

# One Year After Katrina: Louisiana Still a Sitting Duck

A REPORT CARD AND ROADMAP ON WETLANDS RESTORATION:

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## **Introduction**

Louisiana's coastal wetlands are by far the largest and most important coastal ecosystem in North America. During the past century, 2,000 of the original 7,000 square miles of coastal marsh and swamp forests that formed the delta of the Mississippi River have disappeared, an area larger than Delaware (see map of land loss from 1932-2000 at [www.lacoast.gov/maps/2004SElandloss/index.htm](http://www.lacoast.gov/maps/2004SElandloss/index.htm)). This land loss underlies the state of Louisiana's increasing vulnerability to hurricanes. Hurricanes Katrina and Rita revealed—more starkly than ever—the relationship between wetland loss and storm damage, and the critical importance of restoring coastal wetlands.

Unless wetland losses are reversed, the communities of Louisiana cannot survive, the navigation and oil and gas infrastructure of south Louisiana will increasingly be at risk, the nationally important fisheries supported by the Mississippi Delta will suffer, and the ecological value of one of the world's great deltas will continue to decline.

The underlying causes of this massive loss of coastal wetlands are well known. Flood control and navigation levees along the lower Mississippi River have kept the river from overflowing its banks every spring and distributing the fresh water, nutrients and sediments that built and sustained this wetland ecosystem. In addition, the construction of navigation canals, such as the Mississippi River Gulf Outlet (MRGO), as well as thousands of miles of oil and gas pipeline and equipment canals, ripped up wetlands and created a path for saltwater to intrude and kill off salt-sensitive marsh vegetation. The source of the problem is clear; the only question is whether we have the will to turn the tide.

## **The Report Card: Coastal restoration efforts since Katrina**

Given the economic importance of this extraordinary delta and its unique urban communities (first and foremost New Orleans), we had reason to expect a clear commitment to its restoration. Sadly, the nation has not risen to the challenge. At both the federal and state levels, coastal restoration remains enmeshed in a host of other water resource, energy and levee construction agendas. These agendas have obscured the need to focus on wetland restoration as an integral component of any storm-protection program for coastal Louisiana. As a result, major opportunities have been lost.

While Congress, federal agencies and the state have worked hard and pursued important individual actions, they have not committed to moving coastal restoration forward on a time scale commensurate with coastal Louisiana's increasing vulnerability. As a result, while miles and miles of levees around New Orleans and other urban areas have been rebuilt, little action has been taken on the coastal wetland front.

**Our overall assessment of the status of the nation's commitment to coastal wetland restoration: D+**

## Individual Grades

While elements of a comprehensive restoration program can be discerned in various federal and state initiatives, the overall thrust is tentative and incomplete. The individual grades and recommendations relate to five major challenges:

### 1. Fund Wetlands Restoration (35% OF OVERALL GRADE): D-

Considering the hundreds of billions of dollars being spent restoring Katrina's destruction, the amount dedicated to restoring the wetlands as a hurricane buffer so far—\$115 million—is a pittance, nearly 60 times less than the \$6.7 billion dedicated to levee repairs, restoration, improvement and expansion.

- **U.S CONGRESS: D, BUT INCOMPLETE**

House- and Senate-passed bills expanding off shore drilling in federal waters (i.e., at least three miles off the Gulf coast), on the outer continental shelf (OCS) may provide significant revenue to states that host off-shore activities. However, they represent a poorly focused redistribution of federal assets because they are too broad and not tied to reversing the cumulative negative impacts of off-shore drilling. The bills now heading into conference fail to include a requirement that recipient states show cumulative damage to their coastal ecosystems from oil and gas operations. States should be entitled to a share of OCS revenue only if they show that they have suffered due to off-shore oil and gas activities. Only Louisiana has conclusively shown that its environment sustained grievous damage from many decades of construction and operation of off-shore drilling infrastructure.

Moreover, there is no assurance in either House or Senate bill that any of these funds would go to environmental restoration. The House version of the bill would remove the rights of states to assert, as Governor Blanco is doing in her lawsuit against the U.S. Department of Interior's Minerals Management Service, that offshore drilling activity must be compatible with the state's policies and interests. As explained in the recommendations section that follows, Congress should abandon efforts on broad revenue sharing and pass a bill dedicating \$500 million to \$1 billion each year in OCS funds to coastal Louisiana wetlands restoration. The goal must be to achieve meaningful restoration within the next decade.

- **U.S. DEPARTMENT OF INTERIOR'S MINERALS MANAGEMENT SERVICE (MMS): D- BUT INCOMPLETE**

Instead of being a force for directing a share of OCS funds to wetlands mitigation, MMS has stood in the way and belittled the cumulative contribution of infrastructure-related impacts of oil and gas operations on coastal wetlands. MMS still has the chance to redeem itself in negotiations regarding the ongoing lawsuit against it by Governor Blanco.

- **LOUISIANA: A, BUT INCOMPLETE**

The state instituted a lawsuit to compel MMS to study cumulative impacts and work revenue sharing into its future contracts. It also is in the process of obtaining a state constitutional amendment that would dedicate any OCS revenues for levees and wetlands restoration. The key issue is whether the state will have the will and capacity to use these funds primarily for wetlands restoration.

**2. Accelerate Wetlands Restoration Implementation (25% OF OVERALL GRADE): C-**

Restoring this large, complex ecosystem requires systematic planning and the implementation of large-scale sediment and freshwater diversion projects.

- **U.S. CONGRESS: C AT THE MIDTERM; POTENTIAL FOR SLIPPING**

Both chambers of Congress made a good start by including the Louisiana Coastal Areas (LCA) Program (the U.S. Army Corps of Engineers' Phase One plan for Louisiana's coastal restoration) in their versions of the massive Water Resources and Development Act (WRDA) but further progress depends on passage of Corps reform provisions in the final bill. Unfortunately, a provision in the Senate version of the bill would effectively block restoration by requiring that the state first pay 20% of the cost of a massive project that it had already decided was not in its best interest. Moreover, Congress has failed to move forward legislation establishing the federal government's unequivocal commitment to the rapid and systematic restoration of Louisiana's natural storm buffer and ecological gem: its wetlands.

- **U.S. ARMY CORPS OF ENGINEERS: D-**

While responding quickly to Congress and the President's mandate that it rebuild Greater New Orleans' urban levees, the Corps went badly off track after receiving direction from Congress in the Louisiana Coastal Protection and Restoration plan (LACPR). Retreating into its own worst instincts, the Corps fixated on plans to build or restore endless rural levees rather than advancing major, large-scale sediment diversion projects.

- **LOUISIANA: C+, BUT INCOMPLETE**

Much depends on whether the pending Coastal Impact Assistance Program (CIAP) plan focuses on a few large projects that are part of a systematic restoration effort or on numerous small projects that will not stem the larger problem. In addition, the plan must aggressively assert the power and capability of the new Coastal Restoration and Protection Authority, provided it is approved in November's statewide referendum.

**3. Close the MRGO and Restore Related Wetlands (15% OF OVERALL GRADE): B-, but with a concern about serious backsliding.**

Closure of the MRGO, which acted as a storm surge superhighway during Katrina, as well as the restoration of the wetland forests and marshes destroyed by its construction and operation, is a crucial bellwether for the restoration initiative.

- **U.S. CONGRESS: B**

Directing the Corps to figure out how to close MRGO to deep-draft navigation was vital, but Congress misses the A grade by giving the Corps the wiggle room to avoid tough decisions.

- **U.S. ARMY CORPS OF ENGINEERS: C-**  
The Corps has failed to accept that it has been directed to close MRGO, and instead is continuing to focus on mediating between competing interest groups. In addition, the Corps' failure to redesign the MRGO levees and its continued interest in lining the current channel banks with riprap (a loose assemblage of broken stones erected in water or on soft ground as a foundation) as a "restoration" technique shows either serious resistance or confusion within the Corps.
- **LOUISIANA: INCOMPLETE**  
Consistent support for closure gives the state an A- midterm grade, but if the Coastal Impact Assistance Program (CIAP) plan fails to fund significant diversions near the Violet Siphon Diversion Outfall the grade would drop substantially.

**4. Conserve existing wetland resources (15% OF OVERALL GRADE): C**

If the federal and state governments are to restore the delta ecosystem of coastal Louisiana, they must be serious about protecting and conserving the wetland resources that remain.

- **U.S. ARMY CORPS OF ENGINEERS: D**  
Assisted by the U.S. Environmental Protection Agency, the Corps recently exercised its Clean Water Act authority to protect Louisiana's vital but endangered coastal forests from unsustainable logging activity. For this positive step the Corps deserves an A. This saves the Corps from a failing grade, because in other areas the Corps' work has been disappointing. For example, the Corps chose to emphasize a huge rural levee development in the Louisiana Coastal Protection and Restoration (LACPR) study instead of planning wetlands restoration projects. That choice suggests that the agency favors "flood protection" methods that could destroy tens of thousands of acres of wetlands and further disrupt the flow of essential fresh water into coastal marsh and swamps, and would get the Corps an F grade. In addition, since the Corps has granted so many permits allowing developers to fill wetlands that at least one Louisiana court has concluded there is no reasonable doubt that any permit application would be granted, the Corps' overall score on this issue can be no higher than a D.
- **LOUISIANA: B**  
Supporting the effort to preserve coastal swamp forests and enacting legislation facilitating the establishment of a coastal land trust shows that the state is on the right course. For these positive moves, the state would deserve an A, but the grade is lower because the state has also been too aggressive in issuing permits allowing wetlands to be filled.

**5. Public Support (10% OF OVERALL GRADE): A**

The most important ingredient to the ultimate success of the efforts to save coastal Louisiana is public understanding and support for bold and effective action. Over the past year the growth and depth of that understanding has been nothing short of amazing. Time and again, people from all walks of life in Louisiana and across the nation have shown that they understand the importance of committing to the conservation and restoration of coastal Louisiana as part of an investment in their heritage and their future.

## **Recommendations for Improvement**

There may still be time for Congress, federal agencies and the state to restore Louisiana's coastal wetlands, protect New Orleans from another Katrina disaster and graduate with an A grade. The following recommendations explain the tasks these parties must undertake now to make significant progress:

### **The Corps must do much better and it's time for special attention from its boss: Congress**

The Corps's miserable first attempt at the Louisiana Coastal Protection and Restoration Program study was an utter failure—resulting only in a plan to build a levee or series of levees across the entire state. The Corps needs to start from scratch. Congress should hold hearings to make sure it does so.

### **The Corps must ask for help from private experts**

It should work with the state to hold a design competition for major ecosystem restoration projects. Similarly, the Corps should rely on an outside review panel made up of distinguished engineering professors and other coastal experts in its MRGO study process. Congress should issue clear direction to the Corps supporting the use of outside experts and hold hearings to review progress. Congress should also hold hearings before the MRGO study is released to make certain the Corps got the message to close MRGO to deep-draft navigation.

### **Congress needs to pledge support, and back it up**

Congress should pass legislation committing to the restoration of coastal Louisiana's wetlands and barrier islands, with all necessary projects funded and constructed within ten years. Such legislation should include impact assistance payments made from existing and future OCS drilling revenues. But Congress should abandon efforts to revenue share with states whose coastal areas are not impacted by oil drilling.

### **The state must keep its eye on the ball**

While state efforts so far have been admirable, it must keep up the good work by making sure that the Coastal Impact Assistance Program plan it is developing focuses on large, systematic projects and not small, locally appealing but unsustainable projects.