

# Committee on Resources

## Full Committee

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### Testimony

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March 10, 1999

#### TESTIMONY OF MARK DAVIS, EXECUTIVE DIRECTOR OF THE COALITION TO RESTORE COASTAL LOUISIANA, TO THE HOUSE COMMITTEE ON RESOURCES CONCERNING H.R. 701 AND H.R. 798

My name is Mark Davis and I am the executive director of the Coalition to Restore Coastal Louisiana. On behalf of the Coalition, I would like to express our appreciation to the Committee and the Chairman for inviting us to come here today. The Coalition to Restore Coastal Louisiana is a broad based not-for-profit organization comprised of local governments, businesses, environmental and conservation groups, civic groups, recreational and commercial fishermen, and concerned individuals dedicated to the restoration and stewardship the lower Mississippi River delta and Louisiana's chenier plain.

We welcome this opportunity because the matters before the Committee today are of vital concern to anyone interested in the future and stewardship of this nation's waters, coasts, wildlife, and public lands. They are certainly of vital concern to those of us who live at the southern end of the Mississippi River for whom the ability to be better stewards of our coastal resources is vital to the survival of those things we hold most dear. Indeed for years, the Coalition has striven to raise awareness of the need to protect and restore the vast but threatened system of wetlands and barrier shorelines that define coastal Louisiana culturally, ecologically, and economically. For that reason we have followed with great hope and interest the proposals now before this Committee and before the Senate to invest in the stewardship of this nation's natural treasures and to address the coast-side impacts of the production of OCS oil and gas.

In considering the bills that are the subject of this hearing, this Committee and this Congress are undertaking the laudable task of determining how best to invest in future of our invaluable natural heritage--our waters and coasts, our wildlife, and our public lands. Both bills, even with their differences, represent an important step forward in the stewardship of those resources and we commend their authors and sponsors for taking up this challenge. There is much hard work ahead as the bills are refined and reconciled as they must be if they are to deliver on the promise of better stewardship. As that work proceeds, we believe it is essential that it be guided by clear goals and policies so the end result is measured not primarily in dollars devoted to issues and locales but to the achievement of positive conservation and stewardship results.

While we strongly support the public lands and wildlife initiatives embraced by both Chairman Young's and Representative Miller's bills, it is the issue of coastal stewardship to which I will direct the bulk of my comments to today. Specifically, I would like to address the issue of the need to ameliorate the damages to coastal environments and communities as a result of their hosting the transportation, processing, and servicing facilities associated with OCS oil and gas activity. Apart from a few dollars provided under the Section 8g program, little has been done recognize those impacts, much less to address them. It is time to take them seriously and it needs to be an integral part of any legitimate effort to refocus the use of Federal OCS revenues.

Before wading too far into the issues of OCS revenues and coastal impact assistance it is important to note a couple of points. First, the impacts are very real. To anyone who has visited coastal Louisiana--which, along with Texas, supports in a logistical sense virtually all of the existing OCS activity in this country--those impacts on the natural resources, communities, and public infrastructure are undeniable. To anyone who hasn't, they are largely unimaginable.

The second point to be made is that those impacts deserve real solutions, not merely money and programs. The two great fears we hear from people who live in affected areas are (a) that nothing will be done and (b) that the impacts will be used to justify large infusions of cash that are not sufficiently directed toward effective solutions and that, if fact, could further exacerbate the problem. Of course the fear of many people who live in states that do not have OCS activity off their shores is that the availability of impact assistance funds could serve as an incentive to state and local governments to acquiesce to new OCS leasing and development. The challenge facing those wrestling with the coastal impact issue is how to define and address those impacts legitimately associated with oil and gas activity while not creating more problems elsewhere. We understand that will not be easy. You must understand that it must, nonetheless, be done.

Because if it is not, areas of vital natural, cultural, and economic importance are not to be lost forever--areas like the great Mississippi River delta and its neighboring coastal plain. Areas of that have already lost more than 1 million acres of coastal wetlands and barrier islands this century and that continue to disappear at the rate of nearly 30 square miles each year. This is serious stuff and it demands serious attention. Indeed, a failure to act may well be judged by not to distant generations as one of the greatest failures our time.

But knowing that one must act and knowing what to do are very different things. Various efforts have been mounted before, based on everything from amorphous fairness claims to fine spun legal arguments and none have worked. And the problems continue to get worse. If this history teaches anything it is that solutions to this coastal crisis will continue to be elusive until the nature of the problem and the nature of the solutions are better explained. Indeed, to approach it is any other way would be irresponsible.

With that in mind, the balance of my testimony will lay out in brief terms the range and scope of coastal impacts that the coast of Louisiana has incurred as a function of its role in serving as a support base for the offshore oil and gas industry. Obviously, that oil and gas activity does not occur in a vacuum. Other forces have been at play in our coast as well and they will also be noted to provide context. Indeed, it is probably impossible to pigeon-hole causes and effects. Flood control, navigation and oil and gas activity have combined to so completely alter the face of coastal Louisiana as to render it unsustainable without major corrective action.

I have chosen to focus on Louisiana for several reasons beyond the obvious one of it being the place that I know best. First, the vast majority of OCS activity in this country takes place off Louisiana's coast and is supported by on shore facilities and service providers. Second, as home to the mouth of the Mississippi River and its associated coastal plain, Louisiana contains the largest expanse of coastal wetlands in the lower 48 states, comprising more than 25% of the nation's coastal wetlands and 40% of its salt marshes. In short, the area most impacted by the OCS activity is also the most unique and productive wetland and estuarine system in North America. Any effort to address coastal impacts that does work for this case is fatally flawed, as is any effort to earmark a portion of OCS revenues for environmental and conservation purposes that fails to address the impacts associated with the generation of those revenues.

## **Nature and Coastal Louisiana**

To understand what is happening in coastal Louisiana it is crucial to have some understanding of its natural and geologic history. The geology, biology, and culture of coastal Louisiana are defined by the Mississippi River and the deltas it has built over the years. The eastern half of Louisiana's coastal zone is a deltaic plain comprised of deltas created over thousands of years of seasonal flooding by the river. The western half of the coastal zone, the chenier plain, was built in large part by river borne sediments that were transported west by Gulf currents and deposited along the coast. The result of this process is a vast area of coastal wetlands unmatched in size and productivity anywhere in this nation. To put this in perspective consider the following:

- \* Coastal Louisiana contains over 25% of the nation's coastal wetlands and 40% of its salt marshes.
- \* Louisiana's coastal wetlands support the largest fisheries in the lower forty-eight states.
- \* Its coastal wetlands are a vital nursery and feeding area for millions of birds and waterfowl that traverse the Mississippi flyway.

Even under the best of conditions, land tends to be ephemeral stuff in Louisiana's coastal region. Through compaction and subsidence it, in essence, sinks. Only through the natural process of freshwater influx and deposition of new sediment from the Mississippi which would spread in a sheet-flow manner across the vast swamps and marshes was it possible to offset the losses attributable to compaction and subsidence. Coastal Louisiana is in fact not so much a place as it is a process, a process in which land building must balance land loss just to maintain a "no net loss" situation.

### **The Causes of Coastal Impacts on Coastal Louisiana**

The fundamental problem facing the region today is the loss of that balance. Human activities such as levee construction, and channelization have to a large extent shut down the land building part of the process. Millions of tons of land-building sediment are now dumped into the deep waters of the Gulf of Mexico rather than into the marsh where they could create or stabilize land.

At the same time the land-building process was effectively halted, human activities were also altering or stressing existing wetlands to the point that, during the twentieth century, more than one million acres have been lost. Lost not primarily to actual development but to open water. Thousands of miles of oil and gas canals and navigation channels have carved up the coastal marshes, changing their hydrology and making them vulnerable to saltwater intrusion.

It is critical to highlight these impacts in order to counter two widely held misconceptions. First, that land loss in coastal Louisiana is primarily a natural phenomenon. It is not. The pace and scale of coastal collapse is entirely out of synch with the natural cycles of even a geologically dynamic area such as the Mississippi River delta. And second, that the human induced impacts were largely the doings of local residents for their enrichment or benefit. They aren't. The vast bulk of navigation, flood control and oil and gas activity in the region have been pursued as part of national programs to facilitate interstate commerce, develop oil and gas resources, and control Mississippi River flooding. To be sure, locals benefitted to some extent, but, without a doubt, the primary beneficiaries of all this activity lay outside of the state of Louisiana.

Nowhere is this more evident than in the area of oil and gas activity. Oil and gas exploration and production have been part of Louisiana's history for more than a century. It developed over the course of many years. It began in an era when wetlands were considered "worthless" and continues today in an era when many now

view them as priceless. It saw the very first successful OCS rig erected 10 miles off its coast by Kerr-McGee in 1947. No one knew how to drill for oil in such depths then, much less how to manage the impacts--not that such impacts were at that time even really been much of a concern. And in the 25 years between the first production from that rig and the First Earth Day in 1970 (and the Santa Barbara spill that preceded it) more than 8,800 wells were in place in the federal OCS waters off Louisiana's coast. By last count, Louisiana had more than 30,000 oil and gas wells in its coastal zone with another 20,000 in its offshore OCS area. The federal OCS of its shores area are more than 50 % leased and its coastal area is criss-crossed by tens of thousands of miles of pipelines that serve coastal and OCS facilities (more than 20,000 miles of pipelines offshore alone). Pipelines that run through its marshes, swamps and barrier islands. Pipelines that leave behind canals up to 70 feet wide and run for miles. Pipelines whose spoil banks serve as dams that disrupt the natural sheet-flow that is essential to the survival of the wetlands. Pipelines whose canals serve as conduits for salt water to penetrate deep into fresh water habitats. Pipelines that, in the case of a 24 inch pipe, can spill 2.5 million gallons of oil in an hour if ruptured.

In many other parts of the country, the effect of this scale of activity would be significant but limited in time and space. That is not the case in the coastal regions of Louisiana. Here they accumulate and magnify. That is why today, when the annual direct impacts of newly permitted projects measure often only in the hundreds of acres, the overall landloss rate continues to exceed 25 square miles per year. That is why the risk of major oil spills increases as the coast deteriorates thereby exposing literally thousands of older wells, pipelines, and production facilities that once were protected by miles of buffering marsh and barrier islands to open bay and open Gulf conditions. The impact genie is out of the bottle.

And it is critical to emphasize that even with the protection afforded by the Clean Water Act and the Coastal Zone Management Act the impacts continue. Indeed, new pipelines are being laid each day. Crewboats and immense platforms ply the dredged bayous and canals to service and expand the OCS industry. Waterways that were once fifty feet wide now span hundreds of feet from the wakes of these boats. The Calcasieu Ship Channel long has been identified as one of the main causes of the loss of nearly 80,000 acres of wetlands in southwestern Louisiana. And for the residents of the coastal zone, the worst part is that they get little or nothing from this OCS related activity. It produces relatively few jobs (and even fewer with growth potential), it produces no direct revenue for the state or local governments although it does require them to support the industry with roads, police and emergency services, and--when the inevitable down times come--to cope with the social cost of unemployment and family stress.

It has also become dramatically clear, as demonstrated during the 1998 hurricane season, that the future effects of these landscape and community pressures will be worse than in the past unless action is taken soon. The combined effects of subsidence, sea level rise and coastal wetland loss will directly threaten population centers such as New Orleans, transportation arteries, and the viability of the greatest estuarine fishery in the nation. Tropical Storm Francis, which did not even make landfall in Louisiana, left the main east-west highway in coastal Louisiana--a major evacuation corridor--under water for more than a week. Gulf waters that once were kept at bay by miles of marsh, lapped at the base of levees in towns such as Golden Meadow and Leeville. Indeed, so much has changed in recent years that the children of the Isle de Jean Charles community now miss as much as two weeks of school each year because the road to their town is too flooded to pass.

## **Conclusions and Solutions**

In offering this testimony my purpose is not to sound a Cassandra warning, cast blame, or merely stake a claim to a pot of money. Rather it is to make the simple point that a coastal crisis is at hand as is the

opportunity do something significant about it. And both deserve very serious attention. This is especially true since, for most Americans, the impacts to the Louisiana and Gulf coasts are abstractions if they are aware of them at all. And one cannot prioritize that which one is not aware of.

Because once one comes to terms with the extent of the unremedied impacts to coastal regions that support our nation's coastal and offshore petroleum activity, it should become clear that delay is not an option and that without prompt action the next generation of impacts will only be worse in terms of ecological, cultural, and economic consequences.

It should also become clear that these impacts deserve a committed national response--not merely a Federal or state response. The impacts resulted from activities that benefitted the entire nation and that, by and large, reflected national priorities and values.

And finally, it should be clear that responses to the problems should be aimed at restoring sustainable function to our natural coastal ecosystems and addressing essential storm protection, drinking water, and transportation infrastructure that is already compromised. Elevating an evacuation route that now floods and serves to impede natural water flows is one thing, widening a road to allow new development in flood prone areas is something else. In sum, any response that puts more people in harms way, encourages more destructive impacts, or becomes essentially a general purpose block grant is not a solution. While we do not understand either of the bills being heard today to intend such an interpretation, additional clarification may be necessary. We would urge that the best way to ensure that any coastal impact assistance is used in the way the drafters intend would be to expressly build upon any existing watershed, coastal management plans, or restoration plans that may already be in existence. Many hours and taxpayer dollars have been spent under a multitude of authorities such as the Coastal Zone Management Act, the National Estuary Program, the Coastal Wetlands Planning, Protection and Restoration Act, and others to produce strategies and plans for improving coastal resources and waters. The planning provisions of any new legislation should build on that history rather than competing with them.

These suggestions are offered in the spirit of advancing this historic opportunity to safeguard our posterity. We may never have such a good opportunity again. We appreciate the efforts of the bills sponsors--we are particularly grateful to the members of Louisiana's delegation--who have take up this cause. The Coalition to Restore Coastal Louisiana pledges to be of whatever assistance we can be in this effort.

Again, we appreciate the opportunity to appear here today and share our thoughts with the Committee.

Respectfully yours,

Mark Davis

Executive Director

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