

Restoration of the Mississippi River Delta in a Post-BP Oil Spill Environment

Whit Remer, Senior Policy Analyst & Attorney Estelle Robichaux, Restoration Project Analyst

Presentation to the Natural Floodplains Function Alliance May 12, 2014











Reconnecting the Mississippi River to its delta to protect people, wildlife, and jobs







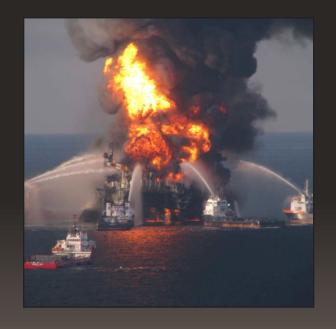


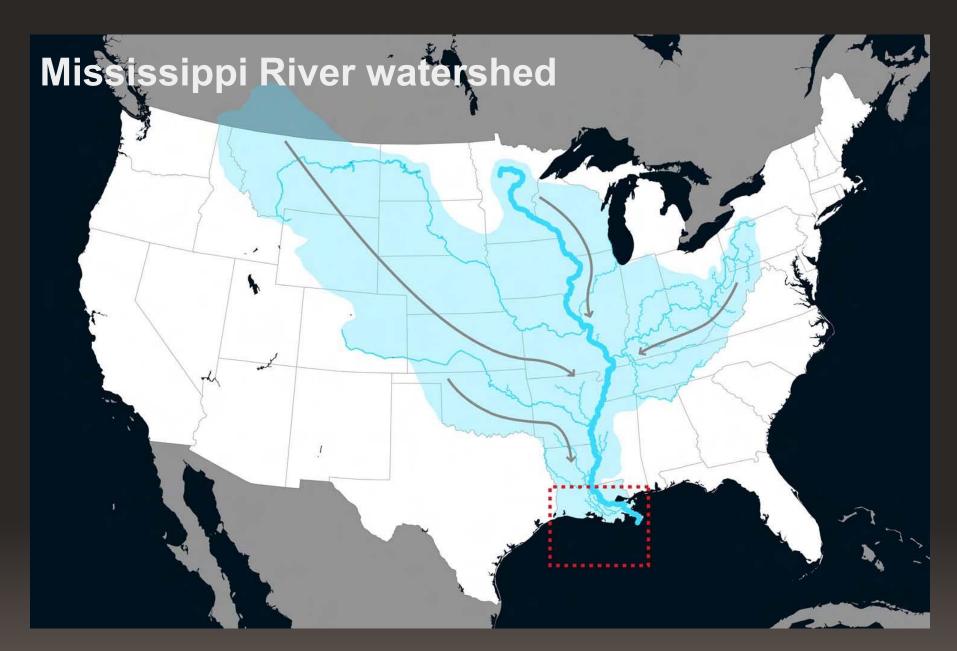
Presentation outline

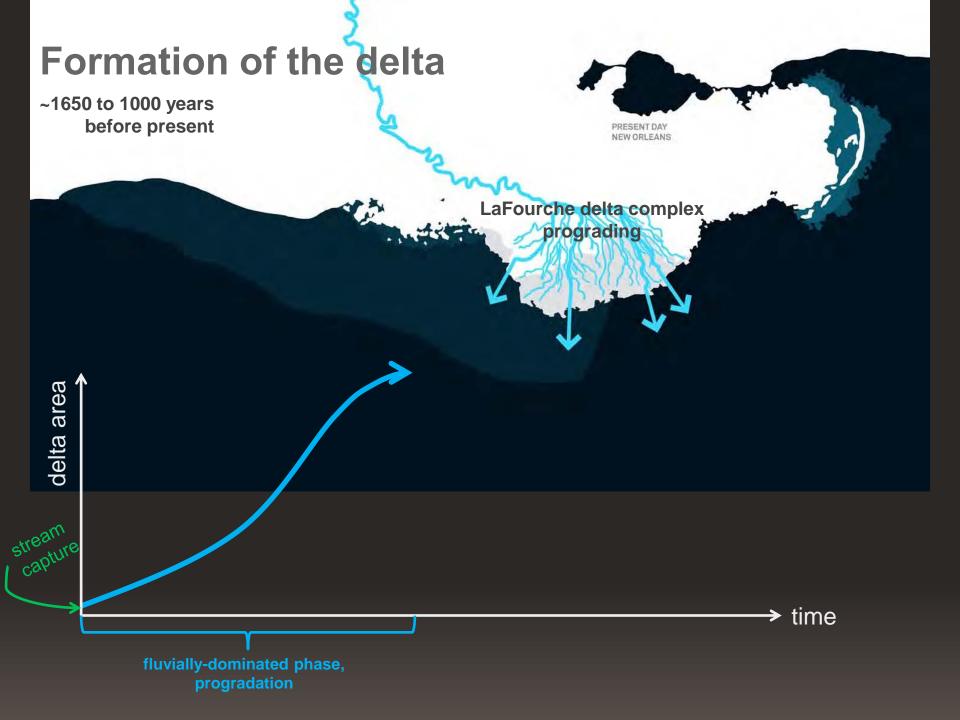
- Mississippi River Delta restoration
 - Overview of the delta
 - Louisiana Coastal Master Plan
 - Changing Course

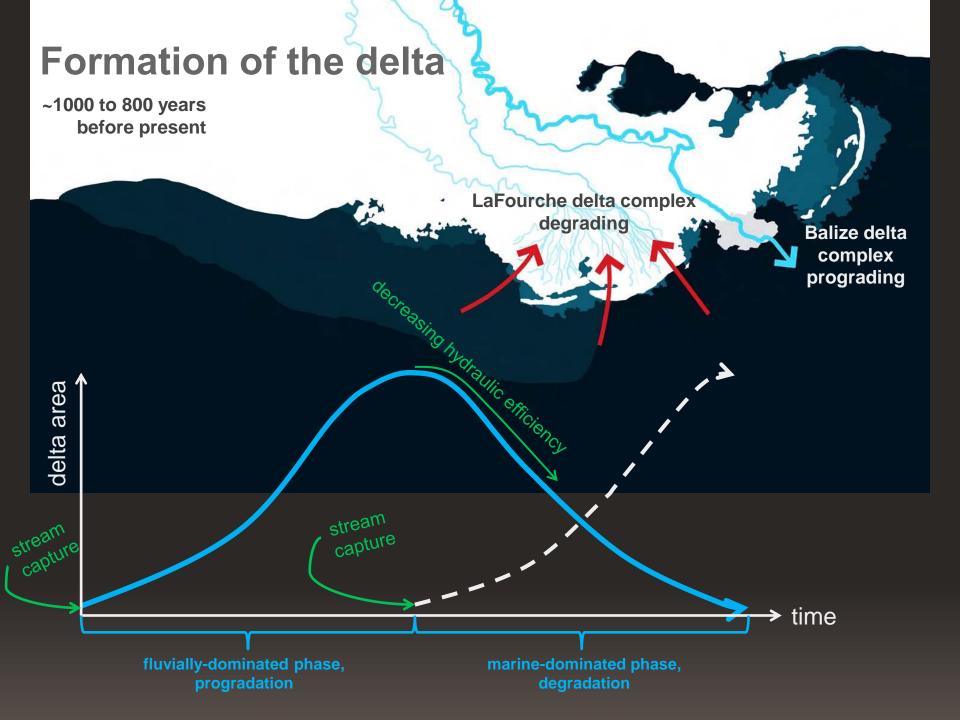


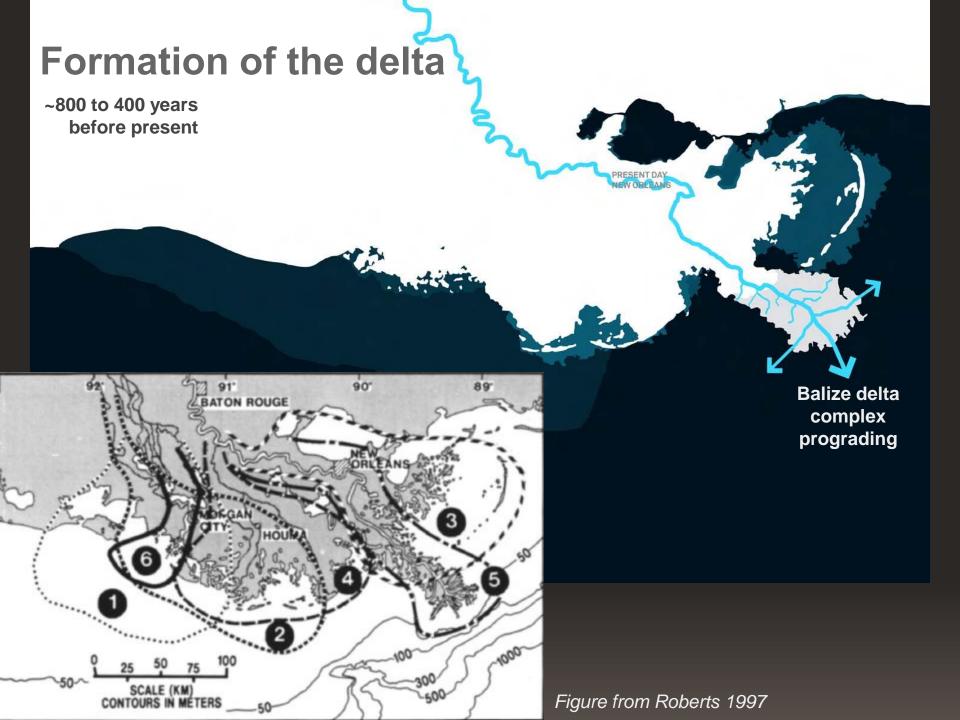
- BP oil disaster
 - Overview
 - RESTORE Act
 - Funding restoration
 - Science & research

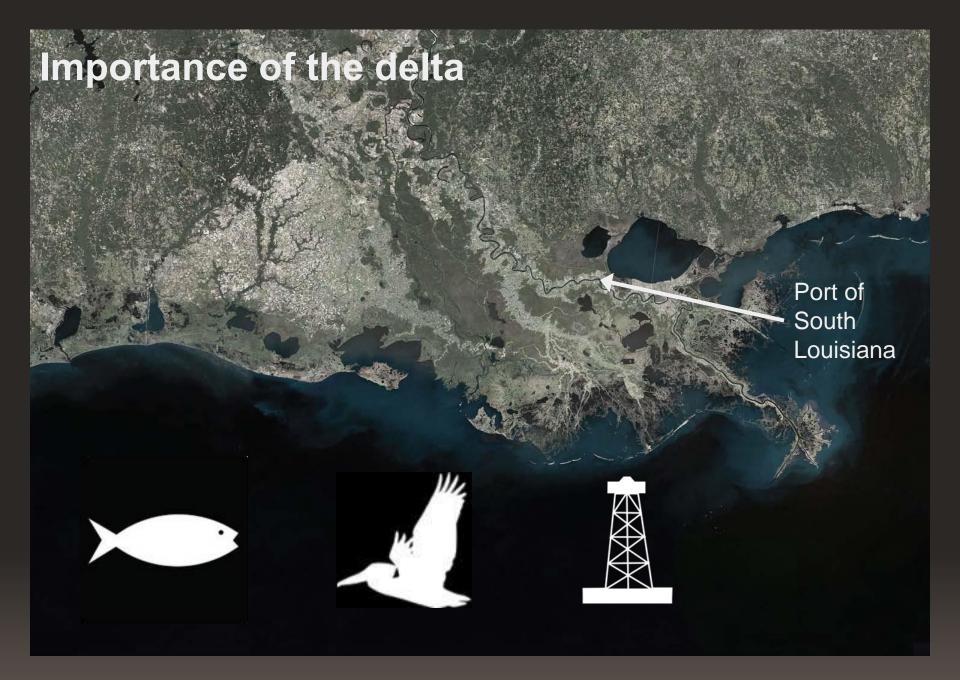


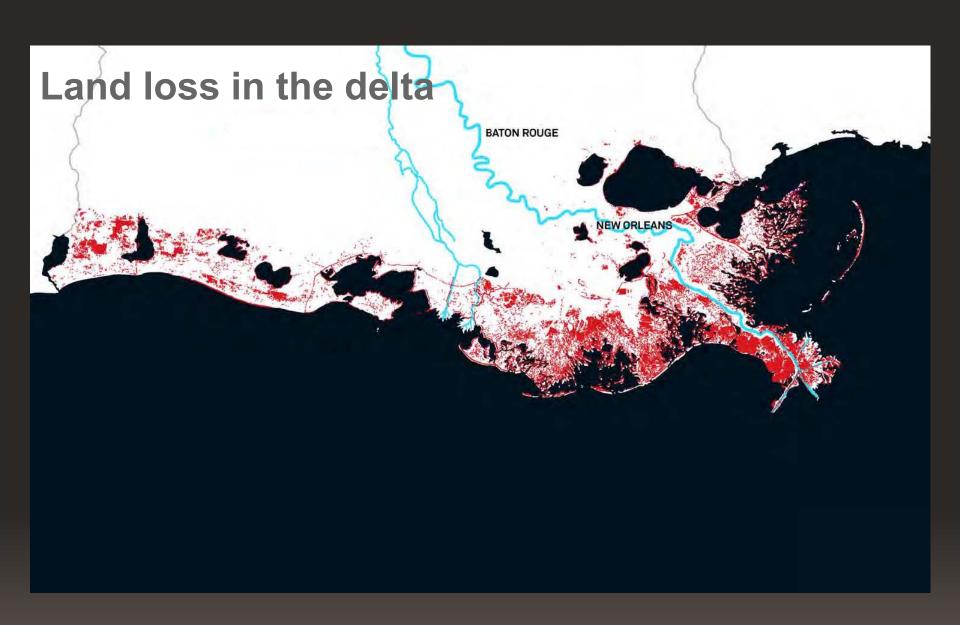


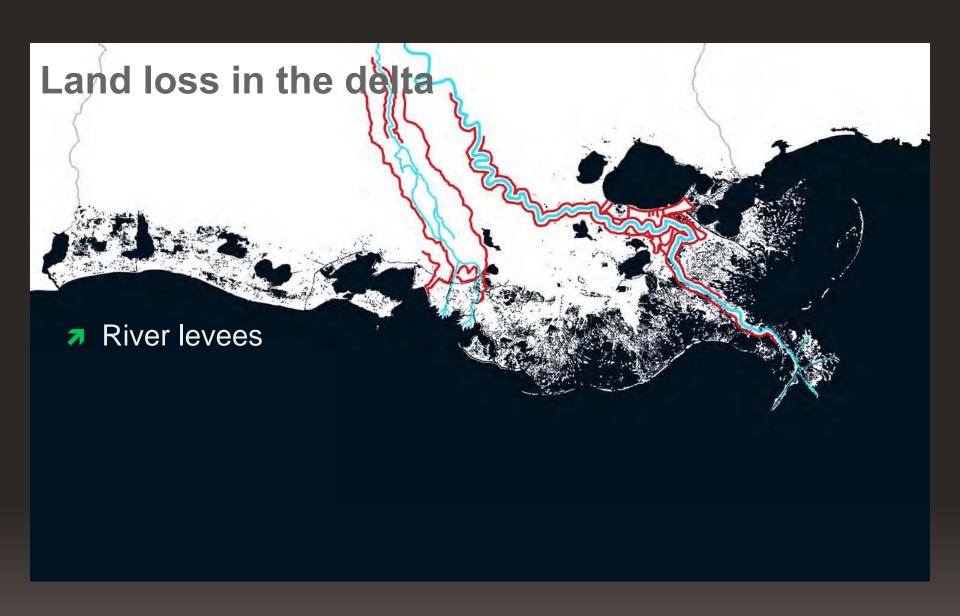




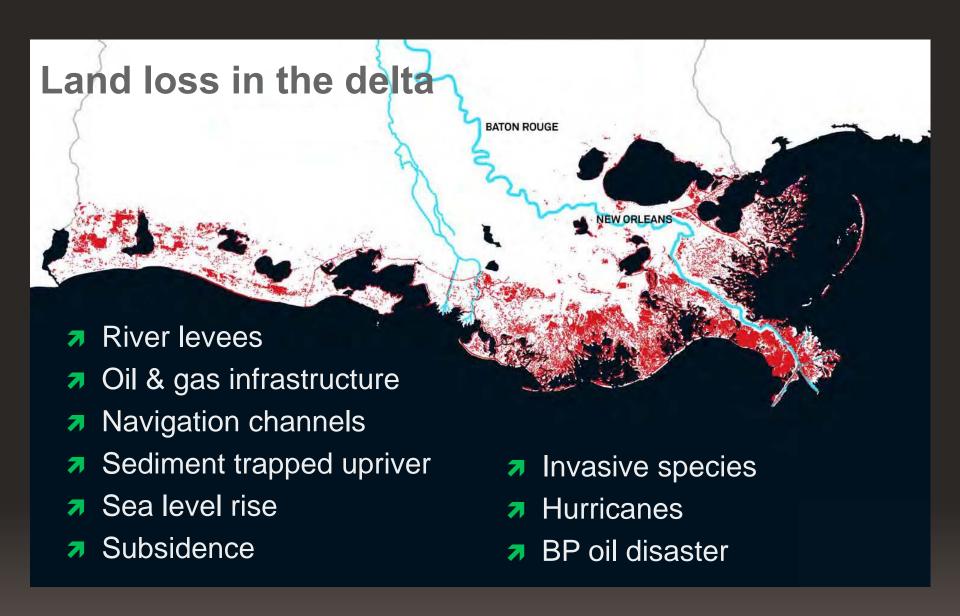




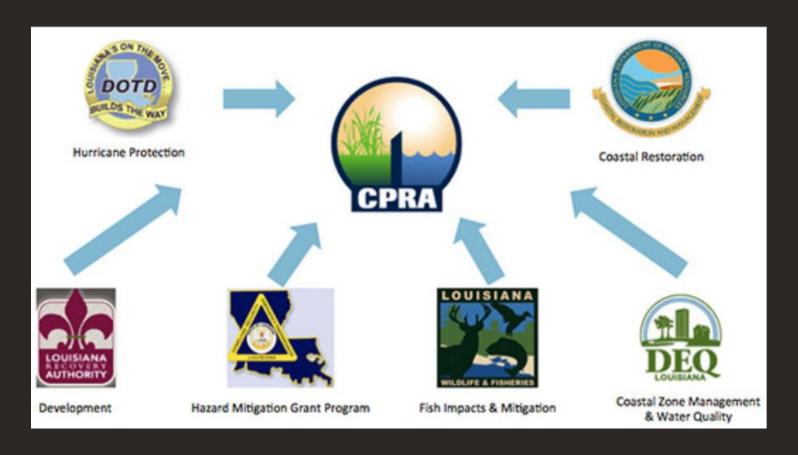








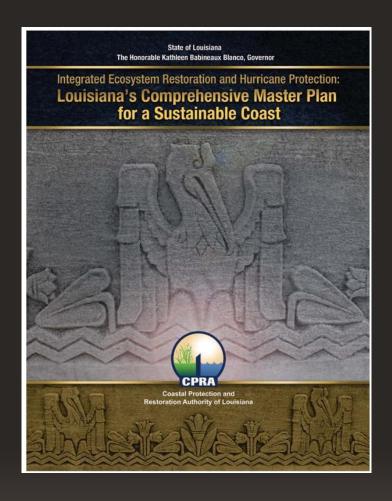
Coastal Protection and Restoration Authority



Mandate:

"hurricane protection and the protection, conservation, restoration, and enhancement of coastal wetlands and barrier shorelines or reefs."

Louisiana Coastal Master Plan



State of Louisiana The Honorable Bobby Jindal, Governor Louisiana's Comprehensive Master Plan for a Sustainable Coast committed to our coast

2007 2012

2012 Coastal Master Plan: Project evaluation



Structural Protection



Bank Stabilization



Oyster Barrier Reef

Ridge Restoration



Shoreline Protection





Sediment Diversion



Hydrologic Nonstructural* Restoration



*Not shown on map.

400 projects evaluated



2012 Coastal Master Plan: Project evaluation

- Decision drivers
 - Flood risk reduction
 - Land building



- Planning tool
 - Maximize target benefits
 - Project costs
 - Available funding
 - Landscape conditions
 - Stakeholder preferences



2012 Coastal Master Plan: Selected projects



Protection Stabilization Barrier Reef Restoration

Oyster

Ridge

Shoreline Barrier Island Protection Restoration

Marsh Creation

Sediment Diversion

Hydrologic

Restoration





















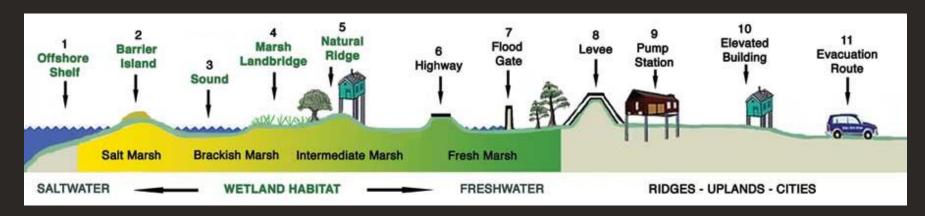


- 7 109 projects
- 50 years
- \$50B

Decision driver: Flood risk reduction



Multiple lines of defense concept

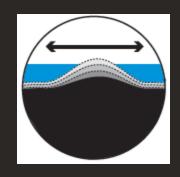


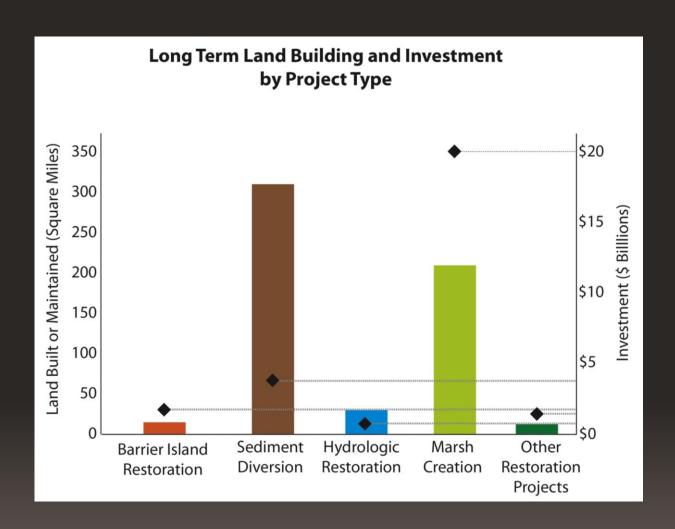
Restoration

Structural

Nonstructural

Decision driver: Land building





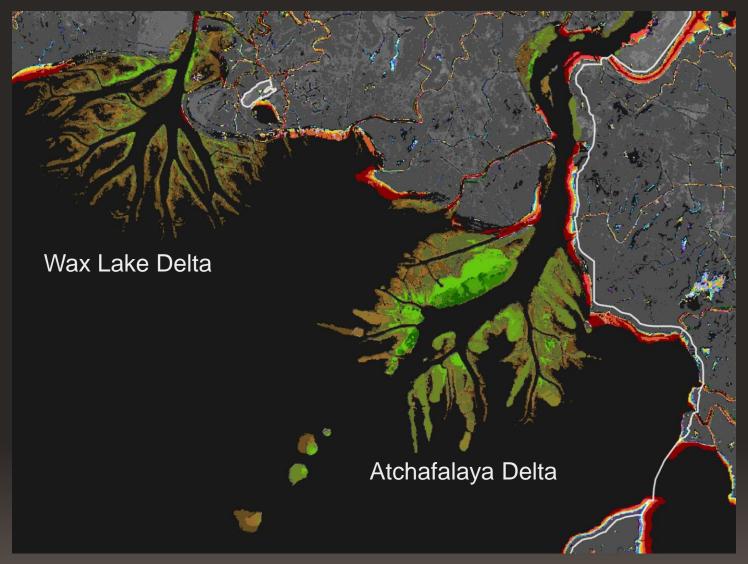
Building land with diversions: Wax Lake



DECADES

Wax Lake Delta Formation

Building land with diversions: Atchafalaya





Building land with diversions: Big Mar





1998

October 2005

Building land with diversions: Big Mar

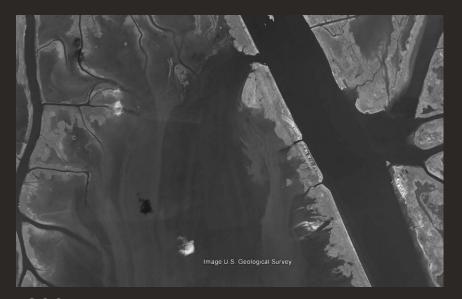




October 2005

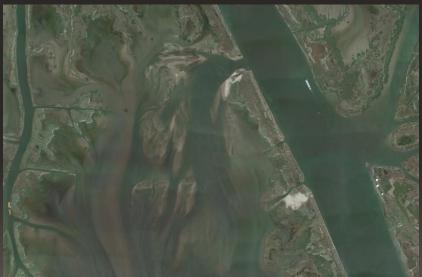
Noveteber 2008

Building land with diversions: West Bay





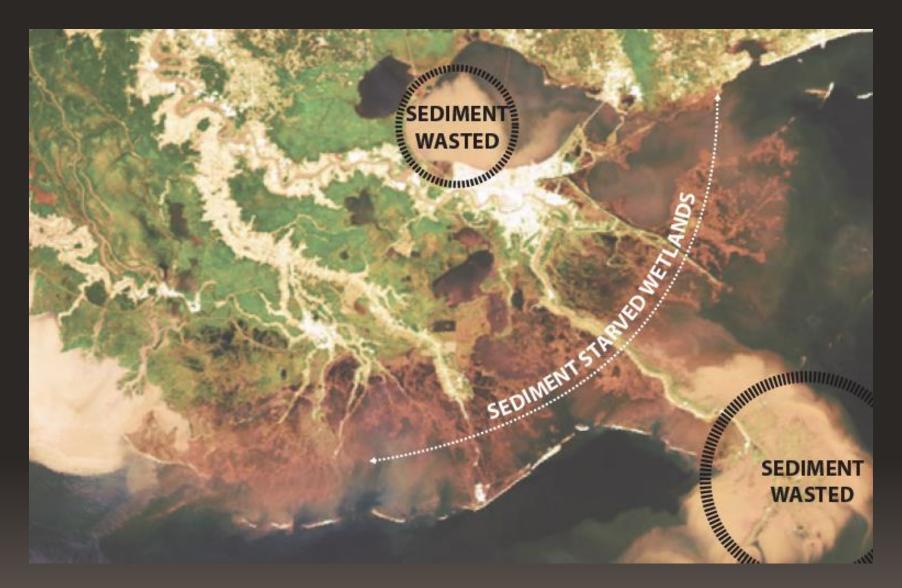
2005



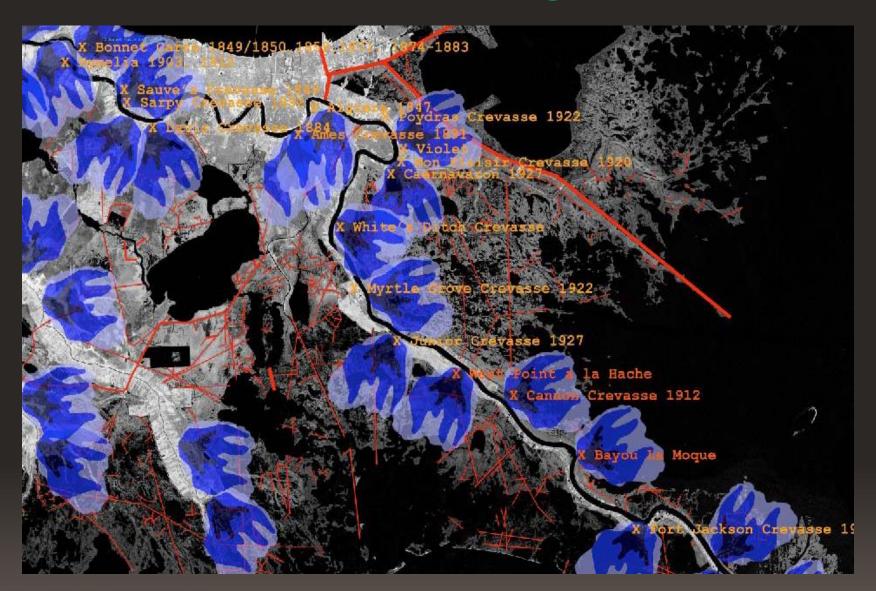
2010

2012

Sediment diversions: Capturing sediment



Sediment diversions: Pulsing



What is a sediment diversion?



Old River Control Structure



Bonnet Carre Spillway



Caernarvon Diversion

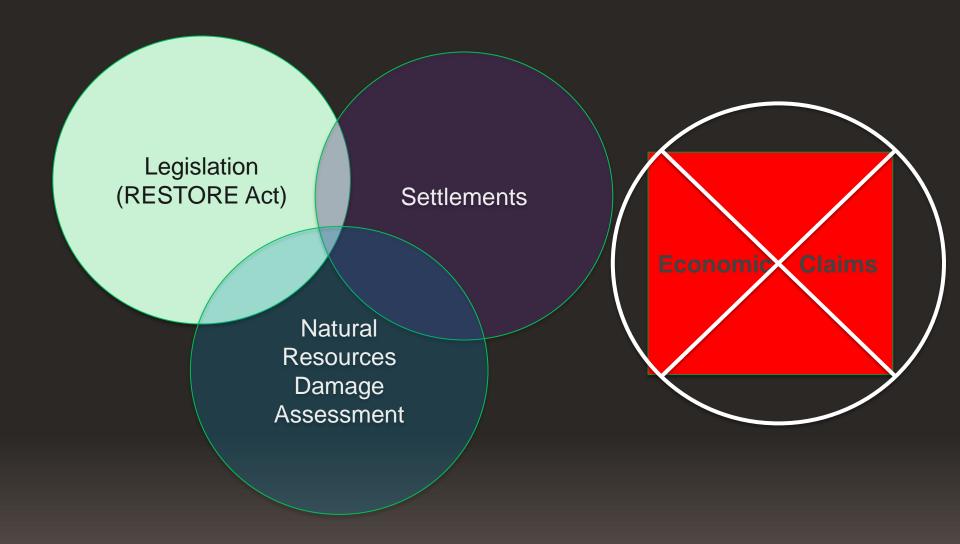


navigating the future of the Lower Mississippi River Delta

BP Deepwater Horizon Oil Disaster April 20, 2010



Funding sources following the BP oil spill



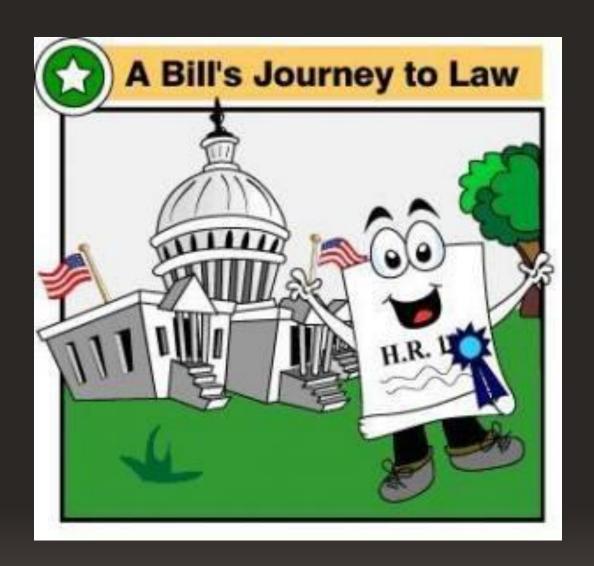
Executive Office response

- Executive Order 13554- GCERTF
 - Published October 4, 2010
 - Establishes a Gulf Coast Ecosystem Restoration Task Force
 - Chaired by EPA with representatives from 11 federal agencies and five Gulf Coast states
 - Requires Task Force to develop a "strategy that proposes a Gulf Coast ecosystem restoration agenda, including goals for ecosystem restoration, development of a set of performance indicators to track progress, and means of coordinating intergovernmental restoration efforts..."

Legislative response

- Supported by two official governmental reports
 - Report from Secretary of the Navy Ray Mabus
 - National Commission on the BP Oil Spill report to the President
- RESTORE Act (S. 861)
 - First introduced by Senators Landrieu and Vitter
 - April 14, 2011 six days before one year anniversary





April 2010

BP oil spill releases 4.9 million barrels of crude oil into the Gulf

September 2010

Secretary of Navy, Ray Mabus releases a long term recovery plan following the spill

January 2011

National commission on the BP oil spill disaster recommended CWA penalties go to the gulf

July 2011

Senators introduce RESTORE Act to Senate

September 2011

Senate EPW Committee reports out RESTORE Act

October 2011

Bipartisan group of House members introduce RESTORE Act to the House

December 2011

House Science Committee holds hearing on RESTORE Act

March 2012

Senate passes RESTORE Act as an amendment to the transportation bill with a strong bipartisan support

March 2012

House and Senate conference on transportation bill to consider RESTORE Act

June 2012

Congress passes RESTORE Act as a provision in the Surface Transportation Bill

July 2012

Congress passes RESTORE Act as a provision in the Surface Transportation Bill

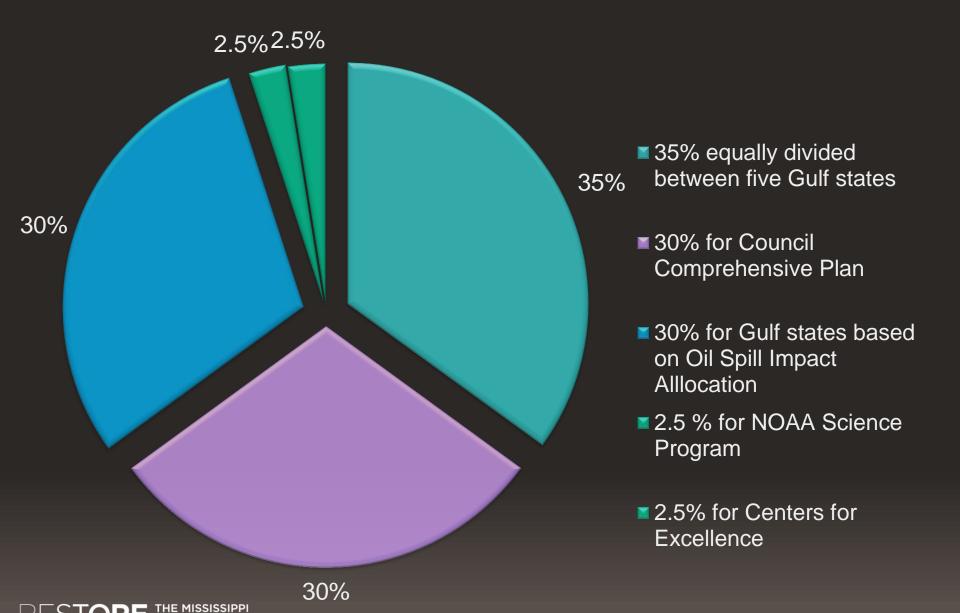
Legislative response: Broadening support

- July 2011 a second version of the bill (S. 1400) was introduced by nine Gulf Coast Senators and referred to EPW
- September 2011 EPW marks up the bill and reports it out of committee by voice vote
- July 2012 Congress passes RESTORE Act as a part of MAP-21 and it is signed by the president in the Rose Garden

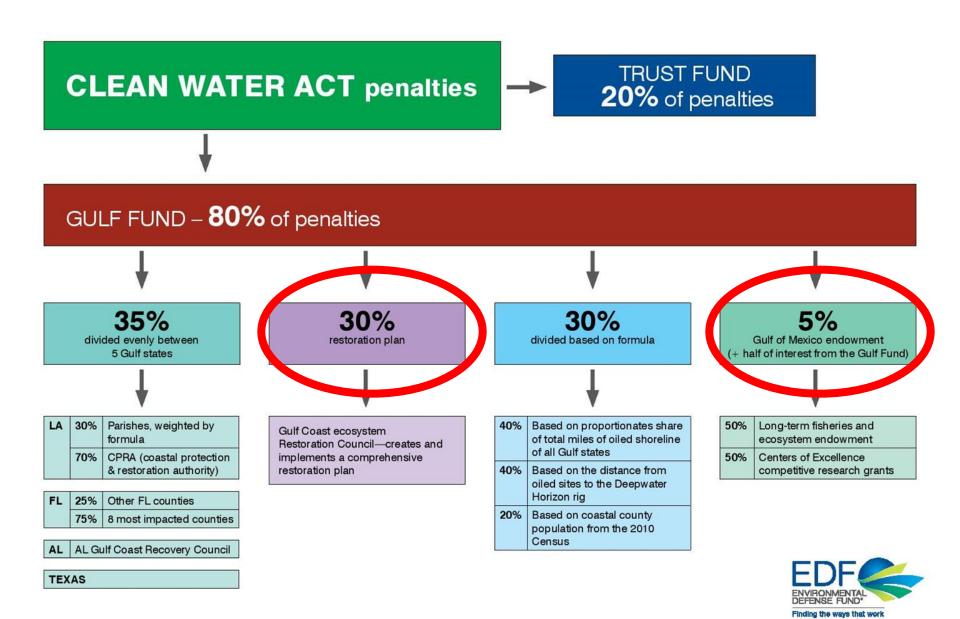
END11755	8.LeC
AMENDMENT NO	O Calendar No
Purpose: In the na	ature of a substitute.
IN THE SENATE OF	F THE UNITED STATES-112th Cong., 1st Sess
	S. 1400
rine and wildl of Gulf Coast nomic health explosion on,	tural resources, ecosystems, fisheries, ma life habitats, beaches, and coastal wetland t States, to create jobs and revive the eco of communities adversely affected by th and sinking of, the mobile offshore drilling er Horizon, and for other purposes.
Referred to the C	Committee on and ordered to be printed
Ordered to	o lie on the table and to be printed
to be proposed	THE NATURE OF A SUBSTITUTE INTENDED d by Mrs. Boxer (for herself, Mr. White JITTER, and Mr. SESSIONS)
Viz:	
1 Strike all	after the enacting clause and insert the following
2 lowing:	
3 SECTION 1. SHO	ORT TITLE.
4 This Act	may be cited as the "Resources and Eco
5 systems Susta	ainability, Tourist Opportunities, and Re
6 vived Economi	ies of the Gulf Coast States Act of 2011"
7 SEC. 2. FINDING	GS.
8 Congress:	finds that—



Breakdown of the Gulf Coast Restoration Trust Fund



Clean Water Act penalties under the RESTORE Act



Gulf Coast Ecosystem Restoration Council

- Independent gov't entity with ties to the Dept. of Commerce
- Comprised of six federal agencies and the five Gulf Coast states
- Executive Director based in New Orleans with staff across the Gulf Coast
- Directly responsible for 30% of Trust fund to develop and implement a Comprehensive Plan to restore the Gulf Coast
- Must sign off on plans proposed by states for the 30% Spill Impact Component



http://www.restorethegulf.gov/



Initial Comprehensive Plan

- Draft plan released in May 2013
- Initial Comprehensive Plan released in August 2013 (22 pages)
- Adopts five goals:
 - 1) Restore and Conserve Habitat
 - 2) Restore Water Quality
 - 3) Replenish and Protect Living Coastal and Marine Resources
 - 4) Enhance Community Resilience
 - 5) Restore and Revitalize the Gulf Economy
- Plan DOES NOT include a project and program list as required by the statute



Where is the \$ coming from?

- Civil trial
 - Federal District Court in New Orleans
 - At issue:
 - How much oil spilled?
 - What caused it? Why?
 - Who was responsible?
 - Three phases
 - Two already complete
 - Third scheduled for January 2015
- Parties include: Federal gov't, Gulf States, private citizens v. BP, Transocean, Halliburton, Anadarko
- **3** \$2.6-17.6 billion



Where is the \$ coming from?

Settlements

MOEX \$90 million

BP criminal \$4 billion

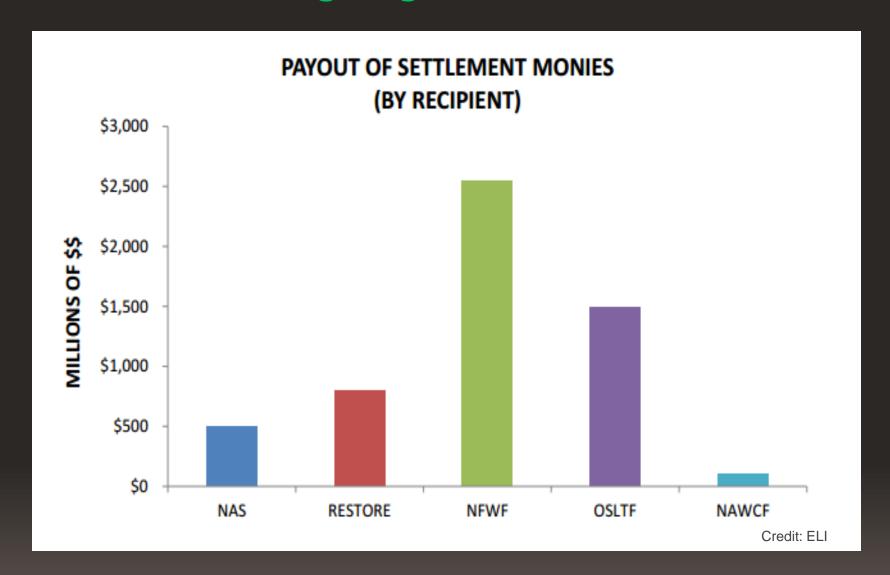
Transocean, civil \$1 billion

Transocean, criminal \$400 million

Halliburton \$55 million



Where the \$ is going?



Natural Resource Damage Assessment (NRDA)

- Scientific and legal process for restoration under the Oil Pollution Act
 - Different than removal actions
- Lead by the NRDA Trustees
 - Five Gulf Coast states
 - Four federal agencies
- Public is compensated for damage to natural resources, subsistence use & public services
- Return resources to pre-spill baseline

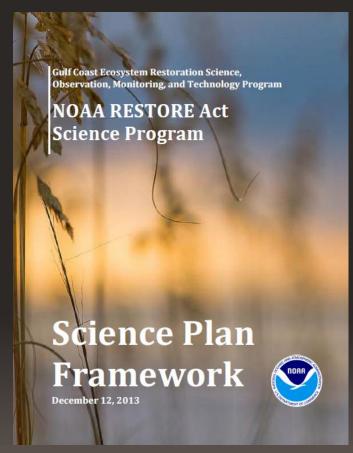


Natural Resource Damage Assessment (NRDA)

- Early Framework Agreement
 - \$1B down payment, April 2011
 - Three phases of projects
 - \$627 million
 - Barrier island restoration
 - Habitat restoration
 - Wetland creation
 - Lost human use projects
 - Our role: Provide public comments encouraging ecosystem restoration
 - Full assessment ongoing

1604 NOAA RESTORE Act Science Program

- 7 2.5% of RESTORE Act funding (+25% i)
- Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program
- Science Plan Framework, released December 2013
- Science Plan
 - Draft to be released for public comment, late summer 2014
 - Finalized, September 2014
- Primarily competitively awarded grants





1604 NOAA RESTORE Act Science Program

Mission:

"to initiate and sustain an integrative, holistic understanding of the Gulf of Mexico ecosystem and support, to the maximum extent practicable, restoration efforts and the long-term sustainability of the ecosystem, including its fish stocks, fishing industries, habitat, and wildlife through ecosystem research, observation, monitoring, and technology development."

- Supporting research in:
 - Estuarine, coastal and marine habitats
 - Coastal and marine resources
 - Coastal communities

- Approaches to scientific study:
 - Ecosystem structure, functioning and connectivity
 - Observing and monitoring
 - Integrated analysis, data synthesis
 - State of health assessments

Long-term science priorities, draft

- Forecasting, analysis and modeling of climate change and weather effects on the sustainability and resiliency of Gulf ecosystems.
- Construct accurate, actionable and accessible ecosystem models for the Gulf of Mexico.
- Quantify sediment, nutrients, contaminants, and water flow (including currents, storm surge, and/or freshwater), interrelationships, variability and consequent impacts to health and function of coastal habitats.
- Provide a more comprehensive understanding of life histories of living marine resources, food web dynamics, and habitat utilization (e.g., connecting habitats, ontogeny, and food webs) as guidance for living marine resources management.
- Coordinate and integrate existing Gulf monitoring to develop a network of living marine resources monitoring systems including fisheries dependent and independent data collection.

- Develop a better understanding of ecosystem services and other determinants of health and resilience for coupled social and ecological systems.
- Collect information and develop decision support tools needed to implement, monitor and adaptively manage habitat including coastal and marine protected areas.
- Develop and implement advanced engineering, tagging and biological technologies to improve monitoring.
- Create an integrative, unified, and easily accessible data framework that tabulates, synthesizes and provides opportunity for analysis of new and existing social and environmental data in order to develop long-term trend information.
- Identify or develop state of health indicators for the Gulf of Mexico ecosystem, including the socio-economic component.

Restoration Science Program Advisory Working Group

- RSPAWG, NOAA Science Advisory Board
- Terms of reference:
 - Provide informed regional advice on ecosystem science and monitoring, relating to implementation of RESTORE Act Science Program
 - Assist Science Program in establishing plans, assessing progress, and reviewing priorities
 - Provide a formal forum for the discussion and coordination of RESTORE-related science outside of NOAA's program
 - Coordinate with other NOAA SAB Working Groups



Restoration Science Program Advisory Working Group

- Working group members (26)
 - Science-related organizations in the GOM identified in RESTORE Act (7)
 - Ex officio members representing other funding organizations
 (4)
 - Rotating group of external subject matter experts (15)
- First meeting in Mississippi, June 2014



1605 Centers of Excellence

- 2.5% of RESTORE Act funding (+25% i)
- One in each Gulf Coast state
- Grant to establish Center of Excellence administered by Treasury Department
 - Selection processes determined by individual state, validated by Treasury Department
 - Selected Centers currently in entrance interviews with the Treasury Department
- The Water Institute of the Gulf
 - University partners, including LSU and Tulane



1605 Centers of Excellence

- Established to further enhance scientific research, monitoring and technology in the Gulf Coast relating to:
 - Coastal and deltaic sustainability, restoration, protection
 - Coastal fisheries and wildlife
 - Offshore energy development
 - Sustainability and resilient economic growth
 - Comprehensive observation, monitoring, mapping



National Academy of Sciences Gulf Research Program

- \$500M from criminal settlements
- 30-year research program in the Gulf region
 - Human health
 - Environmental protection
 - Oil system safety
- Program objectives
 - Environmental monitoring
 - Research and development
 - Education and training



National Academy of Sciences Gulf Research Program

- Advisory Group
 - 25 members
 - Ending one-year terms
 - Meeting of full AG, June 11-12, Tampa FL
- Establishment of standing Advisory Board during summer 2014
- "Vision document" in process
- Workshops in 2014
 - Human health
 - Environmental monitoring
 - Training





RESTORE THE MISSISSIPPI RIVER DELTA

Whit Remer wremer@edf.org

Estelle Robichaux erobichaux@edf.org



