



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, DC 20310

15 AUG 1983

MEMORANDUM FOR THE CHIEF OF ENGINEERS *for:*

SUBJECT: Lake Pontchartrain Hurricane Protection Project, LA

In my October 8, 1982, interim response to the GAO report to the Secretary of the Army dated August 17, 1982, "Improved Planning Needed by the Corps of Engineers to Resolve Environmental, Technical, and Financial Issues on the Lake Pontchartrain Hurricane Protection Project", I deferred action on the GAO recommendations pending receipt of a briefing from the Corps of Engineers. The requested briefing, as you know, was conducted on November 4, 1982, and, moreover, I have recently received from the Army General Counsel a legal opinion which addresses the scope of the discretionary authority as it pertains to the subject project. Based on the briefing and the General Counsel's opinion, I now believe it is appropriate to address the GAO recommendations to the Secretary of the Army.

Toward that end, I request that you:

(1) Draft a response for my signature to the GAO which, consistent with DoD Directive 7650.2, responds to the findings, conclusions and recommendations of the GAO listed in attachment to this memorandum; and

(2) Prepare letters to the appropriate committees of Congress informing them that the Army Corps of Engineers intends to construct the Lake Pontchartrain Hurricane Protection Project in accordance with the proposed modifications.

It would be my intention that these communications to the GAO and Congress, which should be available by August 23rd, be dispatched at the earliest feasible date so that the Lower Mississippi Valley Division Engineer may proceed with the project.

William P. Gianelli
for William P. Gianelli
Assistant Secretary of the Army
(CWS) (LWS)

Fr: Col Myers - OCE

ATTACHMENT

OSD Case #6048

Improved Planning Needed By The Corps of Engineers
To Resolve Environmental, Technical, And Financial
Issues On The Lake Pontchartrain Hurricane
Protection Project

Agreement or disagreement with GAO's findings, conclusions, and recommendations:

FINDINGS:

- A o Engineering and environmental concerns have caused delays in project completion. (Pg.1)
- B o Costly project work at the drainage canals has not been reported to the Congress, and technical and financial concerns which may impede project completion remain unresolved. (Pg.1)
- C o Current project financing by the local sponsors has not been assured because of limited resources. (Pg.1)
- D o Project cost estimates are understated, and a project plan has not been formally adopted. (Pg.1)

CONCLUSIONS:

- a o Construction at the drainage canals represents an essential project feature which should have been considered earlier. (Pgs. 9-10)
- b o This feature should be recognized and finalized with local sponsors to ensure effective hurricane protection. (Pg.10)
- c o Corps District officials agreed with the intent of the recommendations. (Pg.8)

RECOMMENDATIONS:

The Secretary of the Army should direct the Chief of Engineers to develop (1) an acquisition strategy plan, and after approval, work closely with local sponsors to acquire the necessary rights-of-way, easements, and construction priorities for the remaining portions of the project, (2) an implementable technical approach to construction at the drainage canals that has concurrence from local sponsors, and (3) specific milestones for completing the remaining portions of the project. Further, ~~that the Chief of Engineers~~
(4) Estimate the cost to local sponsors if the high-level plan is adopted or the barrier plan is retained and obtain their concurrence on their financial shares. (Pg.2)



(Review & Oversight)

WASHINGTON DC 20301

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P.01

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE(MRA&L)

SUBJECT: GAO Final Letter Report No. GAO/MASAD-82-39, "Improved Planning Needed By The Corps Of Engineers To Resolve Environmental, Technical, And Financial Issues On The Lake Pontchartrain Hurricane Protection Project," Dated August 19, 1982 (GAO Project No. 951662) - OSD CASE NO. 6048--PREPARATION OF PROPOSED RESPONSE

On August 19, 1982, the General Accounting Office (GAO) forwarded the subject report to the Department of Defense (DoD) for comment. A copy of the report is enclosed. The DoD response to the subject report is due to GAO by October 14, 1982.

As the Primary Action Office (PAO), DoD Directive 7650.2 requires your office to review the subject report, collect input from the Collateral Action Offices (CAOs), prepare a proposed response on behalf of the Secretary of Defense, and provide the proposed response to this office for coordination and clearance prior to release to GAO and the Congress. Our records indicate that Mr. Elvin Brown of your staff is the central point of contact on this case.

If this has changed, please notify this office and each of the CAOs listed below.

The response to the subject report must be fully responsive to each finding, conclusion, and recommendation contained in the report. (These are summarized in the attachment to this memorandum.)

- o For each finding, conclusion, and recommendation with which DoD concurs, the response should specifically state the concurrence and set forth how and when corrective actions will be taken.
- o For each finding or conclusion with which DoD concurs, but nonconcurs with the related recommendation(s), the response should state exactly what is being concurred with and what is not, should set forth the basis for the nonconcurrence (including the facts which support the position) and should present alternative corrective actions for consideration.
- o If DoD nonconcurs with any finding (and, thus, is assumed to also nonconcur with the related conclusions and recommendations), the response should set forth the basis for

FACSIMILE HEADER SHEET

19 Aug 83

FROM: Ed Nutter

OFFICE SYMBOL: DAEN-CWP-S

TEL NO: 272-0154

TO: Tom Campbell

DIST/DIV: LMVPD-P

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the nonconcurrency, including the facts which support the position.

- o Typically, any question of fact will have been resolved by this time. If, however, the PAO determines that the report still includes a significant misstatement of fact, it too should be addressed in the final response.

Please advise this office as soon as possible, but no later than September 24, 1982, if the proposed response will include a nonconcurrency with any finding, conclusion, or recommendation contained in the subject report. In such an event the GAO Affairs action officer will want to meet with your staff (and representatives of the CAOs, if appropriate) to discuss the proposed nonconcurrency and determine whether the matter requires resolution within DoD.

It is possible that a proposed response which simply transmits a copy of the earlier response to the draft report, together with the statement that DoD's position has not changed, will be fully responsive. This, however, will depend upon whether (1) the comments on the draft were fully responsive to all findings, conclusions and recommendations, and (2) a nonconcurrency is involved. If the proposed response includes a nonconcurrency, even if the same DoD position was stated in response to the draft report, a comprehensive final response restating and expanding upon the basis for DoD's position would be appreciated.

Preparation of the proposed response should begin as soon as possible to provide adequate coordination and clearance time within the prescribed period for responding to GAO final reports. Each CAO should contact the PAO central point of contact regarding the issues to be addressed in the final response and arrange to provide written comments to the PAO no later than September 17, 1982. The PAO central point of contact is responsible for following up with the CAOs to ensure their input is received by the stated date. (Those offices receiving information copies are not required to comment but subsequently may be provided with a copy of the proposed reply for coordination and will receive copies of the approved final response.) The PAO should then provide this office with ten copies of the draft reply to CAO (including any attachments) and two copies of the transmittal memorandum, on or before September 24, 1982.

In the event that the proposed response to the subject report will represent a significant change in DoD's position from that expressed in response to the draft report, or if the PAO finds it is not possible to prepare a complete response on a timely basis, this office should be advised immediately by telephone and provided a proposed partial reply no later than the indicated date.

Any questions or communications concerning the subject report should be directed to OATSD(R&O), Room 3E1031, the Pentagon. Attention: Mr. Rizzo, GAO Affairs action officer, x48172.



Jack L. Montgomery
Director, GAO Affairs

Enclosure

Copies for CAOs: SEC ARMY

Info Copies: SEC NAVY
SEC AIR FORCE
ASD(C)
ASD(PA)

ATSD(R&O)
DIR,DAS
AGC(FM)
ASD(LA)