Three Points Today

I. SLFPA-E’s lawsuit is based upon sound science and undisputed fact.

II. We address Mr. Graves’s criticisms of the lawsuit.

III. SLFPA-E’s lawsuit will bridge funding gaps in coastal restoration and hold the oil & gas industry responsible for the harm it caused.
Background
The Buffer Zone
The Importance of the Buffer Zone

"Barrier islands, marshes, and swamps throughout our coast reduce incoming storm surge, helping to reduce flood impacts. If we continue to lose these habitats, the vulnerability of communities, nationally important to navigation routes, and energy infrastructure will increase substantially. In addition, our flood protection systems will become more vulnerable as the land around them erodes."
Land Loss in Delacroix
Devon Energy Permit 1983 – Well abandoned 1994

“Upon abandonment of the well location, the spoil banks around the herein permitted canal shall be degraded to marsh level. The dredged material shall be returned to the canal or spread adjacent to existing marsh in open water areas to an elevation not more than 1’ above that of adjacent marsh in an effort to create marsh and encourage vegetation.”

“Upon abandonment of the well location the herein permitted canal shall be plugged with an earthen dam not less than 3’ MSL and topped with a 6” shell cap.”

CZMA Regulations (1980)

“Mineral exploration and production sites shall be cleared, revegetated, detoxified, and ... restored as near as practicable to their original condition upon termination of operations to the maximum extent practicable.” LAC 43:I.719(M).
The Big Question:

“So, why are we losing land? What’s going on here?”

The Plain Answer:

Oil and gas industry activities.
I. CPRA’s Lawsuit is Based on Sound Science and Undisputed Fact.
Studies Conclude that Oil & Gas Activities Contributed to Coastal Loss

L. St. Amant, 1971
US Bureau of Land Management, 1972
US Army Corps of Engineers (S.M. Gagliano), 1973
US Army Corps of Engineers, 1973
US Environmental Protection Agency, 1976
D.W. Davis, 1976
N.J. Craig et al., 1979
National Oceanic and Atmospheric Administration, 1980
Fruge, 1981
Johnson & Gosselink, 1982
US Fish and Wildlife Service, 1983
R.E. Turner et al., 1984
American Petroleum Institute, 1988
LA Dept of Natural Resources/US Fish and Wildlife Service, 1988
Minerals Management Service, 1989
Penland et al., 1990
Louisiana Geological Survey, 1991
US Environmental Protection Agency, 1992
US Department of the Interior, 1994
Penland et al., 1996
US Environmental Protection Agency, 1997
US Geological Survey, 2004
US Army Corps of Engineers, 2004
Louisiana Sea Grant, 2008
LACPR, USACE, 2009
Minerals Management Service, 2009
Gulf Coast Ecosystem Restoration Task Force, 2011
Shell’s Former Chief Offshore Engineer Agrees

- Robert Glenn Bea
- Former chief offshore engineer for Shell Oil Co.
- Head of the National Science Foundation study team on Hurricane Katrina
- 2006 Affidavit prepared for the State of Louisiana

**AFFIDAVIT OF ROBERT GLENN BEA**

STATE OF CALIFORNIA  
COUNTY OF CONTRA COASTA

I, ROBERT GLENN BEA, having first been duly sworn, depose and say:

1. My name is ROBERT GLENN BEA and my business address is Department of Civil and Environmental Engineering, Center for Catastrophic Risk Management, University of California, Berkeley, CA 94720. I am employed as a professor in the School of Engineering at the University of California Berkeley. I have held this position since January of 1989. Prior to that, for seven years I held the position of Vice President and Senior International Consultant at PMB - Bechtel's Ocean Engineering Division located in San Francisco, California.
Shell’s Former Chief Offshore Engineer Agrees

“There is clear evidence that past and current oil and gas activities have made and continue to make substantial contributions to degradations in the natural defenses against hurricane surges and waves in coastal Louisiana. . . . All of these works and activities have contributed significantly to the loss of natural defenses such as barrier beaches, wetlands, and marshes. In several important cases, it was the loss of these natural defenses that contributed to the unanticipated breaches of flood protection facilities that protected the greater New Orleans area during hurricane Katrina and led to repeated flooding during hurricane Rita.”
Bea Affidavit:
“. . . It was the loss of these natural defenses that contributed to the unanticipated breaches of flood protection facilities that protected the greater New Orleans area during hurricane Katrina and led to repeated flooding during hurricane Rita.”

SLFPA-E’s Mission:
One Result of Overflow – August 2005
Mr. Graves Agrees

“No one is saying that historic oil and gas activities did not leave scars,” Graves said.

Mr. Graves Agrees Again

“The debate here is not about whether or not historic oil and gas activities in the coastal zone contributed to wetlands loss. The scars are there.”

“As I noted earlier, the historic energy production and activity that date back into the early 1900s, they contributed to land loss. **Whether it’s the pipeline canals, the access canals, the extraction, they contributed.**”

Mr. Graves Agrees Once More

“I will be the first one to admit, there’s liability there,” Graves said. “I’m not an apologist for the oil and gas industry, I’ll be the first to tell you that.”

CPRA Agrees, Too
WHAT'S CAUSING THE CRISIS?

A Quick History Lesson

By the 1700's the Mississippi River had shifted paths back and forth several times - spreading sediment and creating land at the end of an ever-changing delta. The Pontchartrain Basin stretches out into the Gulf of Mexico as a 10,000 square mile watershed from the Mississippi River to the Pearl River and includes 10 Louisiana Parishes and 4 Mississippi Counties. The southern part of the Pontchartrain Basin was built 5,000 thousand years ago. Benefiting our nation since the founding of New Orleans, today the region provides approximately 30% of our nation’s fisheries, and 30% of the nation’s oil and gas supply. The coast that protects these valuable resources must be saved!
WHAT'S CAUSING THE CRISIS?

A Quick History Lesson

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The southern part of the Pontchartrain Basin was built 5,000 thousand years ago. Benefiting our nation since the founding of New Orleans, today the region provides approximately 30% of our nation’s fisheries, and 30% of the nation’s oil and gas supply. The coast that protects these valuable resources must be saved!
“Canal dredging has had one of the most dramatic effects on wetland growth and regeneration. In addition to directly destroying marshes in the path of the canal, the plants are unable to recolonize, and thus the marsh is unable to regenerate itself. Once canals are dredged, most grow larger as the sustainable areas of marsh subsequently decrease.”
“INDUSTRIAL NEGLIGENCE: ... and in the early to mid-20th century, oil and gas exploration activities increased the dredging of canals.”
“As the century continued, oil and gas became prominent economic drivers and critical resources for our nation. Access to these was provided by navigation canals and pipelines which crisscrossed South Louisiana marshes. Unfortunately, in the process the coastal marshes were lost when spoil banks were left randomly throughout the area, disastrously altering the natural hydrology of the region.”
“...disastrously altering the natural hydrology . . . .”
Mr. Graves Wants to Kill the Suit

“Asked if the state’s strategy could conceivably involve litigation against energy companies for historical wetlands damage, Mr. Graves said that was ‘not our plan A, B, C, D or X.’”

Canal dredging has had one of the most dramatic effects on wetland growth and regeneration. In addition to directly destroying marshes in the path of the canal, the plants are unable to recolonize and thus the marsh is unable to regenerate itself. Once canals are dredged, most grow larger as the sustainable areas of marsh subsequently decrease."
INDUSTRIAL NEGLIGENCE:
... and in the early to mid-20th century, oil and gas exploration activities increased the dredging of canals.

DELETED
AFTER LAWSUIT FILED
“As the century continued, oil and gas became prominent economic drivers and critical resources for our nation. Access to these was provided by navigation canals and pipelines which crisscrossed South Louisiana marshes. Unfortunately, in the process the coastal marshes were lost when spoil banks were left randomly throughout the area, disastrously altering the natural hydrology of the region.”
The Litmus Test

“To be very clear, the governor has said that the lawsuit is a litmus test. Period,’ said Coastal Protection and Restoration Authority Chairman Garret Graves, who has been the administration’s chief spokesman in criticizing the lawsuit.”

II. Addressing Mr. Graves’s Criticisms.
Baseless Criticism and Misinformation

The following slides demonstrate that:
A. Mr. Graves has recently minimized the oil and gas industry’s role in causing coastal land loss.
B. Mr. Graves’s criticisms of the lawsuit, lawyers, and SLFPA-E are incorrect and misleading.
Minimizing the Industry’s Role

“But I would consider the Corps of Engineers implications as a heart attack; I would consider the BP implications as a major cut that needs to be stitched; and, comparatively, based upon science that’s been done over and over again, the impacts of the oil and gas industry would be more like a scrape.”

-Garret Graves, Interview with Garland Robinette, WWL, Nov. 19, 2013.
Minimizing the Industry’s Role

“I’ve had neighbors that have done things that have been offensive to me. I haven’t filed a lawsuit. I’ve gone over and knocked on the door and said, you know what, can you pick up the dog poop in my yard?”

-Garret Graves, presentation to SLFPA-E, Nov. 21, 2013.
Minimizing the Industry’s Role

Mr. Graves has cited three reports to suggest that oil and gas was not the problem:

- Department of Interior Report
- National Research Council Report
- White House Report

“Canal dredging occurs to create or deepen channels for navigation and to embed oil and gas pipelines. The dredging digs up sediment that is then deposited as spoil banks along the canals, thus filling existing wetlands. Canal dredging and spoil deposits accounted for between 30 and 59 percent of the coastal wetland losses in Louisiana from 1956-1978 (Turner and Cahoon 1988; Turner 1987). About 8200 miles of canals traverse the coastal wetlands....While the loss from the initial construction of canals is significant, the greatest damage occurs over the longer run.”

“Oil and gas exploration, with its associated canal dredging, peaked in the 1960s to 1980s. Canals, and the spoil banks formed during their construction, alter local water circulation patterns and sediment depositional processes. Spoil banks impede the flow of water, causing an inundation that may be further exacerbated by sea level rise. These processes result in the drowning of fragile terrestrial vegetation. Freshwater vegetation is also adversely affected by saltwater intrusion from sea level rise or along canals that provide a route for saltwater to intrude into typically freshwater areas . . . .”

Setting the Record Straight: the Position of the White House

• December 2011 Report of the Gulf Coast Ecosystem Restoration Task Force, established by President Obama.

• Cover letter signed by Garret Graves, Task Force Vice-Chairman.

Conclusion, p.8:
“Channels and canals for navigation and oil and gas activity in Texas and Louisiana have allowed a greater inflow of salt water from the Gulf of Mexico into the estuaries. In some cases, this has caused saltwater intrusion into freshwater marshes and forested wetlands, stressing these habitats and converting them to open water.”
Mr. Graves’s Response to the Lawsuit

1. Suggested lawsuit was filed without cooperation or information.
2. Said SLFPA-E had no authority to sue.
3. Attacked lawyers and contract.
4. Alleged interference with BP lawsuit.
5. Asserted that MRGO plan addresses SLFPA-E’s flood protection needs.
6. Exaggerated adverse economic effects.
1. Failure to Cooperate?

“[A]ll this has -- has been happening behind closed doors for several months now without any opportunity for discussion with -- with all the folks that truly have authority in this case . . . .”

-Garret Graves, Aug. 15, 2013 interview.
Mr. Graves Was Well Informed About SLFPA-E’s Lawsuit

- **December 4, 2012** – Mr. Graves met with SLFPA-E Board President Tim Doody and Vice-President John Barry and was informed of the suit. Mr. Graves requested that SLFPA-E meet with Jimmy Faircloth to discuss a suit against the Army Corps instead.

- **January 17, 2013** – Mr. Graves attended the SLFPA-E Board meeting, at which SLFPA-E’s counsel was present, during which he was further apprised of the suit.

- **January 2013-March 2013** – Mr. Barry contacted Mr. Graves periodically to remind him of SLFPA-E’s continuing intent to proceed with the suit and to follow up on Mr. Graves’s request for a meeting with Mr. Faircloth to discuss the suit.
Mr. Graves Was Well Informed About SLFPA-E’s Lawsuit

- **April 2, 2013** – Mr. Doody relayed the SLFPA-E’s intention to proceed with the suit to Jerome Zeringue, Mr. Graves’s deputy.
- **July 12, 2013** – Mr. Doody discussed the suit directly with Mr. Graves yet again.
- **July 17, 2013** – Mr. Graves was advised of the suit at the CPRA Board meeting, a week before the suit was filed.
- **July 20, 2013** – Mr. Barry e-mailed Mr. Graves confirming the SLFPA-E’s intention to file the suit that following Wednesday, July 24, 2013.
2. Disputing SLFPA-E’s Authority

“. . . Louisiana law provides a process for filing lawsuits, hiring outside counsel and for making significant decisions such as filing a lawsuit against 100 companies. Louisiana law and our constitution organize government and place certain responsibilities with accountable entities. However, SLFPA-E’s recent decision violates those principles.”

-Garret Graves, Letter to SLFPA-E Board President Tim Doody, July 26, 2013.
Setting the Record Straight

“The board may sue and be sued under the style of Board of Commissioners for the respective district.”


SLFPA-E’s Mission:

“[T]he protection of the entire territory of the authority from overflow.”

CPRA’s Attorney Disagrees with Mr. Graves

“The attorney general or his designee shall be the legal advisor to the [CPRA] board, shall counsel and advise the board, and shall represent the board in all legal proceedings.”


“SLFPA and its levee districts often exercise the constitutional and legal rights the Legislature gave them to hire special counsel . . . . When SLFPA decided to sue 97 separate oil and gas companies, they abided by the law.”

3. Distorting the Contract

“. . . I don’t think that there’s anything that would prevent this contract from being inherited by the great, great, great, great, great grandchildren of the attorneys that are working on it now and in the future suing against recreational fisherman 200 years from now.”

“. . . you are now indentured servants . . . .”

3. Distorting the Contract

“. . . you could have an accumulating value every time there’s a storm, every time there’s a bird born, every time there’s a fish that’s hatched.”

“So today it’s oil and gas, tomorrow you could go after historic timber – Cypress and Tupelo logging operations that happen in the Maurepas swamp or other areas but the scars are still there today. The next day you could go after shippers who are creating wave energy in the coastal area which contributes to erosion.”

-Garret Graves, presentation to SLFPA-E, Nov. 21, 2013.
Setting the Record Straight

January 7, 2014

Via Email - rrelacour256@gmail.com
Mr. Robert T. Lacour
3220 Williams Blvd., Suite B
Kenner, LA 70065-4593

Via Email - doody@chaffecom
Mr. Timothy P. Doody
Chaffe McCall, L.L.P.
2300 Energy Center
1100 Poydras Street
New Orleans, LA 70163-2300


Gentlemen:

Over the last several weeks, there has been some misapprehension and confusion about the terms of the Contingency Fee Agreement and Authority to Represent between our firm and the Southeast Louisiana Flood Protection Authority - East ("SLFPA-E") executed on July 17, 2013 ("Agreement"). We have addressed these concerns directly with you and the SLFPA-E's Board of Commissioners. We write today to memorialize those discussions clarifying our interpretation of the Agreement in the below particulars and with the further intent of this letter being offered into the minutes at the SLFPA-E's next board meeting should the Board wish to do so. Importantly, all terms contained in the Agreement shall remain in full force and effect except those that specifically are interpreted by this letter.

First, we have agreed that the attorneys will not pursue entities in the above-captioned action that are involved in any industry other than the oil, gas and pipeline industries without the SLFPA-E's prior approval expressed by means in compliance with the SLFPA-E's Bylaws and the Louisiana Rules of Professional Conduct.

Second, we hereby unilaterally waive the provision in the Agreement providing for a fee payable by the SLFPA-E on a benefit resulting from the above-captioned action that does not involve the payment of cash or a cash equivalent to the SLFPA-E or for the SLFPA-E's benefit. Accordingly, for example, if there is a settlement or judgment that compels a defendant
“We have agreed that we will not pursue entities . . . in any industry other than the oil, gas, and pipeline industries without the SLFPA-E’s prior approval . . . .”
“... if there is a settlement or judgment that compels a defendant to undertake restoration and/or remediation efforts, the SLFPA-E shall not be responsible for paying any attorneys fees in connection with that restoration and/or remediation...”
Setting the Record Straight

“We have agreed that we will not pursue entities... in any industry other than the oil, gas, and pipeline industries without the SLFPA-E’s prior approval... .

If there is a settlement or judgment that compels a defendant to undertake restoration and/or remediation efforts, the SLFPA-E shall not be responsible for paying any attorneys fees in connection with that restoration and/or remediation...

The fee payable by the SLFPA-E would be calculated on the amount of [any cash or cash-equivalent] payment, not on the value of the restoration or remediation the defendant was ordered to make... .

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"We have agreed that we will not pursue entities . . . in any industry other than the oil, gas, and pipeline industries without the SLFPA-E's prior approval . . . ."

". . . if there is a settlement or judgment that compels a defendant to undertake restoration and/or remediation efforts, the SLFPA-E shall not be responsible for paying any attorneys fees in connection with that restoration and/or remediation . . . ."

". . . the fee payable by the SLFPA-E would be calculated on the amount of any cash or cash-equivalent payment, not on the value of the restoration or remediation the defendant was ordered to make . . . ."

"SLFPA-E shall have the right to terminate the attorneys for cause . . . ."
4. Interference with BP Lawsuit?

“. . . BP is going to pick up your allegations and they are going to argue, wait a minute, you can’t hold us accountable for this. You are on the state board over there saying that all this was a result of the oil and gas activity. They are going to use your science and your arguments to diminish our case, so you are doing work for BP right now. That’s what’s happening.”

Studies Conclude that Oil & Gas Activities Contributed to Coastal Loss

L. St. Amant, 1971
US Bureau of Land Management, 1972
US Army Corps of Engineers (S.M. Gagliano), 1973
US Army Corps of Engineers, 1973
US Environmental Protection Agency, 1976
D.W. Davis, 1976
N.J. Craig et al., 1979
National Oceanic and Atmospheric Administration, 1980
Fruge, 1981
Johnson & Gosselink, 1982
US Fish and Wildlife Service, 1983
R.E. Turner et al., 1984
**Louisiana Mid-Continent Oil and Gas Association, 1985**
Minerals Management Service, 1985
LSU Center for Wetland Resources, 1985
Louisiana Geological Survey, 1987
Mineral Management Service, 1987
US Fish and Wildlife Service, 1987
**American Petroleum Institute, 1988**
LA Dept of Natural Resources/US Fish and Wildlife Service, 1988
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Penland et al., 1990
Louisiana Geological Survey, 1991
US Environmental Protection Agency, 1992
US Department of the Interior, 1994
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US Environmental Protection Agency, 1997
US Geological Survey, 2004
US Army Corps of Engineers, 2004
Louisiana Sea Grant, 2008
LACPR, USACE, 2009
Minerals Management Service, 2009
Gulf Coast Ecosystem Restoration Task Force, 2011
5. Federal Plan for MRGO Is Not a Cure-All

“So here you are filing a lawsuit I'm concerned that is then trying to apportion blame to the energy industry for an area that Congress says and federal law says is the responsibility of the Corps of Engineers. It’s their job to do this.”

MRGO Plan Is Not a Cure-All

*$3 billion not appropriated
ARMY CORPS: LEVEES TOO COSTLY FOR VERMILION PARISH

Sat, 2014-01-11 11:58 Shaun Hearen

Close to 120 people learned the federal government will not be building a protection levee for three parishes along the Louisiana coastline.
The reason? Cost.
The Army Corps of Engineers held a special meeting to take public comments from parish residents on a recently released Southwest Coastal Louisiana Draft Integrated Feasibility Report.
For the last two years the Corps has been trying to figure out a way to stop future storm surges and erosion along the coast of Vermilion, Cameron and Calcasieu parishes.
The Corps came up with different ways to stop future storm surges and tried its best to put a price tag on it.
The Corps looked at building small levees throughout Vermilion Parish and also one large levee along the Intracoastal Canal from Delcambre to the Texas boarder. It would be 122 miles of 12-foot high dirt levee along the Intracoastal Canal.
Andy Macinnes, the plan formulator for the Corps, spoke to the residents about why it was not a financially good idea to build a levee along the Intracoastal Canal.
Macinnes said the construction and maintaining the levee would cost $3.8 billion. During the two-year study, the Corps figured out the levee would be protecting $1.8 billion worth of structures and value of land. Because there is a $2 billion difference, Macinnes said to build a levee along the Intracoastal Canal is not financially feasible. He said the U.S. Congress would not fund the project because of the cost.
6. Misinformation About Effects on Louisiana’s Economy

“Folks have indicated – and I don’t want to oversell this – a portion of the Shell decision was related to increased costs associated with litigation here.”

Setting the Record Straight

“Royal Dutch Shell Plc (RDSA), Europe’s biggest oil company, halted plans to build a $20 billion gas-to-liquids plant in Louisiana, citing the potential cost and uncertainty about future crude and natural gas prices.”

LOUISIANA'S RECORD-BREAKING YEAR
2013 marks Louisiana's best year for economic development in six years, with projects that will result in 27,000 new jobs and $26.4 billion in new capital investment.

#1
LED FASTSTART® WORKFORCE TRAINING PROGRAM
- Business Facilities magazine

TOPS
2013 CO-STATE OF THE YEAR
- Southern Business & Development magazine

1st
IN ETHICS DISCLOSURE LAWS
- The Center for Public Integrity

LOUISIANA STATS
Get the facts on why more and more businesses are choosing Louisiana.
SEE ALL RANKINGS
“2013 marks Louisiana’s best year for economic development in six years, with projects that will result in 27,000 new jobs and $26.4 billion in new capital investment.”
III. SLFPA-E’s Lawsuit Will Provide Funding and Hold Oil & Gas Accountable.
“The master plan is based on a total budget of approximately $50 billion.”
$50 Billion Will Not Stop Land Loss

**Figures 5.11**
Change to the total land in the coastal study area over time for the master plan compared to Future Without Action under the moderate scenario.
$50 Billion Will Not Stop Land Loss

Potential Land Area Change Over Next 50 Years
Less Optimistic Scenario

Figures 5.12
Change to the total land in the coastal study area over time for the master plan compared to Future Without Action under the less optimistic scenario.
“Although our funding analysis showed that Louisiana could receive anywhere between $20 and $50 billion over the next 50 years for coastal protection and restoration, we used the top end of this range to constrain our selection of projects. We did this because we found that the lower end of the funding range did not provide the resources needed to significantly reduce coastal land loss, nor did it adequately reduce storm surge risk.”
$100 Billion Could Build Land

“[A]dditional funds would increase our ability to protect at risk communities and build coastal land. For example, by 2061 a budget of $100 billion would allow us to achieve a net gain of land . . . .”
The Master Plan is Not Funded

“Do we have our eyes on all $50 billion that our master plan needs right now, no.”

-Garret Graves, Interview with Garland Robinette, WWL, Nov. 19, 2013.
Table 4-1: Projected Three-Year Revenues (FY 2015 - FY 2017)

<table>
<thead>
<tr>
<th>Revenue Sources</th>
<th>FY 2015</th>
<th>FY 2016</th>
<th>FY 2017</th>
<th>Program Total (FY 2015 - FY 2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPR Trust Fund Annual Revenue¹</td>
<td>$33,131,175</td>
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<td>$33,100,000</td>
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<td>CPR Trust Fund Carried Forward</td>
<td>$9,930,000</td>
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<td>GOMESA¹</td>
<td>$80,775</td>
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<td>DOTD Interagency Transfer¹</td>
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<td>CIAP</td>
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<td>Surplus '07, '08, '09</td>
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<td>Community Development Block Grants</td>
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<td>Other Oil Spill Related Revenues</td>
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<td>LDNR Mitigation Funds³</td>
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<td>Iberia Parish IGA³</td>
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<td>MOEX Settlement³</td>
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<td>OCD-DRU Grant⁴</td>
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<td>Berm to Barrier⁷</td>
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<td>$134,028</td>
<td>$81,719</td>
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<td>FEMA Reimbursement for OM&amp;M</td>
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<td>Project Generated - Adaptive Management</td>
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<td>Project Billing</td>
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<td>Capital Outlay Request Submitted for GNO-HSDRRS 30-Year Payback</td>
<td>$0</td>
<td>$73,277,135</td>
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<td><strong>Total Projected Revenue</strong></td>
<td><strong>$668,192,434</strong></td>
<td><strong>$509,635,892</strong></td>
<td><strong>$451,128,096</strong></td>
<td><strong>$1,628,956,422</strong></td>
</tr>
</tbody>
</table>

Notes

1. Annually recurring revenue source.
2. NRDA funds have not been procured; projections represent possible FY 2015 - FY 2017 expenditures if funding is procured by June 30, 2014. NRDA project schedules are currently under development and may be refined at a later date; funds will be distributed according to final project schedules.
3. Used to partially fund ME-25 SF.
4. Used to partially fund TV-57.
5. Represents anticipated balance as of FY 2015 of an initial deposit of $6.75 million of funds from the MOEX settlement.
6. Used to fund Coastal Community Resiliency Program.
7. Used to fund monitoring of constructed Berm to Barrier projects.
<table>
<thead>
<tr>
<th>Revenue Sources</th>
<th>FY 2015</th>
<th>FY 2016</th>
<th>FY 2017</th>
<th>Program Total (FY 2015 - FY 2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPR Trust Fund Annual Revenue¹</td>
<td>$33,131,175</td>
<td>$33,100,000</td>
<td>$33,100,000</td>
<td>$99,331,175</td>
</tr>
<tr>
<td>CPR Trust Fund Carried Forward</td>
<td>$9,930,000</td>
<td>$0</td>
<td>$0</td>
<td>$9,930,000</td>
</tr>
<tr>
<td>GOMESA¹</td>
<td>$80,775</td>
<td>$80,775</td>
<td>TBD</td>
<td>$161,550</td>
</tr>
<tr>
<td>DOTD Interagency Transfer¹</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
<td>$12,000,000</td>
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<tr>
<td>CIAP</td>
<td>$53,031,062</td>
<td>$17,171,117</td>
<td>$4,738,245</td>
<td>$74,940,424</td>
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<tr>
<td>Surplus '07, '08, '09</td>
<td>$277,541,453</td>
<td>$320,045,926</td>
<td>$379,454</td>
<td>$309,966,833</td>
</tr>
<tr>
<td>Community Development Block Grants</td>
<td>$6,573,255</td>
<td>$0</td>
<td>$0</td>
<td>$6,573,255</td>
</tr>
<tr>
<td>LOSCO</td>
<td>$911,320</td>
<td>$0</td>
<td>$0</td>
<td>$911,320</td>
</tr>
<tr>
<td>NRDA²</td>
<td>$74,021,390</td>
<td>$90,440,982</td>
<td>$61,807,599</td>
<td>$226,269,971</td>
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<tr>
<td>Other Oil Spill Related Revenues</td>
<td>$157,986,251</td>
<td>$217,979,401</td>
<td>$233,124,070</td>
<td>$609,089,721</td>
</tr>
<tr>
<td>LDNR Mitigation Funds⁵</td>
<td>$1,700,000</td>
<td>$0</td>
<td>$0</td>
<td>$1,700,000</td>
</tr>
<tr>
<td>Iberia Parish IGA⁴</td>
<td>$300,000</td>
<td>$0</td>
<td>$0</td>
<td>$300,000</td>
</tr>
<tr>
<td>MOEX Settlement⁵</td>
<td>$6,259,059</td>
<td>$0</td>
<td>$0</td>
<td>$6,259,059</td>
</tr>
<tr>
<td>OCD-DRU Grant⁴</td>
<td>$575,000</td>
<td>$0</td>
<td>$0</td>
<td>$575,000</td>
</tr>
<tr>
<td>Berm to Barrier⁷</td>
<td>$161,462</td>
<td>$134,028</td>
<td>$81,719</td>
<td>$377,209</td>
</tr>
<tr>
<td>FEMA Reimbursement for OM&amp;M</td>
<td>$5,264,655</td>
<td>$0</td>
<td>$0</td>
<td>$5,264,655</td>
</tr>
<tr>
<td>Project Generated - Adaptive Management</td>
<td>$18,225,576</td>
<td>$22,906,529</td>
<td>$22,119,875</td>
<td>$63,251,980</td>
</tr>
<tr>
<td>Project Billing</td>
<td>$18,500,000</td>
<td>$18,500,000</td>
<td>$18,500,000</td>
<td>$55,500,000</td>
</tr>
<tr>
<td>Capital Outlay Request Submitted for GNO-HSDRRS 30-Year Payback</td>
<td>$0</td>
<td>$73,277,135</td>
<td>$73,277,135</td>
<td>$146,554,270</td>
</tr>
<tr>
<td><strong>Total Projected Revenue</strong></td>
<td><strong>$668,192,434</strong></td>
<td><strong>$509,635,892</strong></td>
<td><strong>$451,128,096</strong></td>
<td><strong>$1,628,956,422</strong></td>
</tr>
</tbody>
</table>

**Notes**

1. Annually recurring revenue source.
2. NRDA funds have not been procured; projections represent possible FY 2015 - FY 2017 expenditures if funding is procured by June 30, 2014.
3. NRDA project schedules are currently under development and may be refined at a later date; funds will be distributed according to final project schedules.
4. Used to partially fund ME-25 SF.
5. Represents anticipated balance as of FY 2015 of an initial deposit of $6.75 million of funds from the MOEX settlement.
6. Used to fund Coastal Community Resiliency Program.
7. Used to fund monitoring of constructed Berm to Barrier projects.
Funding Realities

• $50 billion – minimal plan, which does not arrest land loss.
Funding Realities

SOME FUNDS ARE NON-RECURRING

• CIAP and State Surplus: revenues of $385 million out of $1.6 billion for FY 2015-2017.
• BP spill-related revenues: $835 million.
• CIAP + surplus + BP = $1.2 billion.
Funding Realities

GOMESA WILL NOT FULLY FUND THE MASTER PLAN

• GOMESA will generate $110 million/year, according to 2012 Master Plan. Other estimates range from $100 million - $200 million.
Funding Realities

COST-SHARING ADDS EXPENSE

- Cost-sharing on levee repairs adds a $73 million annual expense starting in 2016.
Funding Realities

BP SUIT CANNOT BRIDGE THE GAP

- The gap of $48 billion - $98 billion is not going to be funded by the BP litigation/RESTORE Act.
Proposed Master Plan Projects in Southeast Louisiana
Projects in Southeast Louisiana

1st Implementation Period (2012-2031)

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Project Name</th>
<th>Project Costs</th>
<th>Project No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrier Island Stabilization</td>
<td>Raccoon Point to East Point barrier island construction: Restoration of existing bay barrier islands located between Matagorda Pass and the bay front north of Matagorda Island ...</td>
<td>$515M</td>
<td>BI23E4018</td>
</tr>
<tr>
<td></td>
<td>B facto Point to East Point barrier island construction: Construction of barrier islands located between Matagorda Pass and the bay front north of Matagorda Island ...</td>
<td>$515M</td>
<td>BI23E4019</td>
</tr>
<tr>
<td>Channel Management</td>
<td>Lower Barataria Diversion (SB3600.000) - Sediment diversion into lower Barataria Sound in the vicinity of Barataria Bay to build and maintain land, 14,000,000 cubic yards capacity, included at $100,000,000 (SB3600.000), at $100,000,000 (SB3600.000) for ...</td>
<td>$670M</td>
<td>BI23E4021</td>
</tr>
<tr>
<td></td>
<td>Upper Barataria Diversion (SB3500.000) - Sediment diversion into upper Barataria Sound in the vicinity of Pointe A la Hache to build and maintain land, 14,000,000 cubic yards capacity, included at $100,000,000 (SB3500.000), at $100,000,000 (SB3500.000) for ...</td>
<td>$660M</td>
<td>BI23E4022</td>
</tr>
<tr>
<td></td>
<td>Central Mississippi River diversion (5,000,000 cubic yards) for sediment diversion to build and maintain land in the vicinity of Vacherie, 5,000,000 cubic yards capacity at $5,000,000 (SB3500.000), at $5,000,000 (SB3500.000) for ...</td>
<td>$660M</td>
<td>BI23E4023</td>
</tr>
<tr>
<td>Sediment Diversion</td>
<td>Lower Barataria Diversion (SB3500.000) - Sediment diversion into lower Barataria Sound in the vicinity of Pointe A la Hache to build and maintain land, 14,000,000 cubic yards capacity, included at $100,000,000 (SB3500.000), at $100,000,000 (SB3500.000) for ...</td>
<td>$660M</td>
<td>BI23E4024</td>
</tr>
<tr>
<td></td>
<td>Upper Barataria Diversion (SB3600.000) - Sediment diversion into upper Barataria Sound in the vicinity of Barataria Bay to build and maintain land, 14,000,000 cubic yards capacity, included at $100,000,000 (SB3600.000), at $100,000,000 (SB3600.000) for ...</td>
<td>$660M</td>
<td>BI23E4025</td>
</tr>
<tr>
<td>Hydrologic Restorations</td>
<td>Atchafalaya River Diversion Canal - Hydrologic restorations in the lower Atchafalaya River to restore wetland ecosystems ...</td>
<td>$660M</td>
<td>BI23E4026</td>
</tr>
</tbody>
</table>

Louisiana Comprehensive Master Plan for a Sustainable Coast

132
Projects in Southeast Louisiana

## Southeast Coast

### 1st Implementation Period (2012-2031)

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Project Name</th>
<th>Project Costs</th>
<th>Project No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrier System</td>
<td>Barataria Preserve: Sand Ridge Bank and Barrier Restoration of Barataria Bay Barrier Island to provide diverse and flood-tolerant marsh habitat and to provide the marsh as a buffer against storm surges and wave attenuation for the Barataria Basin.</td>
<td>$112M</td>
<td>B22AS/04</td>
</tr>
<tr>
<td>Barrier System</td>
<td>Upper Breton Diversion (250,000 cfs): Sediment diversion into upper Breton Sound in the vicinity of Braithwaite to build and maintain land, 250,000 cfs capacity (modeled at 250,000 cfs when Mississippi River flow exceeds 900,000 cfs, at 50,000 cfs for river flows between 600,000-900,000 cfs, at 8% of river flows between 200,000-600,000 cfs, and no operation when river flow is below 200,000 cfs).</td>
<td>$885M</td>
<td></td>
</tr>
<tr>
<td>Barrier System</td>
<td>Central Wetlands Diversion (5,000 cfs): Sediment diversion into Central Wetlands in the vicinity of Violet to provide sediment for emergent marsh creation and nutrients to sustain existing wetlands, 5,000 cfs capacity (modeled at 5,000 cfs when Mississippi River flow exceeds 200,000 cfs and no operation for river flows below 200,000 cfs).</td>
<td>$189M</td>
<td></td>
</tr>
<tr>
<td>Barrier System</td>
<td>Mid-Breton Diversion (5,000 cfs): Sediment diversion into mid-Breton Sound in the vicinity of White Ditch to build and maintain land, 5,000 cfs capacity (modeled at 5,000 cfs for river flows above 200,000 cfs and no operation below 200,000 cfs).</td>
<td>$123M</td>
<td></td>
</tr>
</tbody>
</table>

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**Upper Breton Diversion (250,000 cfs):** Sediment diversion into upper Breton Sound in the vicinity of Braithwaite to build and maintain land, 250,000 cfs capacity (modeled at 250,000 cfs when Mississippi River flow exceeds 900,000 cfs, at 50,000 cfs for river flows between 600,000-900,000 cfs, at 8% of river flows between 200,000-600,000 cfs, and no operation when river flow is below 200,000 cfs).

**Central Wetlands Diversion (5,000 cfs):** Sediment diversion into Central Wetlands in the vicinity of Violet to provide sediment for emergent marsh creation and nutrients to sustain existing wetlands, 5,000 cfs capacity (modeled at 5,000 cfs when Mississippi River flow exceeds 200,000 cfs and no operation for river flows below 200,000 cfs).

**Mid-Breton Diversion (5,000 cfs):** Sediment diversion into mid-Breton Sound in the vicinity of White Ditch to build and maintain land, 5,000 cfs capacity (modeled at 5,000 cfs for river flows above 200,000 cfs and no operation below 200,000 cfs).
## Projects in Southeast Louisiana

Projects are organized by implementation period and project type. See Appendix A for additional information.

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Project Name</th>
<th>Project Costs</th>
<th>Project No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marsh Creation</td>
<td>South Bay Marsh Protection and Restoration Project - Creation of marsh along the north shore of Lake Borgne to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$80M</td>
<td>001.C001</td>
</tr>
<tr>
<td></td>
<td>Hiberna Marsh - Creation of approximately 550 acres of marsh in the vicinity of Hiberna to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$14M</td>
<td>001.RC02</td>
</tr>
<tr>
<td></td>
<td>Reservefram marsh - Creation of approximately 5,000 acres of marsh along the north shore of Lake Borgne to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$15M</td>
<td>001.RC03</td>
</tr>
<tr>
<td></td>
<td>Lake Borgne Marsh Creation Project - Creation of approximately 2,000 acres of marsh along the south shore of Lake Borgne to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$50M</td>
<td>002.MC07</td>
</tr>
<tr>
<td></td>
<td>Central wetland marsh Creation and Restoration - Creation of approximately 50 acres of marsh along the south shore of Lake Borgne to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$20M</td>
<td>002.RC08</td>
</tr>
<tr>
<td></td>
<td>Golden Triangle marsh Creation and Restoration - Creation of approximately 2,000 acres of marsh in the Golden Triangle area to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$25M</td>
<td>001.RC13</td>
</tr>
<tr>
<td></td>
<td>Barataria marsh Restoration - Creation of approximately 640 acres of marsh along the north shore of Lake Borgne to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$45M</td>
<td>002.MC06</td>
</tr>
<tr>
<td></td>
<td>Grand Island marsh Restoration - Creation of approximately 300 acres of marsh along the north shore of Lake Borgne to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$35M</td>
<td>002.RC01</td>
</tr>
<tr>
<td></td>
<td>Biloxi Island marsh Creation of approximately 11,000 feet of oyster barrier to protect coastal wetland and reduce wave erosion.</td>
<td>$80M</td>
<td>001.C001</td>
</tr>
<tr>
<td></td>
<td>Bayou LaBatre marsh - Creation of approximately 400 feet of barrier along the north shore of Lake Borgne to provide coastal wetland, reduce wave erosion.</td>
<td>$41M</td>
<td>001.RC01</td>
</tr>
<tr>
<td></td>
<td>Bayou LaBatre marsh - Creation of approximately 400 feet of barrier along the north shore of Lake Borgne to provide coastal wetland, reduce wave erosion.</td>
<td>$41M</td>
<td>001.RC01</td>
</tr>
<tr>
<td></td>
<td>Spanish Pass marsh - Restoration of approximately 1,000 feet of coastal barrier along the north shore of Lake Borgne to provide coastal wetland, reduce wave erosion.</td>
<td>$54M</td>
<td>002.RC02</td>
</tr>
</tbody>
</table>
# Projects in Southeast Louisiana

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost (in Millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Lake Lery Marsh Creation: Creation of approximately 450 acres of marsh along the south shore of Lake Lery to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$36M</td>
</tr>
<tr>
<td>Hopedale Marsh Creation: Creation of approximately 550 acres of marsh in northern Breton Sound in the vicinity of Hopedale to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$147M</td>
</tr>
<tr>
<td>New Orleans East Landbridge Restoration (1st Period Increment): Creation of approximately 8,510 acres of marsh in the New Orleans East Landbridge to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$473M</td>
</tr>
<tr>
<td>Lake Borgne Marsh Creation-Component A: Creation of approximately 2,230 acres of marsh along the south shoreline of Lake Borgne near Proctors Point to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$620M</td>
</tr>
<tr>
<td>Central Wetlands Marsh Creation-Component A: Creation of approximately 2,010 acres of marsh in Central Wetlands near Bayou Bienvenue to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$234M</td>
</tr>
<tr>
<td>Golden Triangle Marsh Creation: Creation of approximately 2,440 acres of marsh in the Golden Triangle area to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$293M</td>
</tr>
<tr>
<td>Biloxi Marsh Oyster Reef: Creation of approximately 113,000 feet of oyster barrier reef along the eastern shore of Biloxi Marsh to provide oyster habitat, reduce wave erosion, and prevent further marsh degradation.</td>
<td>$83M</td>
</tr>
<tr>
<td>Bayou LaLoutre Ridge Restoration: Restoration of approximately 117,000 feet (270 acres) of historic ridge along Bayou LaLoutre to provide coastal upland habitat, restore natural hydrology, and provide wave and storm surge attenuation.</td>
<td>$61M</td>
</tr>
</tbody>
</table>
## Projects in Southeast Louisiana

### 2nd Implementation Period (2032-2061)

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Project Name</th>
<th>Project Cost</th>
<th>Project No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sediment Division</td>
<td>Mid Rattlesnake (292,000 cfs) and select new sediment placement into mid-rattlesnake in the vicinity of Myrtle divorced to build and maintain levee.</td>
<td>$0.07BM</td>
<td>0601.M02c</td>
</tr>
<tr>
<td></td>
<td>This project represents the incremental expansion of the 225,000 cfs diversion (2027-2032) to mid-rattlesnake (constructed in the 1st implementation period) for a total capacity of 250,000 cfs (divided at 250,000 cfs when Mississippi River flow exceeds 600,000 cfs) at 50,000 cfs for minor flows between 200,000 and 600,000 cfs atMid-main branch between 200,000 and 600,000 cfs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>New Orleans East Levee &amp; Navigation (2nd Period increment). Creation of approximately 3,327 acres of marsh in the New Orleans East Levee to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$1.06BM</td>
<td>0601.A2.06c</td>
</tr>
<tr>
<td>Marsh Creation</td>
<td>Large-Scale Levee &amp; Marsh Creation. Creation of approximately 5,755 acres of marsh in the barrier islands between the Mississippi River and the Gulf of Mexico to create new wetland habitat, remove degraded marsh, and reduce wave erosion.</td>
<td>$1.08BM</td>
<td>0601.A2.08c</td>
</tr>
<tr>
<td></td>
<td>Restoration of approximately 2,000 acres of marsh along both branches of Mississippi River to create new wetland habitat, restore degraded marsh, and reduce wave erosion.</td>
<td>$0.76BM</td>
<td>0601.A2.07c</td>
</tr>
<tr>
<td>Structural Protection</td>
<td>Greater New Orleans High Levee. Construction of a levee to an elevation of 15-30 feet around the Greater New Orleans area from design for flood protection and storm surge reduction. Project features include approximately 200,000 feet of earth embankment, 16,000 feet of concrete wall, 4,000 feet of sea wall, 2,500 feet of steel and concrete wall, 50-foot steel gates, one 150-foot barge gate, and two 220-foot barge gates.</td>
<td>$1.07BM</td>
<td>0601.A2.04c</td>
</tr>
</tbody>
</table>

Louisiana’s Comprehensive Master Plan for a Sustainable Coast
# Projects in Southeast Louisiana

## 2nd Implementation Period (2032-2061)

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Project Name</th>
<th>Project Costs</th>
<th>Project No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sediment Restoration</td>
<td>Mid-Barataria Restoration (200,000 cfs) and modest increases in water diversion into Mid-Barataria to increase water evaporation to help maintain land, zerozos, and wetland capacity. This project represents the incremental expansion of the 70,000 cfs diversion (922-25) to mid-Barataria (no cost is included in the 1st implementation period for a total capacity of 250,000 cfs modeled at 200,000)</td>
<td>$220M</td>
<td>021-3031</td>
</tr>
</tbody>
</table>

### New Orleans East Landbridge Restoration (2nd Period Increment): Creation of approximately 8,510 acres of marsh in the New Orleans East Landbridge to create new wetland habitat, restore degraded marsh, and reduce wave erosion.  

### Biloxi Marsh Creation: Creation of approximately 33,280 acres in the western portion of marsh in Biloxi Marsh from Oyster Bay to Drum Bay to create new wetland habitat, restore degraded marsh, and reduce wave erosion.  

<table>
<thead>
<tr>
<th>Structural</th>
<th>Protection</th>
<th>Cost</th>
<th>Project No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Pass Island</td>
<td>Approximately 20,000 linear feet of levee, 16,000 line of concrete wall, new erosion control structure, new c. levee, new 50-foot reef gates, new 11-foot barge gates, and new 220-foot barge gates</td>
<td>$1,076M</td>
<td>601-4904</td>
</tr>
</tbody>
</table>
Public Opinion Poll - Who Should Pay for Restoring the Wetlands Where Oil & Gas Companies Drilled?

Pursuing Our Options

“I think we should seek justice everywhere we can find it,” [Sen. Mary] Landrieu said. “In Baton Rouge, in Washington and in the courts, we must continue to try and keep our people above water and keep our communities from drowning.”

·Bruce Alpert, Sen. Landrieu: Louisiana should fight ‘everywhere,’ including courts, to stop wetlands loss, nola.com, July 24, 2013.
The Goals

1. Get oil and gas industry to acknowledge its responsibility.
2. Convene a discussion with all interested parties.
3. Develop a fair solution.
What CPRA Should Do

1. Cease efforts to protect oil and gas industry.
2. Support formation of a task force to address industry responsibility.
3. Seek funding from all sources, not just taxpayers.
4. Support aggressive enforcement of permits and regulations.