

## Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2011

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More than a year after the Deepwater Horizon exploded then sank into the Gulf, triggering the worst accidental marine oil spill in U.S. history both the House and the Senate have bills introduced which would direct the clean water act fines to tackle the historic and ongoing challenges facing the Gulf of Mexico.

The Restore the Gulf Coast Acts (S. 1400 and H.R. 3096) are simple pieces of legislation. They both seek to ensure that this windfall fine (\$5 - \$21 billion) be directed to the region that was impacted *rather than going to the Oil Spill Response Trust Fund and the general treasury.*

The [Senate bill](#), S. 1400, a result of compromises across the region and across parties, and introduced by 9 of the 10 Gulf Senators (Cornyn in Texas was the only hold-out) had the backing of Environment and Public Works Committee Chair (and committed environmentalist) Barbara Boxer.

This act would establish the Gulf Coast Restoration Trust Fund made up of Federal officials and five State officials and would be chaired by one of the members selected by the council.

- 80 percent of all the Clean Water Act fines and penalties would be credited to this trust fund
- The monies shall be spent to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, coastal wetlands, and economy of the Gulf Coast
  - ❖ 35% of the total would be allocated in equal shares to the five Gulf Coast States;
  - ❖ 60% of the total would be allocated to the Gulf Coast Ecosystem Restoration Council. Of that amount –
    - 1/2 (or 30% of the total funds) would be used for the development and implementation of a comprehensive ecosystem restoration plan
    - 1/2 (or 30% of the total funds) would be allocated according to an impact driven formula and disbursed to the Gulf Coast States by the Council in response to plans submitted by the Gulf Coast States.
  - ❖ 5% would be allocated in equal parts to a Gulf science and fisheries program

Criticisms of the Senate bill include:

- The decision-making process of the Council, in particular the power given largely to the Chairperson of the Council, as opposed to the Council as a whole. This could lead to an underrepresentation of national interests and/or the subordination of the concerns of individual states.
- Transparency and accountability in the expenditure of these restoration resources should be a priority and the bill lacks an adequate auditing and oversight mechanism.

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- The bill fails to establish formal public comment periods or requirements for public hearings for the plans, projects, and programs developed with this funding. The public review sections should be strengthened and standardized, and all projects should be made available for broad and open public comment.

In spite of these criticisms, the Senate version of this bill has broad support across the Gulf Coast.

The [House bill](#), H.R. 3096, introduced by Rep. Steve Scalise (R-LA) and 24 congressional colleagues, limits the ability of the fine monies to be spent on NOAA-directed research, or the use of the funds to acquire federally managed habitat around the Gulf.

In addition to finally funding some of the desperately needed restoration projects in the Gulf region, we know that funding restoration is a job creating endeavor. A recent report from Restore America's Estuaries: [Jobs & Dollars: Big Returns from Coastal Habitat Restoration \(2011\)](#) paints the picture:

- *Coastal habitat restoration—including wetland reconstruction and improvement; rebuilding depleted oyster beds; removal of obsolete dams, culverts, and other obstacles to fish passage; tree planting and floodplain restoration; and invasive species removal—typically create between 20 and 32 jobs for every \$1 million invested. In comparison, road infrastructure projects on average create seven jobs per million, oil and gas return just five jobs, and green building retrofits produce 17 jobs per \$1 million invested.*
- *Habitat restoration not only creates local jobs, it brings dollar to local businesses. In one of the report's case studies, a watershed restoration project in Oregon, 80% of monies invested in the project stayed in county; 90% stayed in state.*
- *Restoration not only creates direct jobs, people using their skills and equipment to restore damaged wetlands and other similar projects, but also helps stimulate indirect jobs in industries that supply project materials such as lumber, concrete, and plant materials, and supports induced jobs in businesses that provide local goods and services, such as clothing and food, to restoration workers.*

Both bills appear about to be voted on this month, perhaps as early as next week. On September 21 the Senate's Environment and Public Works Committee approved the RESTORE Act on a voice vote, with just three members opposing passage. The next step is to bring the act to the full floor, and pass it! The House introduced their version on Oct 5. The Transportation and Infrastructure Committee has yet to vote on it.

**Please contact your representative and senators immediately. Please urge them to move these bills forward as important first steps to coastal restoration for Louisiana. The details of the two bills can be worked out to merge them together after they are passed.**

Thetis Cusimano, President

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