

**OPENING STATEMENT
SENATOR MARY LANDRIEU**

**WEDNESDAY, JUNE 27TH
FAST-Act Roundtable**

**Senate Homeland Security and Governmental Affairs Committee
2:30 PM
106 Dirksen Senate Office Building**

Senator Portman, Senator McCaskill, Chairman Johnson and Members of the Committee, thank you for inviting me to participate in this roundtable discussion today. As some of you may know, I am a Senior Policy Advisor to the Washington, D.C. based law firm, Van Ness Feldman. I appear on behalf of our client, the Louisiana Coastal Protection and Restoration Authority (CPRA). I am accompanied by Megan Terrell, lead counsel for CPRA on the federal permitting of the \$1.3 billion Mid-Barataria Sediment Diversion Project in South Louisiana. Mr. Chairman, I ask that a statement Megan has prepared on behalf of CPRA be included in the record of this roundtable. This project, one of the largest in the nation, is one of 41 infrastructure projects around the country that are listed on the FAST-41 permitting dashboard.

I want to applaud the leadership of Senator Portman and Senator McCaskill for sponsoring and obtaining passage of the FAST-Act in 2015 and for their

continued interest in building on it by sponsoring S.3017, the Federal Permitting Reform and Jobs Act. Both the current law and the proposed legislation are vitally important to many of our coastal states that are experiencing severe coastal erosion and flooding issues. The state of Louisiana is in a race against time to save America's wetlands that extend over 2.5 million acres of land, hold billions of dollars of infrastructure and serve as home to 3 million citizens.

As most of you know, Louisiana has lost over 1800 square miles of coastline since 1932, roughly the size of the state of Delaware, and the loss continues at an alarming rate. Fortunately, the people and government of Louisiana take this problem seriously and have committed significant resources and developed a science-based plan to protect and restore our coast. In 2006, Louisiana reorganized its departments and agencies to create a special authority, CPRA, with the responsibility for developing and implementing a Coastal Master Plan comprised of over 100 projects to be designed and built over the next 50 years. Louisiana has identified \$11 billion in local, state and federal funding available to the state over the next 15 years to support the implementation of the Coastal Master Plan. With funds identified, CPRA is undertaking its first major project, the Mid-Barataria Sediment Diversion, to restore Mississippi River

sediment to the Barataria Basin – an area that was historically a freshwater wetland but is today an open salt water area. The project is sponsored by Louisiana through the CPRA, and its \$1.3 billion cost will be paid completely by Louisiana. We have the plan. We have the money. What we need now are the permits!

When CPRA first approached the Corps, our lead federal agency, about the time line for permitting this project, the Corps indicated that the permitting likely would require 10 years. This is simply unacceptable for a project of this nature, particularly a project whose sole purpose is to restore habitat, not destroy it. We are not building an airport or an interstate highway or a chemical processing complex. We are restoring wetlands that serve as home to 3 million people and thousands of businesses, both small and large, that are essential to the nation's economy.

In March of 2017, at a public meeting of CPRA in New Orleans, the Corps stated that at least 6 years would be required to permit this project. Neither timeline was acceptable to Louisiana in light of our daily continuing land loss – a football field on average every hour and a half.

Fortunately for our client, CPRA, the FAST-Act was in place and the Administration adopted the FAST-Act as its vehicle for expediting the permitting of major infrastructure projects, Mid-Barataria included. We are aware that on August 15, 2017, the President issued Executive Order EO 13807 that further enhanced the FAST-Act and set a two year timeline as the goal for permitting projects on the dashboard. Under the FAST-Act and the Executive Order regarding the permitting process, we began negotiating with CEQ and the FAST-Act Permitting Council in September to establish a Memorandum of Understanding for the Mid-Barataria Project, which adds clarity, guardrails and accountability to this process.

In January of 2018, we signed the first MOU between a state and the federal government under the FAST-Act and also under the Executive Order. The MOU established the framework for the state agencies and federal agencies to work together to expedite the permitting of the Mid-Barataria Project. I've submitted a copy of that MOU for the record in hopes that it can serve as a template for other projects on the dashboard. However, I'm also hopeful that as a result of this committee's great work to strengthen the laws in place and allow

time frames to be met, a standalone MOU will not be necessary in the future for each individual project on the dashboard.

We have not yet achieved the two year timeline goal established by the President's Executive Order. However, the MOU has made a substantial positive difference in the permitting of this project. Megan Terrell, who is present today, addresses the benefits of the FAST-Act on this project in the CPRA statement for the record of this hearing, and she can speak to how the FAST-Act worked in this case. However, there are additional steps that can be taken to help our efforts as we continue to push to meet the two year goal with the support of the FAST-Act, The Executive Order and our MOU. Ms. Terrell can also address suggestions for ways that this process can be further improved.

In conclusion, The FAST-Act, the amendments that are being proposed to the FAST-Act and future permitting improvements that we envision will allow Louisiana to move forward expeditiously with projects to protect and restore our coast.

Thank you again for the FAST-Act and for the opportunity to appear before you today.