

# Coastal Connection

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## Current Issues in Washington

The House of Representatives is expected to consider a bill (HR 3282) that will terminate federal programs and agencies within 12 years of their creation unless they are reauthorized.

The Senate is expected to focus on offshore energy issues this week. See story on page 2 for further details about this issue.

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## Senate Approves Water Resources Development Act

Last week, the Senate passed the Water Resources Development Act (WRDA). The bill was approved by voice vote.

This legislation authorizes a series of civil works projects for the Corps of Engineers, including flood control and coastal storm damage reduction projects. It also provides updated policy guidance for the agency, allowing the Corps to respond to the growing water infrastructure needs across the country.

Over \$11 billion worth of projects are authorized by this bill. The legislation does not actually fund the projects. It provides the authority to appropriate money through the annual budget process.

The Senate-approved bill now moves to a conference committee with the House of Representatives. The House approved its version of WRDA last year. Differences between the two bills will need to be resolved and approved by both chambers before the bill can be sent to the President for his signature.

As the Senate began considering WRDA last week, the White House issued an official statement that outlined concerns about the bill,

mostly focusing on the bill's overall price tag.

The Administration also objected to the Senate's strong statement of support for beach nourishment efforts that was included in the WRDA bill, noting that the language would "establish a binding 50-year commitment to the periodic renourishment of sandy beaches." Senators included the language in response to recent efforts by the Office of Management and Budget (OMB) to severely limit the federal role in coastal storm damage reduction projects.

The Senate-approved language reaffirms existing federal policy: "In accordance with the Act of July 3, 1930, and notwithstanding administrative actions, it is the policy of the United States to promote shore protection projects and related research...for a period of 50 years, on a comprehensive and coordinated basis by the Federal government, States, localities, and private enterprises."

Conference negotiations on the bill are expected to begin within the next month. Capitol Hill sources remain hopeful that the bill can be completed this year.

## Offshore Drilling Bill Heads to Senate This Week

In an effort to quickly move offshore drilling legislation before the August recess, Senate Energy and Natural Resources Committee Chairman Pete Domenici (R-NM) introduced a carefully crafted compromise that the Senate plans to take up this this week.

The bill would open up 8.3 million acres in the Gulf of Mexico to energy production. Royalties from the sale of these new leases would be shared with Gulf Coast states.

However, the bill still faces many challenges in the Senate. Some Senators remained concerned about opening up new areas for offshore drilling. Others who support the Senate's approach to this issue are concerned about what would emerge out of the conference negotiations with the House. A much broader offshore energy expansion bill was recently passed by the House.

The Senate bill would provide a drilling buffer off the Gulf Coast of Florida, in response to the strong concerns expressed by both of Florida's Senators. Press reports indicate that Senator Mel Martinez (R-FL) supports the Senate bill while Senator Bill Nelson (D-FL) is still evaluating his position. Nelson is seeking assurances that the Sen-



ate would not be forced into accepting some of the more aggressive offshore drilling provisions contained in the House bill.

A key player in the debate, Energy Committee Ranking Member Jeff Bingaman (D-NM), expressed several concerns with the Senate bill last week.

Bingaman voiced opposition to the revenue-sharing provisions in the bill, arguing that it is unfair that only four Gulf Coast states would receive a share of the revenues from offshore energy production. In a statement, he noted that the revenues belong to all states because "Supreme Court

decisions and Federal law confirm that the Outer Continental Shelf belongs to all 50 States as a matter of national sovereignty of the United States."

Bingaman also objects to the "entitlement" that would be created specifically for Texas, Louisiana, Alabama, and Mississippi. He estimates that these states could possible receive \$170 billion over the next 60 years if S. 3711 becomes law.

A procedural vote on the bill is scheduled to occur today. Further debate is dependent on the outcome of this vote.

## Coastal News Briefs

- The House Science Committee will consider a bill (HR 3835) introduced by Rep. Jim Saxton (R-NJ) that aims to expand federal ocean research and exploration programs.
- NOAA's Office of Ocean and Coastal Resource Management recently launched a new shoreline management website: [coastalmanagement.noaa.gov](http://coastalmanagement.noaa.gov)
- The EPA is seeking members for its Coastal Elevations and Sea Level Rise Advisory Committee (CESLAC). Questions can be directed to this address: [Fitzgerald.Jack@epa.gov](mailto:Fitzgerald.Jack@epa.gov).

## Do You Need to Have Coastal Erosion to Get Federal Beach Restoration Assistance?



*Commentary by Howard Marlowe,  
CEO, Marlowe & Company*

The question posed in the headline isn't a trick question. The answer is a resounding "YES". There are at least six years of federal studies to determine not only if there is erosion, but that there is a compelling federal reason to participate financially in restoring an eroded beach.

What prompted this question was a recent series of articles in The Washington Post on some federal farm programs that operate under the principal: "We've got money and we'll give it to you whether you need it or not!"

For example, when the space shuttle Columbia exploded in the air over Texas, hundreds of Texas farmers got disaster assistance even though the nearest debris landed 10 or more miles away. They each got up to \$40,000 even though they suffered no damage.

Perhaps you think this is a hold-over from the days when Congress was less frugal with your tax dollars than they are today. Not so. This a Bush Administration program started in 2002 and expanded by Congress a year later. It's called the Livestock Compensation Program and it was intended as a limited assistance program for

dairy farmers and ranchers hurt by drought. According to the Post, in its first two years the program cost taxpayers \$1.2 billion, of which half went to ranchers and farmers in areas where there was little or no drought. Not one of the recipients had to prove they suffered an actual loss. In fact, the program's rules were loosened so you didn't have to be in a county declared to be suffering from drought.

The point of this is not to place blame at the hands of the farmers and ranchers who have received checks under this program. They have simply cashed the unrequested checks they received in the mail.

It is galling, however, that for more than a decade, the White Office of Management and Budget (under both the Clinton and Bush Administrations) have said they want to kill a federal program that protects critical coastal resources because it costs too much, when the cost of that program has never exceeded \$135 million in a year. They want to kill this program that not only requires that the government prove there is erosion but that also requires that an agency of the federal government (the Corps of Engineers) prove to Congress that the federal taxpayer will get back more than \$1 in benefits for every dollar spent on repairing the erosion. Those benefits come from saving lives and protecting property that would otherwise be lost to coastal storms. They don't even count the tax dollars Uncle Sam

gets from increased spending on coastal tourism.

Memo to OMB: If you want to save federal taxpayers money, take your budget scissors to programs that don't benefit taxpayers. The federal beach nourishment program works – and it actually generates over a billion in federal tax revenues each year.

[If you want to read The Washington Post series, go to: [www.washingtonpost.com/wp-dyn/content/article/2006/07/17/AR2006071701239.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/07/17/AR2006071701239.html).

You may have to register for this site to get access to this article. If you have difficulty, go to [www.washingtonpost.com](http://www.washingtonpost.com) and search for "Harvesting Cash".]

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### **Conference Announcement**

The National Dredging Team (NDT) and Subcommittee on Integrated Management of Ocean Resources (SIMOR) will host a conference August 29-31, 2006 at the Doubletree Hotel & Executive Meeting Center in Portland, Oregon.

Registration deadline is August 14.

Further information:

[www.sedimentsinwatershed.com](http://www.sedimentsinwatershed.com)

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