

April 26, 2018 House Natural Resources

Subcommittee on Energy and Mineral Resources

Testimony of John M. Barry

[REDACTED]

[REDACTED]

[REDACTED]

I APPRECIATE THE OPPORTUNITY TO TESTIFY. MY NAME IS JOHN BARRY. AFTER KATRINA THE STATE'S CONGRESSIONAL DELEGATION ASKED ME TO CHAIR A BIPARTISAN WORKING GROUP ON FLOOD PROTECTION, AND SUBSEQUENTLY I SERVED FOR 6 YEARS ON THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY EAST AND THE STATE'S COASTAL PROTECTION AND RESTORATION AUTHORITY. I'M ALSO THE ONLY NON-SCIENTIST EVER TO GIVE THE NATIONAL ACADEMY OF SCIENCES ABEL WOLMAN LECTURE, WHICH HONORS CONTRIBUTIONS TO WATER-RELATED KNOWLEDGE.

I CONSIDER GOMESA BOTH ABSOLUTELY ESSENTIAL AND ABSOLUTELY JUSTIFIED. THE ENTIRE NATION HAS AN OBLIGATION TO HELP PRESERVE COASTAL LOUISIANA BECAUSE, FIRST, IT IS IN THE NATIONAL INTEREST AND, SECOND, BENEFITS ENJOYED BY THE REST OF THE NATION HAVE CONTRIBUTED SIGNIFICANTLY TO THE DESTRUCTION OF ROUGHLY 2,000 SQUARE MILES OF LOUISIANA'S COAST.

AS TO THE NATIONAL INTEREST, OTHER WITNESS HAVE SPOKEN TO THAT. AS TO TH SECOND POINT, LET ME GIVE YOU ONE EXAMPLE.

THE MISSISSIPPI RIVER USED TO DELIVER 400 MILLION TONS OF SEDIMENT A YEAR TO THE GULF, WHICH BOTH BUILT AND SUSTAINED LOUISIANA'S COAST.

RIVER MANAGEMENT BENEFITING OTHER REGIONS HAS DEPRIVED LOUISIANA OF HALF—200 MILLION TONS A YEAR—OF THIS RESOURCE.

JUST SIX DAMS ON THE MISSOURI RIVER PROVIDE TREMENDOUS BENEFITS IN FLOOD PROTECTION, NAVIGATION, IRRIGATION, HYDROELECTRIC POWER, AND RECREATION TO MONTANA, NORTH AND SOUTH DAKOTA, NEBRASKA, IOWA, KANSAS, AND MISSOURI.

BUT THOSE DAMS ALSO RETAIN 100 MILLION OF THE MISSING 200 MILLION TONS. LOUISIANA GETS MINIMAL BENEFITS FROM THIS BUT BEARS IMMENSE COSTS.

THAT'S JUST ONE OF MANY REASONS WHY GOMESA AND OTHER PROGRAMS ARE A JUSTIFIED, LEGITIMATE FEDERAL EXPENDITURE.

BUT THE DAMS WERE FEDERAL PROJECTS WITH UNKNOWN, UNINTENDED CONSEQUENCES.

THERE IS ANOTHER MAJOR FACTOR IN LOUISIANA'S LAND LOSS, AND IT'S ONE WHERE PRIVATE COMPANIES HAVE PROFITED WHILE IMPOSING PUBLIC COSTS— KNOWN COSTS AND CONSEQUENCES FOR WHICH THOSE COMPANIES ACCEPTED RESPONSIBILITIES THEY HAVE FAILED TO MEET.

36 SCIENTIFIC STUDIES CONCLUDED THE OIL AND GAS INDUSTRY CAUSED GREAT DAMAGE TO THE COAST. NO STUDY EXONERATES THE INDUSTRY.

EVEN A STUDY BY THE AMERICAN PETROLEUM INSTITUTE CONCLUDED INDUSTRY CAUSED 34% OF LAND LOSS STATEWIDE.

NON- INDUSTRY SCIENTISTS HAVE SUGGESTED INDUSTRY CAUSED EVEN GREATER LOSS.

THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES FOUND THAT IN TERREBONE AND LAFOURCHE PARISHES, WHERE MY CO-PANELISTS LIVE, OIL AND GAS OPERATIONS CAUSED 76% OF THE LAND LOSS.

THE SHELL PROFESSOR OF WETLANDS STUDIES AT LSU BELIEVES OVER 80% OF LAND LOSS IS CAUSED BY INDUSTRY.

THIS INDUSTRY-CAUSED LAND LOSS WAS NOT SUPPOSED TO HAPPEN.

FOR EXAMPLE, PRE-1980 PERMITS INCLUDED LANGUAGE STIPULATING THAT CANAL DIMENSIONS SHOULD CONFORM ***"TO THE DRAWINGS ATTACHED HERETO."***

INDUSTRY VIOLATED THOSE PERMITS. CANALS WIDENED TO 3, 5, AND 10 TIMES THOSE DIMENSIONS, SOMETIMES CONVERTING VAST ACREAGE TO OPEN WATER.

SINCE 1980 INDUSTRY HAS BEEN REQUIRED TO "RESTORE TO THE PRE-EXISTING CONDITION" AREAS IT DAMAGED. INDUSTRY HAS VIOLATED THESE REQUIREMENTS.

RATHER THAN RESTORING LAND ITSELF, INDUSTRY HAS FORCED TAXPAYERS, YOUR CONSTITUENTS, TO PAY. FOR EXAMPLE, SO FAR CWPPRA, WHICH IS 85% FEDERAL, HAS SPENT \$700 MILLION ON RESTORATION. 84% OF THAT MONEY HAS BEEN SPENT REPAIRING DAMAGE DONE DIRECTLY BY OIL AND GAS OPERATIONS. TENS OF MILLIONS OF THOSE DOLLARS HAVE GONE TO FIX PROBLEMS OIL COMPANIES HAD AGREED TO ADDRESS "WITHIN 90 DAYS"-- BUT NEVER DID.

THE NATION'S TAXPAYERS SHOULD CONTRIBUTE TO PRESERVING LOUISIANA'S COAST.

SO SHOULD THE INDUSTRY RESPONSIBLE FOR, BY ITS OWN ACCOUNT, AT LEAST 34% OF THE LAND LOSS.

GOMESA ONLY DIVERTS INDUSTRY DOLLARS TO THE COAST. IT DOES NOT ASK INDUSTRY TO PAY A SINGLE ADDITIONAL DOLLAR TO REPAIR DAMAGE IT CAUSED.

THE REAL COST OF THE STATE'S MASTER PLAN EXCEEDS \$100 BILLION. BY THE MOST GENEROUS ACCOUNTING, THE STATE HAS LESS THAN \$15 BILLION IN FUTURE REVENUES.

THIS IS NOT A POLITICAL GAME. THIS IS LIFE AND DEATH. IT IS TIME FOR EVERYONE TO STEP UP AND ADDRESS THE PROBLEM-- TOGETHER.

THE NATION'S TAXPAYERS NEED TO PARTICIPATE BY EXPANDING GOMESA AND OTHER PROGRAMS.

LOUISIANA'S CITIZENS NEED TO PARTICIPATE, AS THEY ARE DOING, OFTEN TAXING THEMSELVES TO FUND PROTECTION.

AND THE INDUSTRY NEEDS TO FINALLY PARTICIPATE, NOT ONLY BECAUSE IT CAUSED LAND LOSS BUT BECAUSE COASTAL RESTORATION COULD PROTECT TENS OF BILLIONS OF DOLLARS OF ITS OWN

INFRASTRUCTURE AND PREVENT HUNDREDS OF MILES OF PIPELINES FROM BEING EXPOSED, RISKING RUPTURE AND BILLIONS IN FUTURE LIABILITIES.

CONGRESSMAN GRAVES AND I WORKED CLOSELY, AND I THINK SUCCESSFULLY, TOGETHER FOR SIX YEARS, THEN HAD A MAJOR DISAGREEMENT. BUT EVEN THAT DISAGREEMENT MAY HAVE BEEN MORE ABOUT TIMING THAN SUBSTANCE.

THE CONGRESSMAN HAS ON MANY OCCASIONS SAID HE IS NOT AN APOLOGIST FOR THE INDUSTRY, THAT THE INDUSTRY HAD LIABILITY. IN OPPOSING THE EFFORT I LAUNCHED TO MAKE THE INDUSTRY MEET ITS OBLIGATIONS, HE ALSO SAID YOU HAD TO "STRATEGIZE, PRIORITIZE, AND SEQUENCE."

THAT WAS 5 YEARS AGO. STRATEGIES AND PRIORITIES ARE IN PLACE. THE SEQUENCE NOW DEMANDS PARTICIPATION BY INDUSTRY.

THE INDUSTRY RECENTLY RECEIVED AN ENORMOUS BOON FROM YOU, IN THE TAX CUT. IT IS ALSO RECEIVING REGULATORY RELIEF, SAVING IT MORE MONEY.

IT IS NOW TIME THAT THE FEDERAL GOVERNMENT REQUIRE IT TO REPAIR NOT EVERYTHING, JUST THE PART OF THE PROBLEM IT CREATED, AND SHARE IN THE COSTS WITH TAXPAYERS.

THANK YOU.