

Coastal Connection

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Current Issues in Washington

Several House Appropriations Subcommittees have scheduled hearings to approve their FY07 bills. This marks the beginning of the budget cycle where actual dollar amounts are assigned to projects and federal programs by Congress.

The House Energy and Water Development and Homeland Security Subcommittees may meet later this week. Official announcements about the day and time have not been released yet.

The Senate will begin consideration of medical malpractice legislation this week.

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Senators Grow Impatient As WRDA Remains in Limbo

Pressure continues to grow in the U.S. Senate to move the stalled Water Resources Development Act (WRDA).

Last week, a bipartisan group of Midwestern Senators stood together in the U.S. Capitol and called on Senate Majority Leader Frist to schedule floor time for WRDA as quickly as possible.

Senators Kit Bond (R-MO), Jim Talent (R-MO), Charles Grassley (R-IA), Tom Harkin (D-IA) and Dick Durbin (D-IL) were joined by WRDA supporters from such diverse groups as organized labor, agricultural representatives, environmentalists, and industry groups to discuss the impact of WRDA on our aging water infrastructure.

"If we do not invest in infrastruc-

ture for the next generation, we will have a transportation straight-jacket on our economy that will frustrate competitiveness, growth, and job creation," said Senator Bond, one of the chief proponents of WRDA in the Senate. The bill authorizes projects on the Upper Mississippi that would greatly increase lock and dam capacity and improve the ecosystem of the Upper Mississippi and Illinois Rivers.

When asked if the Office of Management and Budget (OMB) is blocking action on WRDA because of its large price tag, Bond noted that he does not talk to OMB anymore but has received personal assurances from President Bush that the White House will not object to moving the bill forward.

House Sets FY07 Spending Caps

The House Appropriations Committee released its annual subcommittee allocations for the FY07 budget cycle.

Overall, the budget authority was raised by more than \$32 billion over the current year's spending levels. However, most of the increased allocation has been desig-

nated for homeland security, defense, and foreign operations.

Energy and Water Development (the bill funding the Corps of Engineers) would be cut by \$172 million with an allocation of \$30 billion, about 1 percent less than current spending and 2 percent more than the President's FY07 request.

National Coastal Group Outlines Budget Priorities, Concerns

The American Shore and Beach Preservation Association (ASBPA) sent the following letter to leaders of the House and Senate Appropriations Committees last week:

"As your subcommittee prepares to develop its Energy and Water Development Appropriations Bill for Fiscal Year 2007, there are a few basic issues that concern the American Shore and Beach Preservation Association (ASBPA). First and foremost, we urge you to increase the funding for the nation's water resource program above its Fiscal Year 2006 level. We are aware how difficult it will be to achieve this increase. Nevertheless, the nation's economy and its environment are already suffering from underfunding and a backlog of critical water resource needs. Many of these have yet to finish the Corps' rigorous study process, let alone proceed to construction.

We urge you to reject the Administration's proposed policy to make the periodic renourishment of beach nourishment projects considered to be "operations and maintenance." This is not a question of semantics. These projects are designed and are authorized by Congress as "continuing construction." The attempt to change that is contrary to federal statutes. The same can be said of the Administration's proposal to support funding for only that portion of a beach project where the erosion is caused by a federal navigation channel. Not all shoreline erosion is caused by federal channels. In those cases that it is, existing law says that the federal government's cost-share responsibility is increased. The Administration's proposed policy change

would result in the appropriation of inadequate funds that could not be cost-shared. Its net effect would be the end of the federal beach nourishment program, a program with broad, bipartisan support in Congress.

We are also troubled by the loss of experienced personnel at all levels of the Corps of Engineers. Some of this loss is due to funding issues, but too large a part is due to a declining level of morale. For more than 20 years, the Office of Management and Budget (OMB) has tried its best to relegate this first-class agency to third-class status. Recently, however, OMB's efforts have received what we trust is an unintentional boost from some key members of Congress. That has led to a heightened level of fear that anything which may cross the sensitivities of either OMB or Congress will result in rebuke. The Corps is a "doing" agency. It cannot do its work in a climate which intentionally or otherwise discourages a can-do attitude on the part of its staff. We urge your Subcommittees through increased funding and revised policies to encourage experienced people at all levels to remain in the Corps and attract bright, energetic young people to a career in that agency.

Furthermore, some of the actions initiated in the Fiscal Year 2006 Energy and Water Development Appropriations Bill have resulted in an unprecedented and unwarranted congressional micro-management of the Corps of Engineers. For nearly 90 years, Congress gave the Corps of Engineers most of its money in lump sums, providing only advisory direction on the stud-

ies and projects on which it was to be spent. The process by which the Corps implemented its discretion was by no means perfect. However, it worked. The new system adopted by Congress for Fiscal Year 2006 severely limits any agency discretion and will result in a slower Corps process and an increased backlog of Corps projects. Civil works projects do not exist in a vacuum. Rather, they are subject to several unpredictable factors, including market demands, environmental conditions, and construction-related issues. Ironically, at a time when there is serious concern about congressional earmarks, this new system of micro-management markedly expands the scope and use of earmarks. Rather than continue this congressional micro-management, we recommend that you direct the Corps of Engineers to develop reprogramming policies that reflect the concerns of Congress.

Finally, a strong General Investigations program is critical to both the future of the Corps of Engineers and the nation's water resources infrastructure. We understand the need to complete projects that are unfinished. However, the current year's budget for the Corps of Engineers provides very little money to continue or begin studies of new projects. In order to address the real-world needs of our nation's infrastructure, we urge your Subcommittee to increase substantially its funding for the General Investigations program. Congress must not allow the potholes in the nation's water resources infrastructure to become so large that they cause irreparable harm to the nation's economy or environment."

Local Spotlight: Beach Nourishment Project Rejected In NY

A New York Times report (May 4th) brings to the end a long-running chapter of a beach project that will not be built.

Long Beach (NY) is on a barrier island off of Long Island, NY. Together with the neighboring community of Hempstead, 50,000 people live there.

The Long Beach portion of the island is densely populated with high-rises. The average height of the coastline is 10 feet above Mean Low Water, and there are few, if any, dunes or other protective features between the ocean and the city's infrastructure.

Two decades ago, city officials asked the federal government to develop a plan to renourish the eroded beach to provide protection from storms. That was after a 1985 hurricane left "furniture floating in the street," according to the Times report. Seven years later, a slow-moving nor'easter left much of the western part of the island under several feet of water.



Over the years, memories of that storm have grown faint. Some residents expressed concern the Corps' renourishment plan would bring in offshore sand that was undesirable in color or sand grain size. The Corps did extra studies to show that wasn't the case.

Others said the dunes the Corps proposed would block their view of the ocean from the city's board-

walk. The Corps developed a modification that had a new boardwalk that essentially sat on top of the dunes.

Members of the Surfrider Foundation objected to the plan out of concern it would disturb their surf breaks. There were also objections that bringing sand from offshore would harm the environment, despite the fact that the proposed project met all federal and state environmental requirements.

By the end of last week, the Long Beach City Council voted unanimously to reject a federal beach nourishment project for their shoreline. The neighboring Town of Hempstead reportedly has asked Congress and the Corps to modify the original proposal so it will renourish Lido Beach and Point Lookout, which have experienced severe erosion and a loss of piping plover habitat.

The New York District of the Corps plans to propose modifications if it receives funding from Congress in FY 2007.

Hurricane Relief, War Funding Package Faces Challenges

The Senate recently passed a \$108.9 billion supplemental funding package, heading into what promises to be a challenging conference with the House.

The House approved its \$91.9 billion version in March.

The President has threatened to veto anything over \$94.5 billion. If Bush does veto the supplemental package, it would be the first veto of his presidency.

The bill funds the wars in Iraq and Afghanistan and provides funds to the Gulf Coast recovery efforts. The bill also includes millions of additional dollars to provide foreign aid to Iraq, Iran, the Sudan, and various other nations, to secure the U.S. Mexican border and our nation's ports, to prepare for the possibility of pandemic flu, to provide assistance to farmers hit by drought, flood, and frost, and to increase mine safety.

The wide swath of issues addressed by the supplemental emergency package has many fiscal conservatives concerned.

House Majority Leader John Boehner (R-OH) stated, "The House will not take up an emergency spending bill for {Hurricane} Katrina or the war in Iraq that spends one dollar more than the what the president ask for. Period."

Appropriations Bill May Include Offshore Gas Provision

The House Interior and Environment Appropriations bill was recently approved by a House subcommittee, including a provision that extends the moratorium on oil and natural gas exploration on both coasts and the Gulf of Mexico.

However, Rep. John Peterson (R-PA) has indicated that he will try to strip that language from the bill and allow natural gas exploration

within 20 miles of the coast, or closer if states allow it. The moratorium for oil exploration would remain intact.

Rep. Peterson did not offer any changes during Thursday's markup but an aide indicated that he might offer an amendment to allow natural gas exploration in next week's full committee markup. "As we move forward, it is fair to say he is still very much

considering his options and surveying the landscape," said spokesman Chris Tucker.

The offshore ban covering both coasts and the Gulf has been renewed every year since 1982 through the spending bill for the Department of Interior.

Appropriations Chairman Jerry Lewis (R-KY) said he thought it was very possible that the OCS moratorium could be removed by the time the bill comes out of conference with the Senate.

Peterson's stand-alone measure showed widespread support, having 160 cosponsors. Many supporters of the current moratorium are concerned about the amendment in the climate of high energy prices and fear that it will be very difficult to defeat.

However, the provision may face a tough time in the Senate. Both of Florida's senators, Bill Nelson (D) and Mel Martinez (R), have voiced their opposition to lifting the current ban.



Photo credit: NASA JPL

Hurricane-Related Damage to Offshore Fuel Infrastructure

Last week, the federal Minerals and Management Service (MMS) reported that Hurricanes Katrina and Rita destroyed 113 petroleum production platforms in the Gulf of Mexico and also damaged 457 pipelines connecting production facilities in the Gulf.

These recent findings stand in stark contrast to the estimates put forth in January, which identified 183 damaged pipelines.

In addition, six spills of 1,000 barrels or greater were reported. No shoreline or wildlife impacts were noted from these spills.

Interruption of the Gulf fuel supply has played a role in the recent round of record-high oil and gasoline prices.

Officials estimate that as much one-fifth of the Gulf's normal daily oil production of 140,000 barrels will continue to be unavailable

when the next hurricane season begins on June 1.

The MMS warned that additional damage will likely be discovered as more underwater inspections are conducted. This information comes amid news that world oil prices are expected to remain high through 2007, according to the Energy Information Administration.

More information: www.mms.gov