

Protecting Louisiana

An Environmental Briefing Book



www.labriefingbook.org

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Environmental
Briefing Book

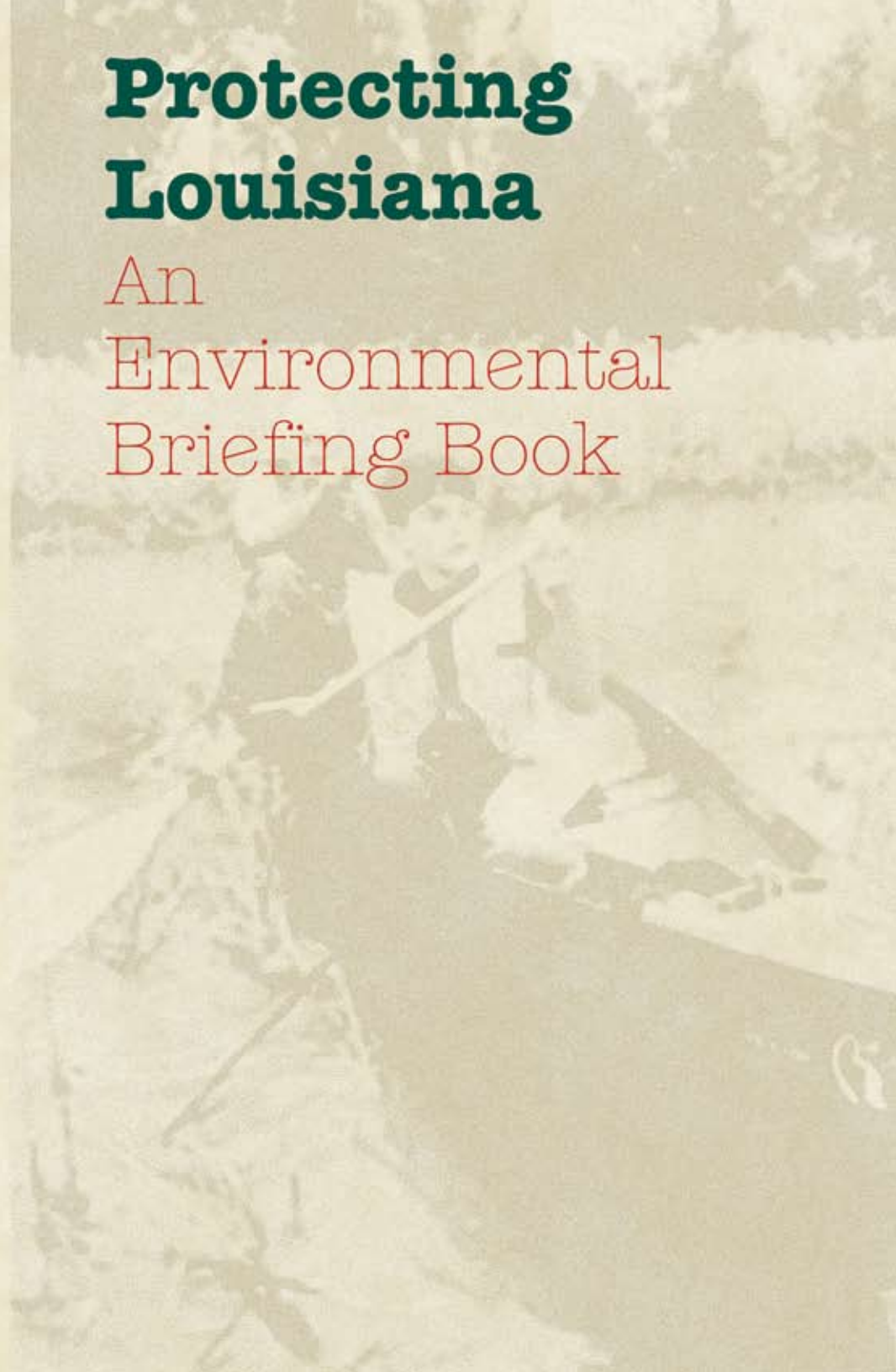


Photo Credits

C.C. Lockwood

Wildlife photographer C.C. Lockwood has lived and worked in fragile ecosystems whose preservation shapes his artistry. Through words and images, he has captured the unique sense of space in wild places as diverse as Louisiana swampland and the rugged backcountry of the American West. His work has earned him international acclaim as an environmental artist, including the Sierra Club's Ansel Adams Award for conservation photography. Lockwood's work continues to reflect changes and perils in the natural world. His eleventh book, *Marsh Mission*, is part of a years-long effort by Lockwood to bring attention to the crisis of vanishing Gulf Coast wetlands. His newest book, to be published in fall 2007, will revisit the Atchafalaya Basin, which he first explored nearly 40 years ago. **Cover color photo on right**

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Cover Left 2, 3, 4 from top; table of contents; pages: 1, 3R, 9, 13, 15, 19, 21, 29, 35, 37, 39, 41, 53

Leslie March

Delta Chapter, Sierra Club
Cover Left 5+ 6 from top; page 3L

Heinz Gautschi

New Orleans resident, eyewitness, and volunteer search and rescue worker during the aftermath of Hurricane Katrina
Cover Left top; page 5 l

Land Trust for Southeast Louisiana

by Errol Daigle
page 43

Gulf Restoration Network

(c) 2008, Aaron Viles, Gulf Restoration Network
page 48

Protecting Louisiana An Environmental Briefing Book

This book was prepared by a coalition of groups and individuals who are passionate about providing good air to breathe, protecting our rights to clean sweet water to drink and advocating for the rights of all of us to live in healthy sustainable communities. We are involved in rebuilding the coast, protecting our cypress forests and educating our children to preserve our natural environment. Each of the groups may not agree with every point in the book as written so we want the readers to know that the content and source of material is solely the responsibility of the individual organizations and their representative authors. Our overall goal is to present a variety of solutions for Louisiana's future and to provide resources on environmental topics to enrich and inform the debate.

We have a companion web with links to each of the groups and more detailed information about each of the topics presented.

You can check us out at: www.labriefingbook.org.

We would like to thank the following individuals who helped make this project a reality:

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for providing our cover art.

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for publishing the first guide in 1994.

Foreward

The Economy and the Environment:

No More False Choices

by Paul Templet, Secretary of the DEQ (1988-1992)

A clean environment is good for business—that is the lesson our nation's most prosperous states are putting into practice today. Old thinking would have us believe that we have to pollute our air, water, and land in order to compete for jobs. But in fact, cleaning up the environment creates new jobs. In addition, 21st Century businesses, the kind that offer good jobs for the long-term, locate where they can attract highly qualified employees. Well trained and educated people don't want to live in polluted places, nor will they accept a compromised quality of life that limits where they can hike, swim, and enjoy the outdoors. Witness the low pollution, high incomes, good jobs, and economic opportunities of the West Coast and Northeast states. Their populations are attracted to and insist on a clean environment.

Here in Louisiana, we have been slow to learn this lesson even though we have seen it work. During the years when Buddy Roemer was governor (1988-1992), the Department of Environmental Quality (DEQ) focused on reducing pollution. As a result, manufacturing sector pollutants released to the environment declined about 50%, the greatest decline ever achieved by a single state in such a short time. Over the years 1987-1993, personal income increased over 15%, twice the national rate over the same period. Jobs in manufacturing also increased by over 24,000 as pollutants were declining. This represented a 15% gain in job creation at a time when the U.S. as a whole lost 717,000 manufacturing jobs. Contrary to sound bites offered by industry spokespersons, our state's own experiences show that reducing pollution creates jobs.

From 1993-2004, state efforts to reduce pollution stagnated. During those years, Louisiana lost nearly 37,000 manufacturing jobs, even though we were granting property tax exemptions to the manufacturing sector worth some \$3.6 billion. In effect, we paid to lose jobs, and we took tax dollars away from parishes that could have used the money to fund education and other public services.

Why would income and jobs increase when pollution declines? The answer is simple: spending money to reduce pollution requires industry to buy equipment and hire new employees. During the Roemer years, annual pollution control spending by industry peaked at about \$1.1 billion, a figure that is still below the per state national average. For industrial suppliers, many of them located in Louisiana, the trickle down effect was substantial. These and other businesses saw major increases in revenue as a result of the Roemer years' emphasis on pollution control.

We often hear that industry will be hurt if it is required to spend money on curbing pollution. But a look at how such costs are paid reveals that argument as false. Most of the industries in Louisiana are multinational and compete with their sister plants in other states for a share of the pollution control budget allocated each year by corporate head offices. If the environmental regulations in California are stronger than Louisiana's, then the money goes to California and we lose out. When Louisiana's policies and practices were aimed at reducing pollution, we got our fair share of pollution control money and the jobs and incomes that went with it.

Let's stop accepting a false choice between jobs or a clean environment. The truth is that cleaning up our act will create more jobs, boost incomes, improve our health, and offer us more opportunities. It's time Louisianians, like other citizens in the U.S., had access to these basic building blocks of the good life.

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i. Liveable Communities

“Liveable” used to mean a place with good jobs, roads, and schools. This definition still holds but with a twist: citizens now expect livable to mean, clean and green. They want to cut their time in traffic, know their drinking water is safe, and be able to walk to the grocery store. Old fashioned? Maybe. But communities that accommodate these desires will be the economic centers of the 21st Century.

I. Liveable Communities

a. Time to Embrace Smart Growth

Leslie March
Delta Chapter, Sierra Club

Issue:

At the public meetings held by the Louisiana Recovery Authority in 2006 and 2007, the public sent a clear message: smart growth is an idea whose time has come. With the costs of old-style suburban sprawl mounting, the state must change outmoded concepts of development. In so doing, Louisiana can create sustainable communities that attract 21st Century industries and high paying jobs for citizens.

Opportunities:

The legislature should make funding available to implement long-range regional plans. Such plans should emphasize smart growth principles and protect the character of our cities and rural parishes. In addition, developers need to be held responsible for infrastructure costs, such as new roads and storm drainage. Developers should also be required to leave as much green space as possible and use building designs that complement with the community's architectural heritage.



Background:

Smart growth promotes dense city or neighborhood centers with mixed use development and readily accessible transportation systems; the resulting communities resemble those that were prevalent in Louisiana before the 1950s. Such communities have their own unique characters, including parks and stores that are within walking distance. By encouraging bicycling and walking, these communities help improve residents' health. This model also avoids the sprawl that characterized development throughout the latter half of the 20th Century, a pattern that eats up valuable green space, creates unmanageable traffic, and requires suburban governments to provide expensive subsidies for basic services.

Smart growth principles are applied when new communities are built and when older neighborhoods are revitalized. They are increasingly seen as prerequisites for attracting the kinds of cutting edge industries that support improved quality of life for citizens. For more information about smart growth and actual case histories, please go to www.labriefingbook.org.

I. Liveable Communities

b. Beyond the Car: Improving Transportation in Louisiana

Leslie March
Delta Chapter, Sierra Club

Issue:

Louisiana's transportation system needs to be improved. In order to fully explore its options in this regard, our state needs a comprehensive transportation plan that goes beyond a limited focus on cars and road building. Such a plan would reduce traffic congestion, make it easier for travelers without cars to reach their destinations, ease travel between urban centers, and reduce the pollution that harms citizens' quality of life.

Opportunities:

The Louisiana Legislature should direct parishes to form regional groups charged with developing coordinated transportation plans. These plans would provide for easily accessible, energy efficient, and reliable transportation within and among city centers. Light and heavy rail, car pool lanes, and increased use of transit and bicycle lanes should be all be integrated into the regional plans.

Background:

Hurricanes Katrina and Rita put a new focus on Louisiana's transportation issues. The incomplete hurricane evacuation showed that thousands of New Orleans citizens rely on public transit. Days later, residents of Baton Rouge, Lafayette, and the Northshore experienced huge increases in traffic as evacuees relocated to their neighborhoods. Almost three years later, gridlock continues to be the norm for many roadways in these areas. Experience has shown that this complex problem must be addressed from many vantage points, not simply by building more and bigger roads.

The TIMED projects were authorized in the early 1980s to improve highways and bridges throughout Louisiana. Many of these projects were never built, and because they were solely focused on automobile traffic, their overall effectiveness was limited. Unspent TIMED project funding should go back into the budget to pay for badly needed services, such as public transit from rural parishes to jobs in urban centers, a light rail system between New Orleans and Baton Rouge, and a monorail across Lake Pontchartrain. Today, TIMED funds are being spent on consultants and permit acquisition, despite citizen opposition to the projects. Isn't it time for us to have a transportation plan that considers all of the options?

I. Liveable Communities

c. Mercury Contamination Remains a Threat

Barry Kohl
Louisiana Audubon Council

Issue:

Louisiana has a serious mercury contamination problem, having issued 41 fish advisories since 1992. Several adults contracted mercury toxicosis from eating large quantities of fish from the Ouachita River in the mid-1990s. That level of contamination had far more severe consequences for young children or pregnant women. The state has laid the groundwork for reducing citizens' exposure, including the establishment of a Mercury Risk Reduction Program, but more work needs to be done.

Opportunities:

The state should support full funding for the various agency segments of the Mercury Program including:

- continued mercury in fish and sediment data collection;
- a GIS database and mapping of all mercury sources in the state by watershed;
- appropriate staffing to ensure that the requirements of Act 126 are met;
- creation of a new Mercury Advisory Committee (composed of members of NGOs, academia, industry, and government agencies). The committee should meet several times a year to review the progress of the mercury program and suggest strategic changes.

Background:

Methyl mercury, which bioaccumulates in the muscle tissue of predatory fish, is a neurotoxin that prohibits proper brain development in young children. For this reason, the primary group at risk from mercury exposure includes pregnant and breast feeding women as well as children under seven years of age.

Louisiana has begun to confront this problem, and progress is being made. In 2006, the state legislature passed the Mercury Risk Reduction Act 126, which set specific dates for phasing out mercury products in Louisiana. A follow-up Mercury Risk Reduction Plan surveyed the sources of mercury in Louisiana and outlined a plan for phasing out many mercury related products. In December 2007, the state advanced the Louisiana Clean Waters Program, which focuses on identifying non-point sources of pollution in Louisiana streams, including mercury contamination in watersheds. In 2005 and 2007, two Louisiana chlorine plants announced that they would phase out mercury from their manufacturing processes. NGOs and the Departments of Environmental Quality, Health and Hospitals, and Wildlife and Fisheries have worked to educate the public about the dangers of eating contaminated fish, including posting signs at boat launches and including warnings in hunting and fishing regulations. By building on this foundation, the state will continue reducing what is today an unacceptable risk to citizens' health.



II. Restoring Louisiana's Coast

Restoring Louisiana's coast has been studied for years, and we have a good idea of what to do. Now comes the tough part—making it happen. The state's Master Plan for a Sustainable Coast offers a first look at how Louisiana will proceed. Recommendations offered in the Multiple Lines of Defense Strategy offer valuable perspectives as well. Balancing the many needs in play is a job for everyone who cares about our state's future.

II. Restoring Louisiana's Coast

a. Multiple Lines of Defense: A Strategy for Saving Louisiana

John Lopez
Lake Pontchartrain Basin Foundation

Issue:

South Louisiana appears to have entered a period when the combination of two powerful forces is working against its survival:

- 1 coastal land loss; and
- 2 more frequent intense hurricanes.

A multiple lines of defense strategy will help Louisiana meet these challenges and build a secure long-term future.

Opportunities:

The Multiple Lines of Defense Strategy proposed by Lopez (2006) proposes two key elements:

- 1 use natural and manmade features to directly impede storm surge or reduce storm damage (Lines of Defense);
- 2 establish and sustain a variety of wetland habitat types.

The Multiple Lines of Defense Strategy is not a new restoration technique; rather, it is a planning methodology for coordinating and prioritizing conventional restoration methods and projects for coastal habitats and flood protection.

The Lake Pontchartrain Basin Foundation and the Coalition to restore Coastal Louisiana have released a report (available at www.MLODS.org) that shows how the Multiple Lines of Defense Strategy can be used to sustain coastal Louisiana.

Background:

The “lines of defense” include the Gulf of Mexico shelf, the barrier islands, bays, the sounds, marsh land bridges, natural ridges, manmade ridges, floodgates, flood levees, pump stations, home and building elevations, and the evacuation routes. Identification of these lines of defense on a map allows hydrologists, levee district managers, emergency personnel, and others to share a common landscape template. This, in turn, allows all parties to evaluate, abate, and monitor flood risk or other storm impacts using the same standard.

The concept of multiple lines of defense has been adopted by the State of Louisiana in its development of the “Louisiana’s Comprehensive Master Plan for a Sustainable Coast.” In addition, the multiple lines of defense strategy has also been adopted by the United States Army Corps of Engineers (USACE) in its ongoing development of the Louisiana Coastal Protection and Restoration Plan (LACPR).

II. Restoring Louisiana's Coast

b. Protecting Wetlands as Carbon Reservoirs

Casey DeMoss Roberts
Gulf Restoration Network

Issue:

In a time of rising carbon emissions and land loss for Louisiana, it is imperative that we protect carbon reservoirs by protecting our coastal wetland resources. It is inconsistent policy for Louisiana to ask Congress for billions in coastal restoration dollars when 99% of all applications are approved to develop, and thereby destroy, coastal wetlands in Louisiana.

Opportunities:

Technically, coastal wetlands are protected by the joint permitting procedures of the Army Corps of Engineers (the Corps), the Louisiana Department of Natural Resources, and the Louisiana Department of Environmental Quality. Unfortunately, our vital wetlands are not being adequately protected by this system. Of the large number of Section 404 permits requested, the Corps denies less than 1%.

It would take an act of Congress to change the Corps's permitting laws, but Louisiana could achieve this goal quickly if the state Legislature issued a moratorium on coastal zone permitting. A moratorium on coastal wetland destruction will help protect Louisiana lives, jobs, and property by maintaining our surge protection, hurricane buffer zones, and fisheries habitats for the long term.

Background:

Wetlands assimilate carbon dioxide into biomass where it builds up over time and is stored in trees, grasses, peats, soils, and sediments. Extensive coal deposits around the world, which were originally formed by wetlands hundreds of millions of years ago, show how well wetlands function as long-term carbon storage areas. Our wetlands may become large carbon emitters if they are drained or destroyed.

The Energy Independence and Security Act of 2007 will expand and improve the Department of Energy's existing carbon capture and sequestration research program and will require a national assessment of capacity to sequester carbon in geologic and biological ecosystems. In the 2007 Farm Bill, there are incentives for protecting the function of forests, including carbon sequestration and water purification services. By protecting and restoring our wetlands, Louisiana stands to greatly benefit from these pieces of legislation.



II. Restoring Louisiana's Coast

c. Global Warming Makes Coastal Restoration Imperative

Louisiana Environmental Action Network

Issue:

Healthy coastal wetlands are one of Louisiana's best hedges against the devastating effects of global warming.

Opportunities:

Louisiana will feel the effects of global warming before any other state in the nation. According to this scenario, rising sea levels and increasingly destructive storms will flood low-lying coastal parishes, ending life as we know it in south Louisiana. However, Louisiana legislators can change the forecast for people and wildlife in Louisiana by tackling global warming as a top priority and by advocating large scale restoration efforts that build coastal land quickly. In addition, because global warming will be a significant driver of coastal change, its effects must be factored into all restoration plans.

Background:

Global warming could have dire consequences for our state. But healthy coastal marsh and forests slow down and absorb storm surges, which in turn protects communities and levees. Because much of south Louisiana is part of a deltaic system, it can, under the right conditions, build new wetlands and actually increase coastal elevations overtime. In fact, scientists predict that Louisiana's wetlands could keep up with rising sea levels caused by global warming if a robust restoration program were implemented soon. Such a program would restore the Mississippi and Atchafalaya Rivers' natural processes of sediment and freshwater deposition wherever feasible. Lawmakers should make sure that the state's restoration plan is explicitly designed and managed to do so.



II. Restoring Louisiana's Coast

d. Creating Safe Communities and A Sustainable Coast

Coalition to Restore Coastal Louisiana

Issue:

Ensuring the safety of our coastal communities and creating a sustainable coastal Louisiana must be the ultimate goal of our protection and restoration efforts.

Opportunities:


The legislature will shape the success of our coastal restoration efforts. The state's Master Plan is a first step, but the legislature must encourage legal and regulatory authorities to make state-wide development, permitting, zoning, and building codes part of a systematic approach to coastal sustainability. The legislature should also work with local authorities to ensure that land use policies are consistent with protection and restoration objectives. The state's financial commitment to protection and restoration efforts is paramount to achieving a sustainable Louisiana coast.

Background:

The Coalition to Restore Coastal Louisiana defines sustainability as a state of the wetlands, waters, and barrier shorelines of coastal Louisiana that achieves and maintains a dynamic and productive synergy of ecologic, economic, and social capacities. These capacities must be resilient, adaptive, and transformable enough to meet the needs of future generations with minimal reliance on human intervention.

Property rights issues have often been framed as conflicting with restoration and protection objectives. We recognize that the state must pursue liability protections that balance the rights of all parties, but the state must also allow restoration and protection projects to go forward without fear of frivolous lawsuits. To that end, it is imperative that the legislature work to prevent speculative leasing as well as address key issues surrounding quick-take authority.

Reliable long-term funding for coastal restoration has been out of reach in the past. We applaud the considerable proposed allocation of state surplus funds to coastal protection and restoration efforts. However, given the magnitude of funding required to address protection and restoration needs over an extended period of time, we cannot rely on fluctuations in the state budget to supplement the sizeable investment necessary to protect and restore a sustainable coastal Louisiana. Bonding future dollars to begin urgent protection and restoration initiatives may address short-term needs, but we must work toward a significant and sustainable source of funding for coastal protection and restoration efforts.



iii. Regulations that Make Sense

There's an old catch phrase used to counter pushes for strong environmental regulation in Louisiana: "We need balance." The implication is that if regulations are too strict they will drive jobs away. This claim was never accurate, and it is even less so today when quality of life is the primary magnet for job creation. By discouraging behavior that damages our state's air, land, and water, consistently enforced regulations can spur economic development and pave the way for prosperity.

III. Regulations that Make Sense

a. Air Quality for Everyone

Gary Miller
Louisiana Environmental Action Network

Issue:

Toxics emissions are degrading the quality of ambient air in Louisiana, which lowers the quality of life for all residents, discourages new businesses from locating in our state, and makes vulnerable populations more prone to illness.

Opportunities:

The Louisiana Department of Environmental Quality (DEQ) needs to increase monitoring and enforcement programs in areas around industrial and business facilities. Such programs should be designed to minimize the negative impacts of accidental releases and pollution on community members.

DEQ must reinstate the Greater Baton Rouge Monitoring Project for Highly Reactive Volatile Organic Compounds, a program that required air monitoring at 15 chemical plants and refineries in the Greater Baton Rouge area from 2005 to 2007. The program helped bring the Greater Baton Rouge area into compliance with the federal one hour ozone standard and state air standards.

DEQ must ensure that new construction and expansion of existing facilities comply with all state and federal regulations. Variances and exceptions should not be granted. DEQ must also increase its monitoring and enforcement



programs to ensure that new and expanded facilities operate according to regulations.

Existing and new electric generating facilities fueled by coal and coke emit unacceptable levels of mercury. These emissions must be reduced in order to reduce the contamination of Louisiana's fish and waterways.

DEQ must establish and/or require industrial facilities to enact fence-line and ambient air monitoring programs for vinyl chloride in the West Baton Rouge/Iberville Parish area, which has become the vinyl chloride manufacturing capital of the United States. Vinyl chloride is recognized by industry, government, and scientists to be one of the most harmful man-made chemicals in the world. Given the ongoing risks being borne by nearby populations, DEQ should use the results of this air monitoring program as the basis for enforcement actions.

Background:

In depth information on air quality in Louisiana can be found at www.labriefingbook.org

III. Regulations that Make Sense

b. How to Improve Wastewater Treatment Permitting in Louisiana

Matt Rota
Gulf Restoration Network

Issue:

The state permitting process for wastewater treatment facilities needs to be improved. The current system creates uncertainty for those seeking permits, and it does not adequately protect state resources that are used for drinking water, recreation, and fishing.

Opportunities:

Two measures could improve the process:

- 1 In order to build a wastewater or sewage treatment facility, a builder is currently required to consult with and obtain a permit from the Louisiana Department of Health and Hospitals (DHH). However, DHH's permitting process does not adequately address how the waste water from permitted facilities will impact nearby waterbodies. To remedy this situation, DHH should be required to consult with the Louisiana Department of Environmental Quality (DEQ) to ensure that the receiving waterbody can take in additional pollution without being degraded. If this condition cannot be met, the proposed wastewater treatment plant should be

designed to minimize the release of polluted waste water.

- 2 The Legislature should require those wishing to build a wastewater Treatment plant facility to apply for and receive all necessary permits from DHH, DEQ, and the Louisiana Department of Natural Resources before building the facility. Such a process would allow the agencies involved to determine proper permit limits up front. This in turn would help the builder select the appropriate technologies for the facility. Louisiana requires such a system for facilities that will be emitting discharges to the air. Facilities that will be emitting pollutants into state waterbodies should meet the same requirement.

Background:

Hundreds of Louisiana's waterbodies are listed as unfit for fishing or swimming by DEQ and the United States Environmental Protection Agency (EPA). Many of these impairments are caused by contamination from fecal coliform, nutrients (nitrogen and phosphorus), and sediments—all of which can be discharged from wastewater treatment plants. The Louisiana Legislature is in a position to correct this problem and make sure that the water permitting process encourages the use of best available technologies.

These changes would not only benefit local communities and the environment, they would also make permitting more predictable for the regulated community. Today, a permittee can build a wastewater treatment plant and then be told after the fact that they have not employed appropriate pollution control technology. Rebuilding or retrofitting an existing plant is more expensive than is building a facility that follows clearly defined health guidelines.

III. Regulations that Make Sense

c. Debris Disposal Done Right

Wilma Subra
Louisiana Environmental Action Network

Issue:

Hurricanes Katrina and Rita generated millions of pounds of debris. Disposing of these materials in unlined, poorly regulated construction and demolition debris landfills has harmed the environment, impacted the health of nearby residents, and created potentially costly legal liabilities for the state and local governments.

Opportunities:

The Louisiana Legislature must ensure that state environmental agencies are prohibited from using emergency rules that allow waste to be inappropriately handled and disposed of in violation of federal and state statutes.

The Louisiana Department of Environmental Quality (DEQ) should promulgate more stringent siting requirements for debris management and disposal facilities.

DEQ should be required to establish regionally based integrated waste management plans that protect the environment and vulnerable communities in advance of natural disasters. The plans should provide for sufficient disposal options and appropriate disposal capacity for each region. Such options must comply with all regulatory requirements and not default to waivers.

For reconstruction, deconstruction, and new construction debris, DEQ should require

separation of waste constituents, with proper disposal of toxic waste streams, re-use and recycling of uncontaminated construction debris, and proper disposal in appropriately permitted and constructed landfills. The use of landfills operating under exemptions or emergency authorities should be phased out. The blending of hazardous and toxic waste streams with construction and demolition debris prior to disposal should not be allowed. All disposal facilities accepting disaster debris must be lined with impermeable liners and have appropriate monitoring systems to ensure isolation of the waste from the environment.

The Corps of Engineers and DEQ must take appropriate action to stop waste disposal in New Orleans's wetland areas and should require restoration of dump sites to pre-project conditions. DEQ must perform site assessment evaluations under CERCLA (commonly known as Superfund) regulations and require site remediation activities funded by the dump operators, waste haulers, and waste generators. DEQ, in conjunction with the Environmental Protection Agency, should determine if these areas qualify for designation as Superfund sites.

The DEQ must increase their inspection and enforcement efforts in order to bring both permitted and unpermitted construction and demolition debris landfills into compliance with regulations and permit conditions.

Background:

More information on the characteristics of hurricane debris, the results of recent studies of this debris, and a summation of the effects of the hurricane waste disposal problem can be found at www.labriefingbook.org

III. Regulations that Make Sense

d. The Mississippi River: An Asset that Needs Protecting

Paul Orr
Lower Mississippi Riverkeeper

Issue:

The Mississippi River corridor is one of the geographic areas targeted by the Jindal Administration for economic development. In so doing, the state must ensure that the quality of life in nearby communities is not affected, since those living near areas targeted for economic development will be the first to experience health impacts from the facilities' construction and operation.

Opportunities:

Long-term economic development policy decisions along the Mississippi River corridor must prevent unnecessary harm to the environment and public health.

Louisiana needs to make several improvements in the regulation of water resources, including the Mississippi River. These include:

- 1 improving coordination of wastewater treatment plant and industrial facility permitting;
- 2 improving enforcement of wastewater permits for facilities discharging into the Mississippi River and other surface waterbodies;
- 3 increasing enforcement efforts that will bring Louisiana into full compliance with the Clean Water Act; and

- 4 address air and water quality degradation resulting from industrial midstream loading operations in the Mississippi River, and rigorously enforce the terms of the facilities' permits.

Louisiana must also work with upstream communities and states to reduce concentrations of atrazine and other chemicals entering the Mississippi River from stormwater runoff.

Background:

The Mississippi River appears on American Rivers' list of America's Most Endangered Rivers. The Mississippi River Basin is home to 1.5 million people. It drains 2,350 square miles in 31 states, which contributes to its pollution problem. When the Mississippi River flows into Louisiana it already contains a variety of chemicals, including the herbicide atrazine, which originates in stormwater runoff from agricultural fields in mid-western states. Atrazine presents a potential health hazard to those who are exposed to high concentrations and has also been linked to the growing Dead Zone in the Gulf of Mexico. At the same time, communities from Ascension Parish to the mouth of the Mississippi River use surface water as their only source of drinking water.

Over 350 industrial and municipal facilities are located adjacent to the river within the state of Louisiana. Approximately 175 of these facilities discharge wastewater into the river under the authority of state/federal permits. Of these facilities, approximately 120 are located between Baton Rouge and New Orleans. Noncompliance with wastewater discharge permits by a large number of facilities along the river is widespread, and the Louisiana Department of Environmental Qualities lacks the resources to address this issue through compliance orders and penalty notices.



iv. Louisiana the Green

Louisiana doesn't have a reputation for being at the top of many "best of" lists, but there's no reason why our state government can't become a national leader in applying green principles. Governor Jindal's recent order mandating energy efficiency and green management for state buildings is a step in the right direction. Let's maintain this momentum and make our state known for more than "laissez le bon temps roulez."

IV. Louisiana the Green

a. State Buildings Can Be Models for the Nation

Leslie March

Delta Chapter, Sierra Club

Issue:

In the aftermath of Hurricanes Katrina and Rita, public construction is booming. Louisiana now has unprecedented opportunities to retrofit existing buildings to more efficient standards and to build new projects using the best available technology.

Opportunities:

Such innovations are not simply good for the environment. They also create healthier workplaces, which have been shown to markedly improve productivity while reducing energy costs. Large state investments in energy efficiency and green building products could catapult Louisiana to the forefront of the emerging market for manufacturing and distributing of sustainable building products. As a new standard bearer for these technologies, Louisiana could redefine its national image as a model for progressive economic development. This type of innovation is on the public radar screen, as Governor Jindal's recent executive order has shown. The order mandates energy efficiency and green management for state buildings and represents a good first step in moving Louisiana toward a more sustainable future.

In order to capitalize on the approach supported by the governor, legislation should be written requiring state government facilities to be built and retrofitted with the best available energy efficient technology. Fleets and equipment should be similarly upgraded whenever possible. Using these principles, state facilities, including the new medical centers slated to be built in downtown New Orleans, could become known as institutions of the future that not only operate more efficiently, but that exemplify the application of cutting edge construction techniques.

Background:

In the past, Louisiana has not had the funds to rebuild its aging state buildings, nor has it been able to upgrade fleets and equipment. The state now has the opportunity to lead the private sector in creating healthy work environments, conserving and recycling materials, and rebuilding with new technologies. Other possibilities include using alternative energy sources such as solar panels, using hybrids and bio-fuels in state fleets, and harnessing our abundant offshore wind energy to reduce the state's need for oil. With state government flying the banner, Louisiana can attract clean industries and create good jobs for local residents. For more information on green state buildings and medical facilities check our website: www.labriefingbook.org

IV. Louisiana the Green

b. Recycling: More Than a Feel Good for Greens

Wendy King and Paula Cannon
Delta Chapter, Sierra Club

Background:

Issue:

The Louisiana Department of Environmental Quality's (LDEQ) recycling regulations, which govern parish and city government programs, are over 15 years old. The regulations originally stipulated that each parish reduce its waste levels by 25%. However, only Lafayette and Baton Rouge have enacted programs to meet these requirements. Given that the state is rapidly running out of landfill space, updated recycling regulations as well as enforcement of recycling targets are clearly in order.

Opportunities:

The legislative committees that oversee LDEQ should ask the agency to list the successes of the current recycling standards and explain why current regulations have not been fully enforced. The legislature should enact incentives that will encourage parishes and city governments to reach a minimum reduction in waste of 25% by 2010 and to attain a 50% or larger reduction in the future.

An effective, well-run recycling program is a hallmark of quality of life in any 21st Century community. Without regulations that support these programs, Louisiana cannot compete with other states that are marketing themselves as centers of progressive resource management. Such states know that in order to attract new business and industry they must meet a threshold of environmental stewardship, and recycling is widely viewed as a prerequisite for establishing credibility in this area.

Recycling is also good business. Across the country, communities that recycle preserve natural resources, create new jobs, and generate new tax dollars. In addition, recycling reduces pressure on state and local leaders to dedicate new landfill sites. On average, recycling can stop approximately 45% of the waste stream from being deposited in landfills. In 2004, Arkansas proudly reported recycling 1.9 million tons or 40.2% of its waste. Since the LDEQ recycling staff was reassigned to other jobs after the storms, there is no comparative information available for our state. Louisiana's recycling percentage is undoubtedly much lower.

IV. Louisiana the Green

c. Why Outdoor Environmental Education Matters

Leslie March
Delta Chapter, Sierra Club

Issue:

According to the Center for Disease Control, up to 15% of the young people in the United States are obese, a figure that climbs to 31% for New Orleans's African-American children. At the same time, our public parks and highways are littered with fast food containers—a trend that reflects several problems. The links between fast food, obesity, and soaring health care costs have all been well documented. In addition, Louisiana's notorious littering problem, particularly in wilderness areas, shows that our citizens are not being taught to appreciate and take care of the outdoors.

Opportunities:

Louisiana should increase funding for programs that encourage children to discover the excitement and wonder of exploring nature. In so doing, we can improve the well being of our state's youth, and lower future health costs, while fostering a culture of stewardship for state parks and wilderness areas.



Background:

The national movement "Leave No Child Inside," led by states like Connecticut and Washington, offers state grants to public school systems and non-profit organizations that teach environmental education programs to children of all ages. The programs help children learn about the relationship between people and nature, using a mixture of science, economics, law, and citizenship studies. The programs' objectives are to relate directly to students' lives while challenging them to get outside and expand their awareness of the natural world.

A study by researchers at the Human-Environment Research Laboratory at the University of Illinois at Urbana-Champaign, revealed that children as young as five show a significant reduction in the symptoms of attention deficit disorder when they engage with nature. Other studies show that kids who play in natural settings are more cooperative and creative than those who play on flat turf or asphalt playgrounds. Outdoor environmental education helps kids be healthier and happier. If we truly want to invest in our youth, these programs are a must for Louisiana.

IV. Louisiana the Green

d. Bringing Back the Trees

Frank Neelis
Delta Chapter, Sierra Club

Issue:

Trees do more than provide shade on a hot summer's day. Not only do they improve air quality and help slow down flooding, but their harvest constitutes the largest agricultural industry in Louisiana. Wasteful destruction of this resource is therefore short-sighted, particularly after Hurricanes Katrina and Rita ravaged the state's forests. Appropriate measures can ensure that Louisiana's forests remain viable and continue to provide benefits for the long-term.

Opportunities:

Several states use tree mitigation programs when a developer desires to convert a forested area into a subdivision or other commercial use. According to this type of program, local or state governments estimate the value of the trees to be removed and require that the developer mitigate this loss, either by replanting trees on the affected site or in another area. Developers may also place funds in a public account dedicated to reforestation and/or tree management.

The Louisiana Legislature should adopt a resolution to review how such a program could be implemented statewide in Louisiana.

Background:

The 2005 hurricanes inflicted severe damage on our forests. About 75% of New Orleans's trees died as a result of Katrina, and the storms killed or severely damaged approximately 320 million trees in Louisiana and Mississippi.

States that have forest mitigation programs include Maryland (www.dnr.state.md.us/forestsdownload/5yearFCAreview) and Pennsylvania (www.dcnr.state.pa.us/info/carbon/docments/01-03-07).

Local communities have also developed tree mitigation programs as a component of their urban forest policies. Hammond, Louisiana has such a program, which has led to the planting of over 300 trees, with another 400 to be planted in 2008.





v. Natural Resources

Not many states have as many natural assets as Louisiana. Now we need to learn to manage these assets, not just for short-term profit, but as the drivers of long-term economic gain. That means learning to protect our wilderness areas even as we use them to create jobs and wealth for our citizens. Other states have done it; we don't have to recreate the wheel. But we do have to challenge timeworn attitudes that take these resources for granted if our forests and wetlands are to survive for future generations.

V. Natural Resources

a. Think Before You Throw

Leslie March
Delta Chapter, Sierra Club

Issue:

Why do Louisianans trash Louisiana? Why isn't littering seen as unacceptable behavior in our state? We know that tourists are applauding the new, clean French Quarter, so why do so many of us continue to toss that fast food bag out the window without a thought?

Opportunities:

We need to break the habit of littering, and that will take a carrot and stick approach. The legislature could enact laws that require parishes and cities to adopt high littering fines and provide funds for enforcement. This would provide a source of revenue as well as cleaner communities. The legislature could also require that people who receive tickets for littering be required to do community service by cleaning up highways. The state could kick off a campaign with Keep Louisiana Beautiful that would include advertising, school programs, and incentives for creating litter free communities. Such a campaign could be called "Think Before You Throw."

Background:

Some parishes, such as St. Tammany, are considering larger fines for littering, and this is a good first step. However, without enforcement, fines do little good, and the state and local governments have not earmarked adequate funds for enforcement of litter laws. Our poor track record was exposed by a recent study of littering in the United States. The study ranked Louisiana 45th in a national scorecard measuring positive littering campaigns.* We ranked 18th for daily littering, which equates to 6.251 lbs per person per day. The study also claims that we have the seventh highest national ranking in fatal vehicle crashes caused by litter/debris, and that 38 people in Louisiana were killed in such crashes in 2005. This means that our highways and public lands are not only unsightly, but they are deadly as well.



* The American State Litter Scorecard: A Sociopolitical Inquiry into Littering And The Response Role of 50 American States. By Steve Spacek, M.P.A., Texas State University as presented to the American Society for Public Administration Conference, March 9, 2008.

V. Natural Resources

b. Louisiana Can Lead in Land Conservation

Jill Mastrototaro
Lake Pontchartrain Basin Foundation

Issue:

Though aptly referred to as the “Sportsman’s Paradise,” Louisiana has few tools to help communities protect and support the natural assets that make them unique. As a result, misdirected and unmanaged growth is transforming our distinctive landscape and destroying our cultural heritage.

Opportunities:

Land conservation is a popular approach that is being used across the U.S. to protect community character, promote quality of life, preserve valuable natural resources, and support a healthy economy.

- The state should create a permanent funding mechanism to support the outright purchase of undeveloped lands as well as the creation of conservation servitudes.
- The state should establish a state tax credit for land conservation transactions in order to encourage landowner participation.



Background:

A conservation easement, known in Louisiana as a conservation servitude, is a permanent legal agreement between a landowner and a conservation group, such as a land trust or government entity. The servitude limits use of the land in order to protect its conservation values. In return, the landowner can continue to own and use the land, sell the land, or pass it on to heirs. Servitudes need not require public access, and donating a permanent conservation servitude can result in significant tax benefits for the landowner through reduced income and/or estate taxes.

In some cases, fee simple acquisition can be used to protect strategically valuable properties. Fee simple acquisition involves the sale or gift of a property by deed to a conservation organization. As owner of the property, the conservation group then may transfer the permanently protected land to a public agency such as the Louisiana Department of Wildlife and Fisheries, the Louisiana Department of Natural Resources, or the Office of State Parks, for inclusion in an existing park or conservation area. Fee simple acquisition can provide tax benefits and cash value to the landowner.

V. Natural Resources

b. Logging Cypress for Mulch: A Practice that Needs to Stop

Dean Wilson
Atchafalaya Basinkeeper

Issue:

Logging Louisiana's cypress forests for mulch is a bad deal for our state. Cypress forests offer a promising source of eco-tourism jobs, an effective storm protection barrier, and world renowned habitat. It is in our long-term interest to protect these unique and valuable habitats.

Opportunities:

Louisiana's coastal forests are considered one of the wonders of the world and provide among the best places in the nation for bird watching. The state should develop a multimillion dollar ecotourism industry that will capitalize on these assets while generating sustainable jobs for Louisiana citizens.

- Environmental laws, such as Section 10 of the U.S. Rivers and Harbors Act and Section 404 of the Clean Water Act, could protect Louisiana's swamps and wetlands from irresponsible logging practices and should be fully enforced.
- Millions of dollars for coastal protection and carbon credits will be coming to Louisiana in coming years. A portion of these resources should be used to protect and restore wetland forests, either by purchasing surface rights or by obtaining permanent easements.

- Tax credits should be available for landowners who do not allow cypress logging on their properties.
- Alternatives to cypress mulch should be promoted, and the use of cypress mulch by state governmental agencies should be banned.

Background:

Louisiana's virgin cypress forests were completely logged by the end of the 1920s. Less than half of those forests have recovered, some only partially. Today, Louisiana has only 800,000 of its original 2.2 million acres of cypress forests.

While most of Louisiana's cypress trees are about 100 years old, they will take decades to mature and are still too small for timber. However, they can be used for mulch. Logging for cypress mulch began in Florida, but by the early 2000s, the industry had begun to run out of available Florida forests and turned to Louisiana to supply its product.

Cypress logging is for the most part non-sustainable and in many cases illegal under federal law. Many scientists believe that much of Louisiana's coastal cypress wetland forests will not grow back if they are cut.

These coastal cypress forests are critical for many species, including migratory birds. Nearly the entire eastern North American population of neotropical migrants and many species of the western North American population migrate through our coastal forests. Cypress forests also absorb and slow down storm surge and provide essential hurricane protection to human communities.

V. Natural Resources

d. Eco-tourism Offers a Win-Win for Louisiana

Marylee Orr

The Louisiana Environmental Action Network

Issue:

Neglecting our natural areas costs Louisiana jobs. As other states have already learned, eco-tourism creates jobs while at the same time preserving unique habitats and culture. Louisiana should take full advantage of the win-win opportunity that this economic development sector offers. It is imperative that we change a status quo that allows valuable lands and waterways to be altered, sold, or destroyed.

Opportunities:

The Louisiana legislature should provide landowner incentives to protect natural areas that can be visited by tourists. A targeted marketing campaign led by the Louisiana Travel Office would raise the profile of these areas and promote national and international tourism to our state. Additional visitors mean more jobs and revenue for local residents and businesses. The legislature needs to provide funding for better maintenance of existing public facilities, such as state parks, wildlife management areas, and boat ramps. These facilities also have the potential to be enormous tourist draws.

Background:

Louisiana is home to a vast expanse of wild and scenic areas ranging from the Atchafalaya, Ouachita, Red and Mississippi Rivers to upland forests, cheniers, and barrier islands. To date, the state has not emphasized this aspect of our heritage. For example, Louisiana's coastal forests and wetlands are among the best places in the United States for bird watching, but neither bird watching nor wilderness areas are featured on "Louisiana Travel," the official state tourism website. Instead, our renowned wilderness is often endangered by logging and development. If we allow these areas to be degraded in order to gain short-term benefits for a few, we will lose the renewable long-term benefits they can provide everyone as sites for eco-tourism.

It will take a strong marketing campaign to add the vision of beautiful swamps and wildlife to the general public's perspective of Louisiana. But the results will be worth it. Eco-tourism attracts older tourists with more disposable income than the typical visitor. One of our neighboring states, Arkansas, has increased the funding to their state parks and stepped up marketing of their natural areas. This effort has generated over \$180 million in construction projects and gained a projected increase of 6% per year in jobs related to tourism.

V. Natural Resources

e. Pogie Industry Threatens Louisiana Fisheries

Aaron Viles

Gulf Restoration Network

Issue:

Menhaden (pogie) processors convert the fish into fishmeal, fish oil, and fish solubles. Possible expansions to this industry could unravel Louisiana's entire coastal fishery and the tens of thousands of jobs it brings to our state.

Opportunities:

Fisheries managers acknowledge the critical role that pogies play in the Louisiana coastal system, even as the pogie reduction industry seeks to expand to capitalize on the possible development of offshore fish farming operations in the Gulf of Mexico. In addition, federal and state regulatory action may soon limit the pogie reduction industry expansion exclusively to Mississippi and Louisiana coastal waters. The time is right to establish state catch limits, designate state inland areas closed to fishing, and appoint a Department of Wildlife and Fisheries-led on-board observer program to develop better information about the industry's impact on our coastal ecosystem. Such action would keep all our fisheries, and the jobs they support, viable for the long term.



Background:

Pogies are the food chain linchpin for some of Louisiana's most important fish populations, including redfish (red drum), specks (spotted sea trout), brown pelicans, and dolphins. If the pogies disappear, Louisiana's coastal fishery could collapse. The Gulf pogie fishery is the second largest in the U.S. and regularly exceeds 1 billion pounds, with 10 million pounds of unintended catch (bycatch). The industry operates without an annual catch limit. One company, Omega Protein Inc., based in Houston, Texas, owns three of the four reduction facilities and catches most of the fish. Omega has a single competitor, Daybrook Fisheries, based in Empire, Louisiana. Omega is also the largest company in the Atlantic, giving it a near monopoly in the national pogie fishery. The fish are processed at facilities in Abbeville, Cameron, and Empire, Louisiana and Moss Point, Mississippi and provide an estimated 550 jobs for Louisiana residents, the majority of which are seasonal. While these jobs are important to retain, unregulated expansion of this industry could endanger the estimated 30,000 Louisiana jobs (LW&F, 2005) provided by the overall coastal fishery.

Spotter planes locate the fish, two smaller boats set the purse seines around the schools, and a large steamer vessel transports the catch. After the fishermen cinch the purse seine to congregate the fish, the two purse boats and the net are secured to the steamer ship, and a hose is used to suck the pogies (and other fish that are feeding on the school) on board the steamer ship.



vi. Climate Change

Climate change is real, and it will affect Louisiana's coast before any other place in the U.S. We have a choice: we can sit helplessly by and wait for the next hurricane to hit us, or we can restore our wetlands, cut our CO₂ emissions, and begin to explore the opportunities offered by progressive energy technology. Louisiana can secure its future, with the vision and the courage to chart a new course.

VI. Climate Change

a. Energy Efficiency and Renewable Energy:

The Economic Drivers of the Future

Leslie March
Sierra Club

Issue:

Louisiana's power companies have been looking for fuel diversity in the same old places natural gas, nuclear and coal. Louisiana's economy will prosper, and the State's air quality and natural environment will be enhanced by creating incentives for energy efficiency and use of renewable energy like solar or wind. By rewarding business and consumers to use energy efficient building methods, appliances and vehicles, we will reduce the burden of higher fuel prices on businesses and consumers while reaping the benefit of creating green market forces that will result in business development and creation of clean green jobs.

Opportunities:

In 2007, the legislature passed an act that provides a 50% refundable tax credit to individuals who install solar or wind technology on their properties. Louisiana legislators also passed new building codes that require a higher level of energy efficiency for residential buildings. This was a good start, but we need to do more. Incentives that spur business to reduce their fuel consumption and reward them for making capital improvements that reduce energy usage would provide a win-win for our economy and our tax base. First, they would attract clean industries to Louisiana. Second, existing businesses would be supported as they reduce their dependence on a volatile fossil fuel market.



Background:

We can expect the demand for electricity to keep increasing. To meet this demand, the Louisiana Public Service Commission wants to encourage the conversion of gas fired power plants to coal. Coal fired plants emit mercury, CO₂, and other major pollutants. This move is contrary to prevailing trends in other states that are seeking to reduce coal use in order to lower pollution and reduce global warming. In addition, Wall Street banks have stated that they will not be funding new coal plants because of concerns about a future carbon tax.

If built, Louisiana's coal fired plants will cost between \$2 and 6 billion, and if the utilities have their way, rate payers will pay the bill up front in the form of interest free loans. After the plants are constructed, Louisiana will continue to pay for the health and air quality hazards caused by coal burning. We can avoid this lose-lose scenario by encouraging businesses to adopt energy efficient and renewable technologies.

If we adopt these technologies, we won't need additional power plants, so we won't have to charge ratepayers to convert clean power plants to coal. And we won't create major new sources of pollution that drive down our state's quality of life.

VI. Climate Change

b. Reduced Carbon Emissions a Must for Louisiana

Kristen Ardani
Green Zone Task Force

Issue:

Louisiana is at grave risk from the effects of global climate change, which is caused by the greenhouse gas pollution from burning fossil fuels like oil, gas and coal. At the same time, we are missing opportunities to grow a sustainable energy sector in the Louisiana economy. Louisiana should diversify its revenues away from dependence on fossil fuels or we will face avoidable budget deficits as well

Opportunities:

By blazing a trail for progressive energy policies in the south, the Legislature will position Louisiana to reap maximal investment gains, reduce pollution, and improve quality of life for citizens.

A “cap-and-trade” system similar to the one adopted by northeastern states would be a viable first step. This approach makes carbon dioxide a commodity and offers rewards to those who emit less. Emission limits are set below current levels of atmospheric carbon dioxide, and permits to emit carbon dioxide are bought and sold. Emission limits should be set low enough to spur investment yet high enough to avoid unmanageable increases in costs.

Legislation that targets the transportation sector is also important, for emissions from transportation are prime contributors to climate change. By using tax incentives to encourage the use of hybrid vehicles and by establishing more stringent fuel-economy standards for motorized transportation, as California has done, Louisiana will reduce its carbon dioxide emissions per mile driven.

The Legislature should also pass a renewable portfolio standard, which requires that a certain percentage of the state’s energy be derived from renewable sources. One achievable target would be to require a 25% use of renewables by 2025. Texas passed a similar bill in 1999 and forecasts that by 2009 the state will have created 2,000 megawatts of new renewable energy projects while reducing carbon dioxide emissions by 3.3 million tons. Increased job creation and investment are further spinoff benefits of this type of legislation.

Background:

In a 2007 report by the Energy Policy Task Force to the City Council of New Orleans, renewable energy resources for Louisiana were identified. They include solar photovoltaic power generation and solar thermal energy; biomass from landfill gas, municipal solid waste gasification, and wood-waste; and geothermal, hydro, and wind power generation.

VI. Climate Change

c. Promoting Renewable and Alternative Energy Sources in Louisiana

John Atkeison
The Alliance for Affordable Energy

Issue:

Louisiana is at grave risk from the effects of global climate change, which is caused by the greenhouse gas pollution from burning fossil fuels like oil, gas and coal. At the same time, we are missing opportunities to grow a sustainable energy sector in the Louisiana economy. Louisiana should diversify its revenues away from dependence on fossil fuels or we will face avoidable budget deficits as well.

Opportunities:

Louisiana should take advantage of the tremendous economic opportunities offered by clean energy technology. By passing legislation that encourages renewable energy, Louisiana will attract new investments, encourage economic growth, and diversify its energy supply. The legislature should establish more incentives to encourage rate payers and businesses to use renewable energy. Louisiana has good incentives for residential users, but commercial and industrial users should also move to clean and renewable sources of energy. There are several bills in the current legislature, especially as introduced by Sen. Gautreaux, that move our state in the right direction. The “first fuel” of the future is energy efficiency. By providing incentives and support for energy efficiency programs, pollution can be

minimized, the worst effects of climate change may be avoided and the citizens of Louisiana will save money. An important component of a progressive energy policy is a renewable portfolio standard (RPS) and legislators should encourage and support the strongest possible RPS, and a Feed-In Tariff at the Public Service Commission.

Louisiana needs a climate action plan to prepare for the inevitable disruptions from climate change from Global Warming.

Background:

There is a very strong consensus in the scientific community that Global Warming is causing rapid climate change, that it is killing our coast, changing our rainfall patterns, and threatens us with stronger storms. Also, the cost of these fossil fuels threatens our family budgets with wild variations in price. Louisiana must enact legislation to promote more clean renewable energy as a simple measure of self defense for our state and our families. The United States and the world are planning to sharply decrease the use of oil, gas, and other fossil fuels in an attempt to slow climate change. Louisiana should diversify its revenues away from dependence on these fuels or we will face avoidable budget deficits.

A large, open hand is shown against a black background. The skin of the hand is replaced by a detailed map of the Earth, showing continents in green and yellow and oceans in blue. The hand is positioned on the left side of the page, with fingers spread.

vii. Environmental Justice

The evidence is undeniable; low-income residents and people of color have a higher chance of living near polluted areas than do well off white residents. To rectify this basic and dangerous unfairness, we must take a closer look at how we site new industrial facilities and how we manage those in business now. Federal regulations require it, and it's the right thing to do.

VII. Environmental Justice

a. New Orleans East Planning Effort Could Provide Model For Correcting Environmental Injustice

Camille Tuason Mata
Mary Queen of Viet Nam Community
Development Corporation (MQVN CDC)

Issue:

Neglecting the ecology of low-income White and Minority neighborhoods across Louisiana devalues the economic and residential qualities of these communities and creates social inequities between such communities and more affluent neighborhoods. New Orleans East exemplifies these trends. New Orleans East, divided from the rest of metropolitan New Orleans by the Industrial Canal and a massive highway system, is host to several trailer homes and predominantly Black, Vietnamese, and Latino populations. These residential areas have been inundated with landfills and industries that emit toxic discharges without accountability.

Opportunities:

The flurry of planning changes being discussed in New Orleans East could revitalize a section of the city that has long been used as a dumping ground. After Hurricane Katrina, many residents participated in weeks-long planning forums, all of which culminated in a yet-to-be-adopted comprehensive plan for the entire city. The district plan developed for New Orleans East concentrates on bringing in new businesses,

offering good paying jobs for residents, and fostering a new climate of environmentalism. Residents have also called for innovative urban designs that marry ecology and economic revitalization. Their efforts could serve as a model for similar residential areas across Louisiana.

Background:

When President Bill Clinton signed the Environmental Justice Federal Executive Order 12898 on February 11, 1994, he was responding to decades of waste and toxic dumping, as well as the siting of polluting industries in predominantly low-income White and Minority communities across the United States. Executive Order 12898 aims to eliminate the unequal distribution of pollution along class and race lines and calls for the research needed to make sound analyses for reconciliation. The act does this by:

- 1 giving communities the power to fight for redress with recommendations to the federal Environmental Protection Agency (EPA),
- 2 mandating the enforcement of the order through intra-federal accountability measures, and
- 3 enacting a judicial review to ensure that all relevant agencies comply with the goals of the Executive Order. Enacting the Executive Order in New Orleans East would reduce the social inequalities exacerbated by environmental degradation.

VIII. Louisiana's Guardians of the Environment



The Sierra Club Delta Chapter

The Sierra Club's 1.3 million members and supporters work together to protect communities and the planet. The Club is America's oldest, largest and most

influential grassroots environmental organization. The Delta (Louisiana) chapter of the Sierra Club has more than 3,000 members and has been active in local conservation projects for more than 30 years. We have local groups in Lafayette, Baton Rouge, Shreveport, New Orleans and the Northshore.

Contact Chair, Haywood Martin at 337-232-7953
Email: chair@louisiana.sierraclub.org
www.louisiana.sierraclub.org



The Gulf Restoration Network (GRN)

The Gulf Restoration Network (GRN) is a network of environmental, social justice, and citizens' groups and individuals committed to restoring the Gulf of Mexico to an ecologically and biologically sustainable condition.

The GRN was formed in 1994 to raise awareness of environmental issues in Gulf States and to increase communication and coordination of member activities across the region.

We are playing a pivotal role in providing our members and partners with the technical information, Gulf-wide networking opportunities, and communication that empowers local communities to successfully address the environmental threats that they face.

Aaron Viles, Campaign Director
Gulf Restoration Network
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New Orleans, LA 70112
w: 504.525.1528 ext. 207 c:225.615.0346
<http://healthygulf.org> aaron@healthygulf.org



Coalition to Restore Coastal Louisiana

The Coalition to Restore Coastal Louisiana is a non-profit advocacy organization whose mission is the protection and restoration of a sustainable coastal Louisiana.

6160 Perkins Road
Suite# 225
Baton Rouge, La 70808

Telephone: 225.767.4181 office
Toll-Free: 888LACOAST (888.522.6278)
Fax: 225.768.8193 fax
Email: coalition@crcl.org



Alliance for Affordable Energy

The Alliance is a nonprofit membership organization dedicated to creating fair, affordable, and environmentally responsible energy policies. Founded in 1985 in New Orleans, the Alliance conducts community education campaigns on energy issues, helps citizens and businesses become more energy

efficient, and promotes sustainable energy policy solutions. As the only Louisiana consumer advocacy/environmental organization, the Alliance plays a pivotal role in providing citizen input on energy-related issues. Since its inception, the organization's mission has evolved to cover energy issues affecting citizens from reducing energy bills to being the state's lead organizer in the fight to stop global warming. In the wake of the devastating 2005 hurricanes, the Alliance is using its regulatory, policy development, networking and outreach skills to ensure that New Orleans and the region utilize available sustainable technologies and smart planning choices as reconstruction occurs.

Contact John Atkeison at 504-208-9761.



The Louisiana Environmental Action Network (LEAN)

The Louisiana Environmental Action Network was established in 1986 as a result of the need for grassroots environmental networking. We have continued to work towards the protection of our environment and quality of life.

Additionally, LEAN works to leverage the power of individuals and organizations by bringing them together to address our state's environmental problems.

LEAN is a statewide network of over one hundred member groups and thousands of individual members. LEAN works to improve the environment for the benefit of all of the citizens of Louisiana.

LEAN is a statewide umbrella group with many member groups that it has helped to organize. LEAN provides these member groups, as well as individual citizens, with the support and resources required to accomplish their environmental goals.

Contact:

Mailing Address:

**Louisiana Environmental Action Network
P.O. Box 66323 • Baton Rouge, LA 70896
Telephone: (225) 928-1315
Email Us: contact@leanweb.org**

Louisiana Bayoukeeper

To engage and empower coastal communities for the purpose of promoting sustainable management of Coastal Louisiana's Bayou Country and it's natural resources for the benefit of all citizens.

**Contact Michael Roberts & Tracy Kuhns
4927 Deborah Ann Drive
Barataria, Louisiana 70036
UNITED STATES
504-689-8849
866-689-8849
bayoukeeper@cox.net
coming soon**



The Atchafalaya Basinkeeper

We are a permanent force to protect the Atchafalaya Basin's long term health and sustainability. Without the partnership and support of Louisiana Environmental Action Network, this would not be possible. Please visit www.leanweb.org for more info on what they do.

"We recognize that we are only borrowing this Earth from generations to come. For every decision that must be made, we should always take into consideration the consequences for generations to come." -Atchafalaya Basinkeeper Pledge

**Contact Dean Wilson, Basinkeeper,
(o) 225-928-1315 ext.305, or (h) 225-659-2499
Fax: 225-922-9247 attn ABK
basinkeeper@aol.com
www.basinkeeper.org**



The Lower Mississippi Riverkeeper

The mission of Lower Mississippi RIVERKEEPER is to protect, preserve and restore the ecological integrity of the Mississippi River Basin for current users and future generations through advocacy and citizen action.

**Contact:
Lower Mississippi RIVERKEEPER Hotline:
1-866-MSRIVER**



The Lake Pontchartrain Basin Foundation

As the public's independent voice, the Lake Pontchartrain Basin Foundation is dedicated to restoring and preserving the water quality and habitats of the entire Lake Pontchartrain Basin. Through coordination of restoration activities, education, advocacy, monitoring of the regulatory process, and citizen action, LPBF works in partnership with all segments of the community to reclaim the Basin for this and future generations.

Contact us at

(504) 836-2215

(504) 836-7070 (fax)

(504) 836-SAVE (event info)

Email Address: lpbfinfo@saveourlake.org



The Green Zone Task Force

The Green Zone Task Force's key goal is to create a recycling economy in which waste is reduced, reused, and recycled. The Green Zone Task Force formed in the fall of 2005 in response to the mismanagement of storm debris following Hurricane Katrina that was negatively affecting the recovery of neighborhoods. Instead of bury-

ing the voluminous amount of debris in landfills, the Green Zone Task Force advocates an integrated waste management approach to debris handling, in which the landfilling of waste is a last resort. All of the members of the Green Zone Task Force are working towards creative solutions to deal with the problems created by Hurricane Katrina. The Green Zone Task Force membership is composed of church organizations, environmental non-profit groups, New Orleans neighborhood organizations, university faculty, and residents of Orleans Parish.

Contact Darryl Malek-Wiley
Sierra Club EJ Program
(504) 865-8708



The Louisiana Audubon Council (LAC)

The Louisiana Audubon Council (LAC) is a non-profit 501(c)(4) organization comprised of Audubon Chapters and National Audubon Society members (who are not affiliated with an Audubon Chapter).

The LAC gives chapters throughout the state a chance to share news, ideas, concerns and strategies.

Organized in 1989, the LAC has been involved in protecting bottomland hardwoods, wetlands habitat, and endangered species. The Council has taken a primary role in alerting the public to the existence of mercury-contaminated fish which, when consumed, can adversely affect human health and wildlife.

Dr. Barry Kohl • Orleans Audubon,

H: (504) 861-8465 • O: (504) 862-3189

FAX: (504) 865-5199 • Bkohl40@cs.com



MQVN Community Development Corporation (MQVN CDC)

The MQVN CDC was formed in 2006 to re-build the Vietnamese American

community in New Orleans East after Hurricane Katrina ravaged the community. It has since expanded its scope to address quality-of-life needs of the Vietnamese American community, developing six community-based projects: (1) a senior retirement center, (2) a charter school, (3) an urban farm, (4) environmental justice, (5) improving language access, and (6) a health clinic.

In one year, the CDC has achieved numerous milestones, including shutting down the controversial Chef Menteur Landfill, securing over 2 million capital dollars for business owners, engaging over 300 community members in city and state re-building plans, securing funds and permits for the retirement center, the health clinic, and the urban farm, and pushing environmental justice to the forefront of environmental improvement for the community and beyond. The CDC is also carefully shaping partnerships with several federal and city agencies, which are invaluable to achieving its goals.

Contact Camille Mata

4626 Alcée Fortier Blvd. • New Orleans, LA. 70129

Office: 504-255-9170 • Fax: 504-255-9001



The Land Trust for Southeast Louisiana

The Land Trust for Southeast Louisiana works to preserve and protect valuable natural areas and agricultural lands of the Florida Parishes for current and future generations.

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Say Yes to Clean Energy and No to Coal and Nuclear Coalition

The Say Yes to Clean Energy and No to Coal and Nuclear Coalition was formed in 2006 and kicked off with a Global Warming Film Festival. Other public events to call attention to Global Warming included a media event with a giant blown up burning planet, a Step it up rally on the levee at Holy Cross and the follow-up Step it up event that had former presidential hopeful John Edwards second lining to the Superdome. Despite the festive nature of the coalition, its purpose is to educate the public on the serious consequences of global warming. Recently the coalition has intervened at the Public Service Commission to try to stop the conversion of a natural gas plant to one burning pet coke and coal. The coalition is dedicated to promoting a Renewable Portfolio Standard for Louisiana. For more information and energy alternative resources go to www.sayyestocleanenergy.com.

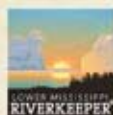
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Mercy Corps

Mercy Corps exists to alleviate suffering, poverty and oppression by helping people build secure, productive and just communities. Mercy Corps works amid disasters, conflicts, chronic poverty and instability to unleash the potential of people who can win against nearly impossible odds. Since 1979, Mercy Corps has provided \$1.3 billion in assistance to people in 100 nations. Supported by headquarters offices in North America and Europe, the agency's unified global programs employ 3,400 staff worldwide and reach nearly 14.4 million people in more than 35 countries. The Gulf Coast Hurricane Recovery Program promotes deconstruction—the systematic process of taking a home apart piece by piece to salvage reusable materials, recover items of historic value, and reclaim personal belongings. Deconstruction keeps reusable building materials out of landfills, adds living-wage jobs to the local economy, and creates a supply of affordable building materials for thousands of homeowners working to rebuild their homes and lives.

www.mercycorps.org
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