

Meeting Summary, JLUS Policy Committee Meeting

Plaquemines Parish Government, EOC Conference Room, 8056 Highway 23, Belle Chasse, LA

Wednesday, August 18, 2010, 6:00 to 8:00 pm

Attendees: Billy Nungesser, Stuart Guey, Keith Hinckley, Stan Mathes, (PPG); CO Cpt Tom Luscher, CDR Buck Dodick, Bruce Keller (NAS/JRB New Orleans); James Juneau (Jefferson Parish Resident); Paul Sawyer (LA Dept. of Economic Development); Chris Laborde, Lynn Dupont, Kara Renne (RPC); David Pavlovich (Plaquemines Parish Resident); Allen Hero (Hero Lands); Steve Gourgues, Rebecca Rothenberg, Phil Brodt (GCR & associates); Ed Elam (BKI); Troy Loetzerich (JJG)

Meeting convened at 6:10. Meeting opened with a quick review of regrets from those on the policy committee who could not be in attendance.

At the start of the meeting, Steve Gourgues (GCR) provided the following handouts for use during the discussion: Meeting Agenda; Meeting booklet containing the following items: Land Use Compatibility Summary (Resolution to adopt the Land Use Compatibility Summary, Land Use Compatibility Matrices, MIPD Area Maps); Implementation Tools (Resolution to adopt JLUS Implementation Tools, List of Implementation Tools); MIPD Overlay Zoning District (Resolution to adopt MIPD Overlay Zone District, along with Map of Area); Statement of Understanding between Plaquemines and Jefferson Parishes and the US Navy; Resolution Recommending The Formation of A Bi-Parish Land Use Advisory Board.

Review of JLUS Objectives, Purpose and Committee role

Phil Brodt (gcr) reviewed project activities which have taken place since the previous Policy Committee meeting in April. This discussion included a review of the Policy Committee's purpose in the planning process.

Resolution – JLUS Compatibility Land Use Matrix

Phil Brodt (gcr) presented a series of informational slides which provided information on the development of the proposed land use compatibility matrix. This matrix (included in summary form in the packet under Tab A) reflects what types of land uses are compatible around the NAS/JRB base, given the input of the current AICUZ (Noise) study and accident potential zones (APZs). Examples of how this document should be utilized were presented. It provides a guide which can be used by the local governments and planners. This document carries no force of law and is not a land use control. It is a technical document that translates the guidelines of the US Navy into guidelines of the American Planning Association. The information presented was the subject of substantial input from the Technical Committee, who also approved the methodology applied to develop this information.

The resolution presented in the packet asks for the Policy Committee to adopt this matrix as part of the JLUS.

Discussion items related to the land use matrix included the following:

- Does the matrix would restrict development? It was noted by gcr (R Rothenberg) that this document is not a land control measure; it suggests how land areas around the base could develop in a way which is compatible with continued base operation.
- Are any other tools available to help with implementation? It was noted by gcr (P Brodt) that FAA part 150 offers a similar method, but is consistent with the tools used by the Navy in this project.
- Does this account for large-scale industrial projects? There was once discussion of an aircraft manufacturer locating on property adjacent to the base. It was noted by gcr (S Gourgues) that industrial land uses were generally compatible or very compatible with all areas but the identified clear zones at the end of the base runways.

One comment on the matrix was made by Allen Hero (Hero Lands). While not a member of the Technical Committee, he was invited to observe the meetings. Serious concerns exist that adoption of guidelines could result in restrictions on land uses which could have an impact on value. The current matrix shows compatibility in accordance with Naval concerns, when it is viewed that the Navy is acting outside of its own boundaries and that creates a conflict with private property rights.

A comment was made by Billy Nungesser (Plaquemines Parish) that there is no interest in creating a financial or negative impact on anyone. Potential loss of value can be determined with Parish based upon the differences between what is planned and what is allowed to occur. Compensation for potentially negative impacts might include such items as a tax rezone or break equivalent to the loss of value.

An addition comment made by Phil Brodt (gcr) was a reminder that within the matrix only the clear zone location should be kept free of development and these areas are within base property. In other areas, any restrictions would fall on the types of land uses which are seen as compatible with the area. As a follow-up to the issue of compensation, it was noted by Rebecca Rothenberg (gcr) that this was one of the tools identified in the implementation strategy.

The discussion moved at this point into several topic areas: a review of potential methods for land owner compensation; whether plans exist for future development of the current undeveloped areas around the base; need for the base to have some guarantees for the future; purchasing some of these areas may be a solution, but will require help and assistance from the State as well as the Parish; other communities within the Association of Defense Communities.

Following the discussion, it was decided to table action on the resolution, until all other elements have been reviewed and discussed.

(Billy Nungesser had to leave the meeting following the land use discussion)

Resolution – JLUS Implementation Tools

Rebecca Rothenberg (gcr) and Ed Elam (BKI) presented the JLUS Implementation Tools. These tools represent the approaches from which local parishes can select a method to implement the JLUS. For ease of reporting and organization, these statements have been grouped into four categories, based upon the discussion comments from the Technical Committee:

- Planning - Use JLUS as a policy guide in making local planning decisions;
- Regulatory - Incorporate JLUS into local regulatory process;
- Compensatory - Accept JLUS as a means to identify compensatory measures;
- Neutral Ground - Represents those common-sense steps which should be taken regardless of which implementation tools are used locally to implement the JLUS.

Examples of implementation tools in each category were discussed as part of the presentation. A complete list of the items has been included in the packet. This organization method and the items individually, have been the subject of review, discussion and approval by the Technical Committee. All suggestions received from the committee have been incorporated into the attached list.

Resolution – Military Influence Planning District (MIPD) Overlay Zoning District

Rebecca Rothenberg (gcr) presented the MIPD Overlay Zoning District. This district, as shown on the map, gives the base and environs their own land use district which the parishes could use as a basis for moving ahead with recommendations and implementation action items sooner, rather waiting for completion of the comprehensive plan development process. These could be used as an area to define specific zoning and regulations for activities around the base. However, no specifics exist behind this designation (Phil Brodt, gcr). These would be developed by the individual Parishes upon looking into the recommendations of the JLUS.

Statement of Understanding (SoU) between NAS JRB and Plaquemines and Jefferson Parishes

Phil Brodt (gcr) presented the SoU information to the group. This strengthens the collaboration between the base and parishes as regards continuing the dialogue started within the JLUS.

Resolution – Formation of the Bi-Parish Land Use Advisory Board

CO Cpt. Tom Luscher (NAS/JRB New Orleans) presented a resolution suggesting formation of a bi-parish land use advisory board to continue the specific work of the JLUS committees. This group would work to keep the JLUS moving forward toward implementation. This item is consistent with the implementation tools recommendation for a JLUS regional coordinating

At this point, the chair commenced with reviews and adoption of the resolutions provided in the packet of materials. The review/adoption was in reverse order to the presentation to the Committee:

Resolution – Formation of the Bi-Parish Land Use Advisory Board

Motion made to accept this resolution as presented and discussed.

Motion made by Paul Sawyer Second by CO Cpt Tom Luscher

All Policy Committee Members still in attendance in Favor, No Opposition:

Stuart Guey, Keith Hinckley (PPG); CO Cpt Tom Luscher (NAS/JRB New Orleans); James Juneau (Jefferson Parish Resident); Paul Sawyer (LA Dept. of Economic Development); David Pavlovich (Plaquemines Parish Resident)

Resolution – Statement or Understanding between NAS/JRB and Plaquemines and Jefferson Parishes

Discussion on the resolution resulted in modification to address concerns expressed by Allen Hero about the use of the word encroachment in the resolution. The wording will be developed and presented to the group following this meeting via email for review and approval.

A revised Statement of Understanding (SoU) between NAS JRB and Plaquemines and Jefferson Parishes was distributed via email to the members of the Policy Committee on Tuesday, August 24, 2010 (Please see attached). Based upon this revised version, a vote was taken on whether the committee supported the SoU with revisions.

Policy Committee Members still in favor of the SoU, as revised: Billy Nungesser, Stuart Guey, CO Cpt Tom Luscher (NAS/JRB New Orleans); James Juneau (Jefferson Parish Resident); Paul Sawyer (LA Dept. of Economic Development); David Pavlovich (Plaquemines Parish Resident); David Heitemier (Senator, State of LA); Rev. Michael Jiles (PPSB)

Policy Committee Members against: None

Policy Committee Members abstaining from the vote (as recorded in email response: Walter Brooks (RPC); Keith Hinckley (PPG Council); Wes Kungel (Senator Landrieu's Office); Charles Miller (Jefferson Parish resident); Rachel Perez (Senator Vitter's Office); Chris Roberts (Jefferson Parish Council)

Resolution – JLUS Implementation Tools

Motion made to accept this resolution as presented and discussed.

Motion made by Paul Sawyer Second by Jim Juneau

All Policy Committee Members still in attendance in Favor, No Opposition:

Stuart Guey, Keith Hinckley (PPG); CO Cpt Tom Luscher (NAS/JRB New Orleans); James Juneau (Jefferson Parish Resident); Paul Sawyer (LA Dept. of Economic Development); David Pavlovich (Plaquemines Parish Resident)

Resolution – Military Influence Planning District (MIPD) Overlay Zoning District

Motion made to accept this resolution as presented and discussed.

Motion made by Paul Sawyer Second by Jim Juneau

All Policy Committee Members still in attendance in Favor, No Opposition:

Stuart Guey, Keith Hinckley (PPG); CO Cpt Tom Luscher (NAS/JRB New Orleans); James Juneau (Jefferson Parish Resident); Paul Sawyer (LA Dept. of Economic Development); David Pavlovich (Plaquemines Parish Resident)

Resolution – JLUS Compatibility Land Use Matrix

Motion made to accept this resolution as presented and discussed.

*Discussion period followed. A summary of discussion includes the following points:
Military bases typically settle where there is no population, then over time population will extend out and reach the facility. This could create problems for future base viability, compatibility; mutual agreement and understanding are needed between the base and the host area/community.
The JLUS information offers a guideline/playbook, a go-by that will help in decision making. Decisions impacting land use will be made with the benefit of the public process and input from Commissions, Council and Public.
The issue of compensation for potential losses of land value resulting from the JLUS needs to continue. Need more information on how to address this at a parish level, and more information on the tools required to calculate projected/lost value.
The Bi-Parish Land Use Advisory Committee has the tools in the JLUS at their disposal and can work together to determine where they apply.
Stakeholders (community groups, land owners, base, and parish) need to be part of the general discussions regarding JLUS implementation.
Compensation generally handled in conjunction with some other action taking place, based upon an action taking place. So far, no actions have taken place, and there is no indication of any potential damages.
The land use matrix is a technical document, a resource. It does not identify specifics on how or what should change; it offers something to add to a general discussion which will continue at the parish level.
There were questions of disclosure of the APZ and Noise (AICUZ) information for adjacent properties and whether this has an impact on value. It was noted that this*

information has been vetted through a public process which occurred well before the start of this JLUS study. All documents containing this information have been disclosed within the past 5-6 years.

Allen Hero (Hero Lands) needs to be a part of the Bi-Parish Land Use Advisory Board.

Motion made by CO Cpt Tom Luscher Second by Jim Juneau

All Policy Committee Members still in attendance in Favor, No Opposition:

Stuart Guey, Keith Hinckley (PPG); CO Cpt Tom Luscher (NAS/JRB New Orleans); James Juneau (Jefferson Parish Resident); Paul Sawyer (LA Dept. of Economic Development); David Pavlovich (Plaquemines Parish Resident)

Other Comments:

David Pavlovich (Chair) made a comment to thank everyone for their time for tonight's meeting. Also, there was a reminder that the next meeting is the public meeting on Monday, August 30th, followed by the return of a draft for the committee's review following the meeting.

Meeting adjourned, with no objection, 7:45 pm.