



# The Coastal Connection

February 2011



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GOVERNMENT AFFAIRS CONSULTANTS

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## Stay in the Know

### House Subcommittee on Energy & Water Appropriations Chair:

Rep. Rodney Frelinghuysen (NJ)

**Ranking Democrat:** Rep. Pete Visclosky (IN)

### House Subcommittee on Water Resources & Environment Chair:

Rep. Bob Gibbs (OH)

**Ranking Democrat:** Rep. Tim Bishop (NY)

## Coastal Links

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[NOAA](#)

[Corps: Tales of the Coast](#)

[Coastal States.org](#)

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[National Hurricane Program](#)

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## Funding Water Resources & Infrastructure



"Funding infrastructure is a long-term investment, not quick-fix spending, that should lead to something durable, useful, and financially productive. Water infrastructure projects often involve complicated planning and construction efforts that span multiple years." These

words come from a Congressional Research Service report on water resources and infrastructure spending that came from the so-called Stimulus Bill of 2009 [[Water Infrastructure Funding in the American Recovery and Reinvestment Act of 2009](#); CRS; January 6, 2011]. In short, a one-shot approach to funding an Army Corps of Engineers' project or a new sewer line isn't the way to meet the country's needs. That doesn't necessarily mean that the Stimulus money was wasted, but CRS noted that neither the Administration nor Congress put any additional money into their regular appropriations bills for these needs. The report concludes with this observation: "Unclear for now is whether such actions will be applied to water infrastructure programs equally with others, or whether infrastructure investments will be perceived as supporting economic activity by increasing the capital stock and raising productivity and thus be protected from major reductions, or even be provided with greater federal resources."

## The President's Beach Budget Disappointment

Mayor Harry Simmons, president of the American Shore & Beach Preservation Association issued this statement: "We are disappointed to see the President, like others before him, miss a tremendous opportunity to use his budget request to invest in infrastructure protection initiatives along the coast."

"In recent weeks, the President has spoken of the need to invest in projects around the country that can show a true return on their investment. Coastal protection projects do just that. On average, for every dollar that is spent on

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**Coastal Legislation**

**H.R. 594: Coastal Jobs Creation Act of 2011**

Sponsor: Frank Pallone (D-NJ)  
Last Major Action: Feb. 18, 2011

To promote coastal jobs creation, promote sustainable fisheries and fishing communities, revitalize waterfronts, and for other purposes.

**Summary & Status**

**H.R. 501: Implementing the Recommendations of the BP Oil Spill Commission Act of 2011**

Sponsor: Edward Markey (D-MA)  
Last Major Action: Feb. 15, 2011

To provide for the implementation of the recommendations of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, and for other purposes.

**Summary & Status**

**H.R. 435: National Flood Insurance Program Termination Act of 2011**

Sponsor: Candice Miller (R-MI)  
Last Major Action: Feb. 14, 2011

To terminate the National Flood Insurance Program and related mandatory purchase and compliance requirements, and for other purposes.

**Summary & Status**

**H.R. 480: Gulf of Mexico Economic & Environmental Restoration Act of 2011**

Sponsor: Kathy Castor (D-FL)  
Last Major Action: Feb. 10, 2011

To establish programs to aid in the economic, environmental, and public health recovery of the Gulf States from the damage and harm caused by the blowout of the mobile offshore drilling unit Deepwater Horizon and the resulting degradation of the Gulf over time, and for other purposes.

**Summary & Status**

**H.R. 264: Northern California Ocean & Coastal Protection Act**

protecting our nation's coastline, the government saves seven in post-disaster assistance that would otherwise have to be given out by FEMA. When our beaches are full and protected, our businesses, roads, and utilities are protected, but when we allow our shores to erode, we put all of these resources at risk. All it takes in one storm and many of these resources can be washed away. The cost of repairing or replacing damaged infrastructure is often far greater than the costs of protecting it in the first place."

Please [follow this link to a chart](#) that compares the number of projects needing immediate assistance to those which received support in the President's FY12 budget and to learn more about protecting America's coasts.



**Beaches Dodge Broun Amendment**

On Friday, February 18, Amendment #246 to H.R. 1, offered by Rep. Paul Broun of Georgia, was soundly defeated by a bipartisan vote of 74 to 348 against the amendment's adoption. This amendment sought to prohibit the use of any money from the FY11 funding bill from being used for the Army Corps of Engineers' beach renourishment program and projects.

During debate, the following members spoke in favor of the amendment: Rep. Broun (R-GA) and Rep. Blumenauer (D-OR). They stated that the renourishment program was an improper "function for the Federal Government" and that its funding was unwise in today's economic climate.

Those who spoke against the amendment included: Rep. Frelinghuysen (R-NJ), Rep. Young (R-FL), Rep. Dicks (D-WA), Rep. Kingston (R-GA), and Rep. Pallone (D-NJ). While they commended the author for attempting to save the Federal Government money, each of these members felt that beach nourishment projects "provide States with protection from coastal storms", would save "assets, and billions and billions of dollars", create jobs, and, in the end, save the Federal Government money through decreasing the amount of money that FEMA and the National Flood Insurance Program must provide to areas hard hit by natural disasters.



**Boxer & Inhofe Solicit Requests**

Sponsor: Michael Thompson (D-CA)  
Last Major Action: Jan. 26, 2011

To permanently prohibit oil and gas leasing off the coast of Mendocino, Humboldt, and Del Norte Counties in the State of California, and for other purposes.

**Summary & Status**

**H.R. 258: Chesapeake Bay Accountability & Recovery Act of 2011**

Sponsor: Rob Wittman (R-VA)  
Last Major Action: Jan. 26, 2011

To require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes

**Summary & Status**

**H.R. 52: Oil Pollution Environmental Review Act**

Sponsor: Gerald Connolly (D-VA)  
Last Major Action: Jan. 26, 2011

To amend the Outer Continental Shelf Lands Act to require that treatment of the issuance of any exploration plans, development production plans, development operation coordination documents, and lease sales required under Federal law for offshore drilling activity on the outer Continental Shelf as a major Federal action significantly affecting the quality of the human environment for the purposes of the National Environmental Policy Act of 1969, and for other purposes.

**Summary & Status**

**H.R. 56: Gulf Coast Restoration Act**

Sponsor: Steve Scalise (R-LA)  
Last Major Action: Jan. 26, 2011

To provide for restoration of the coastal areas of the Gulf of Mexico affected by the Deepwater Horizon oil spill, and for other purposes.

**Summary & Status**

**S. 52: International Fisheries Stewardship & Enforcement Act**

Sponsor: Daniel Inouye (D-HI)

**for WRDA Projects**

According to an article published in *The Hill* newspaper on February 22, the debate over earmarks is far from finished.

Sens. Boxer and Inhofe have asked senators to submit requests for specific projects in the Water Resources Development Act (WRDA), a multiyear authorization bill, despite a pledge from President Obama to veto all legislation that includes earmarks.

Boxer, the chairwoman of the Environment and Public Works Committee, and Inhofe, ranking Republican on the panel, were careful not to include the word "earmark" in their letter to colleagues, sent Friday.

Instead, they ask colleagues to "provide the committee with specific project and programmatic requests you would like considered for inclusion in this bill," according to a copy obtained by *The Hill*.

The lawmakers, however, note the requests might have to be disclosed under the requirements of Senate Rule 44, which many senators believe defines earmarks.

Rule 44 requires disclosure of congressionally directed spending that recommends budget authority, credit authority or expenditure to an entity or specific state or locality.

But Inhofe argues that earmarks remain undefined.

**[Read more here](#)**



**GOP Works to Block Expanded Clean Water Act**

**Coverage by EPA**

The EPA has been working to update its draft guidance ([see full text here](#)) and has produced a document that will significantly increase regulators' ability to oversee wetlands and other marginal waters. The new guidance would not bring regulators' authority back to the level that it was at before two high court decisions on the issue, which also resulted in significant uncertainty regarding whether CWA permits are required to fill or discharge into bodies of water.



The new guidance would include under jurisdictional waters all traditional navigable and interstate waters, wetlands adjacent to those waters, seasonal tributaries to traditional

Last Major Action: Jan. 25, 2011

To establish uniform admin. and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

**Summary & Status**

navigable waters, and wetlands that abut relatively permanent waters. Other tributaries could also be brought under the jurisdiction of the CWA on a case-by-case basis using the "significant nexus" analysis that Justice Anthony Kennedy called for in the ruling of *Rapanos, et ux., et al. v. United States*.

The GOP's proposed Continuing Resolution, which is intended to fund the government for the remainder of FY11, bars the EPA from using any funding for the fiscal year to "implement, administer, or enforce a change to a rule or guidance document pertaining to the definition of waters under the jurisdiction of the" CWA. The CR also cuts \$3 billion from the EPA's budget and prevents it from implementing any stationary-source greenhouse gas regulations.

## National Ocean Council Announces

### Governance Coordinating Committee Members

The Obama Administration's National Ocean Council has announced the inaugural members of the Governance Coordinating Committee. The GCC will be a group of state, local, and tribal representatives that will serve as a key coordinating body on ocean policy issues.

Among the members are Brian Baird, Assistant Secretary for Ocean and Coastal Policy, California Natural Resources Agency; George Stafford, New York Deputy Secretary of State; and Kristin Jacobs, County Commissioner for Broward County, Florida.

To view the entire press release, [click here](#).

\*Additional members will be announced soon. For more information about the GCC and the National Ocean Policy, please [click here](#).

## Coastal Events

**Association of California Water Agencies** Conference: 2011 Washington, D.C. Conference

Dates: March 1 -3, 2011

Location: Washington Court Hotel, Washington, DC

[more info](#)

**American Shore & Beach Preservation Association**

Conference: Coastal Summit

Dates: March 1 - 3, 2011

Location: Ronald Regan Building and International Trade Center, Washington, DC

[more info](#)

**National Waterways Conference**

Dates: March 8 - 9, 2011

Location: Phoenix Park Hotel, Washington, DC

[more info](#)

**North Carolina Beach, Inlet & Waterway Association**

Conference: 2011 Coastal Local Governments Annual Meeting

Dates: March 28 - 29, 2011

Location: NC Aquarium, Pine Knoll Shores, NC

[more info](#)

**National Hurricane Conference**

Dates: April 18 - 22, 2011

Location: Hyatt Regency Atlanta

[more info](#)

## Marlowe & Company knows Water Resources...

### But we help clients secure federal funding in other areas too

Since 1984, we have successfully assisted local governments and non-profit organizations in securing federal funding for a variety of their needs. While many know us for our expertise in water resources, we also help communities pursue funding for transportation and infrastructure, economic development, law enforcement and emergency management, natural resource protection, and grant funding. We have helped our clients secure more than \$250 million in non-water related funding since 2005 with a return on investment of about 40 to 1. Earlier this month, *The Hill* newspaper called Marlowe & Company "one of the top appropriations lobby shops in Washington."

With the changing political climate in Washington, communities will need to engage specialist who not only understand the federal system, but also have experience representing their issues. We are local government specialists with relationships in Congress and the Administration. If your community is looking to secure federal funding, please let us know and we can discuss how we can be of assistance. You can reach us via email at [marlowe@marloweco.com](mailto:marlowe@marloweco.com) or by phone at (202) 775-1796 . In the meantime, please visit [Our Specialties section of our website](#) to learn more about how we have helped other communities like yours.

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