to extend the deadline on the Burbank donation out of an abundance of caution. Mr. DuBos said he does not want to vote for a substitute motion.

Mr. Berry said the Library started looking for a site in 2002 and after three years, they still had not been able to purchase land in the Southdowns area. There were no sites available until the Burbank donation. He said that it is ludicrous to think that the Board can find or afford a piece of property for a south branch. He added that he doesn't see any shortcomings in what they are proposing.

Mr. DuBos consulted with Ms. Batson. He then said that they could revise part three to state that they wish to ask for an extension of time from the donors of the Burbank property in order to simply preserve their options. Ms. Tomlinson said the alternative in part three should state that they are not committing to build at Burbank. Mr. Watson then said the Library Board has created some urgency with Mr. Spinosa to construct the branch at Rouzan in the next six months.

Ms. Batson noted that in regard to donations of land, donors do not give land to an entity like the Library strictly out of the goodness of their hearts. The donation benefits the donors in some way. There has also been talk of a donation of land for a fire station.

Mr. Bardwell then offered a revision to part three adding the phrase, “not to commit to build on that site but to add a possible option of an alternate site in the event that Perkins Road becomes unavailable”. Mr. DuBos and Mr. Watson agreed to this change. Ms. Tomlinson withdrew her substitute motion. Mr. Bardwell then made a motion for the adoption of the following substitute motion:

I move that the committee recommend to the Library Board that: the Board proceed with plans for the construction of a branch at the site on Perkins Road as part of a development known as Rouzan; that the Board request the Parish Attorney to prepare an addendum to the Agreement to Donate and Accept for execution by the parties setting forth the rights of the City/Parish and the obligations of the Rouzan developer in the event a final judgment in favor of the plaintiffs in the case styled, “Bob Welch & Daniel Hoover vs East Baton Rouge Metropolitan Council, Defendant, and 2590 Associates, L.L.C. Intervenor, #563,619, 19th Judicial District Court” results in the nullification of the TND approvals for the Rouzan site; that the Board seek an extension of 18 months from the donors of the Burbank site not to commit to build on that site but to add a possible option of an alternate site in the event that Perkins Road becomes unavailable.

Mr. DuBos seconded the motion which passed unanimously. Mr. Bardwell said they will prepare a report to present to the Library Board the next day at the regular November meeting.

Mr. Berry said that there are two lawsuits in regard to Rouzan, but the motion only mentions one of the suits. Mr. DuBos replied that they only mentioned the one suit because that is the one that affects the TND.

There being no further business, the meeting was adjourned at 11:45 p.m. on a motion by Mr. Bardwell, seconded by Mr. Watson.

Stanford O. Bardwell, Jr.,
Chairman of Ad Hoc Committee

David Farrar
Library Director

BOBBY JINDAL
GOVERNOR



HAROLD LEGGETT, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL ASSESSMENT
WATER QUALITY ASSESSMENT DIVISION

November 17, 2009

Ms. Beth Tomlinson
East Baton Rouge Parish
Library Board of Control
4922 Sweetbriar Street
Baton Rouge, LA. 70808

Dear Ms. Tomlinson:

Thank you for your concern about development in wetlands in East Baton Rouge Parish (EBRP). You have asked several questions that I have tried to respond to within this letter. The role of the Louisiana Department of Environmental Quality (LDEQ) as enacted by Act 449 in 1979, is to maintain a "healthful and safe environment in Louisiana." This is a broad statement and relates to your questions regarding total maximum daily loads (TMDLS) and Bayou Manchac by LDEQ maintaining and restoring the designated uses to Bayou Manchac. The Bayou Manchac currently does not meet its designated uses for either contact recreation or fish and wildlife propagation, so LDEQ has completed the TMDL for dissolved oxygen for the bayou. A TMDL is a calculation of a pollutant limit that is placed on a water body when that water body does not meet its designated uses.

Once the TMDL has been approved by EPA, then the permit limits for all of the point source discharges that are included in the TMDL are incorporated into the permits for the watersheds. For the nonpoint sources, a watershed implementation plan is developed which follows USEPA national guidelines. LDEQ works with local stakeholders on development and implementation of the watershed plan. Bayou Manchac is the first TMDL that has involved a large municipal storm water discharge that has a permit so LDEQ has met and will continue to meet with the parish to discuss with them the steps that they will need to take to reduce the pollutant load coming out of the city during storm events. The city is also working on improving their sewer system which contributes to the pollutant loading. After these sewer problems have been corrected, LDEQ has agreed to re-run the models and re-calculate the TMDL.

The U.S. Environmental Protection Agency Region 6 in Dallas is interested in working with LDEQ on a monitoring program to gather additional water quality data on storm water loads coming out of the city. There is currently work to look at potential locations to gather this type of data to more accurately quantify the loading rates of pollutants that enter Bayou Manchac from EBRP. LDEQ has not yet established a timeline to complete all of the data gathering and analysis necessary for the watershed plan but has begun to talk about the importance of initiating this work as soon as the TMDL has been approved.

The actual site that the library is considering has not had a TMDL done for it, but the site is a part of the larger Bayou Manchac watershed for which the TMDL was done. LDEQ funded work with East Baton Rouge through a Section 319 grant of the Clean Water Act to look at the remaining wetlands that exist in

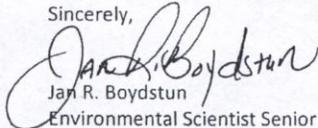
the parish and their functional values. Large wetland tracts have water quality values in the watershed system in that they store nutrients and filter storm waters and provide habitat for wildlife. Retaining wetlands and finding ways to utilize them in the watershed planning process is typically a better management decision for water quality, habitat and flood storage. Clearing forested wetlands and creating more impervious surfaces creates more water to manage and more pollution problems to deal with than the parish already has. The purpose of the 404 federal permit and the 401 water quality certification is to deal with these types of issues. Jamie Phillippe provided you with an email on November 6, 2009 that included his review of your request on the site. You can make a public records request of the AI numbers to see the 404 and 401 water quality certifications and whether they include the site where the library is proposed to be built.

The work that I did with the parish was through the Section 319 grant and resulted in changes to the ordinances and codes to require that best management practices be utilized prior to and following all development and re-development. The Planning Commission has hosted many educational workshops with developers, planners, builders and the Metro Council to educate them about wetlands, water quality and watershed protection. They are very interested in how the TMDL will affect future development within the parish and we plan to continue to work with them and the rest of the parishes in the state that have similar problems.

Our goals are to see better planning tools that incorporate green infrastructure and smart growth principles that are being implemented in other parts of the country. These ideas are supported by USEPA and will begin to be incorporated into permit language for storm water permits. These are big changes for cities and parishes not only in Louisiana but throughout the country. It will take time and will require people to work together and find innovative ways of solving problems that bring energy, air quality, water quality, wetland and quality of life all into an integrated approach to problem solving.

I appreciate your interest in protecting Louisiana's wetlands and I hope we make progress in the parish and also within the rest of state.

Sincerely,



Jan R. Boydston
Environmental Scientist Senior
Water Quality Assessment Division