State of Louisiana

EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 9 JBE 2020

RENEWAL OF STATE OF EMERGENCY – COASTAL LOUISIANA

WHEREAS, coastal Louisiana is the Sportsman's Paradise and a precious natural, economic, and cultural national resource, home to many miles of wetlands, swamp, and estuaries that support tremendous recreational and commercial hunting and fishing, and home to two million people who live and work at the epicenter of our nation's valuable energy, wetlands, and seafood resources;

WHEREAS, it serves as a gateway to other economic engines with vast national impact: including energy, maritime transportation and trade. Southern Louisiana is the portal to offshore energy resources (and related pipeline and refining infrastructure), making the state the second largest producer of oil and gas in the entire country;

WHEREAS, Louisiana is critical to the nation's energy security, its network of pipelines serve 90 percent of the nation's offshore energy production and 30 percent of its total oil and gas supply;

WHEREAS, Louisiana's coast is home to five of the top fifteen ports in the country, which handle 60 percent of the nation's grain and 20 percent of all national waterborne commerce; these two assets combined help produce 25 percent of the nation's petrochemicals;

WHEREAS, Louisiana and its citizens have suffered tremendously as a result of the catastrophic coastal land and wetlands loss, and the threat of continued land loss to Louisiana's working coast threatens the viability of residential, agricultural, energy, and industrial development, and directly affects valuable fish and wildlife production that is vital to the nation;

WHEREAS, Louisiana continues to experience one of the fastest rates of coastal erosion in the world, and this complex and fragile ecosystem is disappearing at an alarming rate – more than 1,800 square miles of land between 1932 and 2010, including 300 square miles of marshland between 2004 and 2008 alone. Multiple factors have contributed to this massive problem, including the effects of climate change, sea level rise, subsidence, hurricanes, storm surges, flooding, disconnecting the Mississippi River from coastal marshes, the *Deepwater Horizon* oil spill, and other natural and human impacts, many of which have been the result of activities benefitting the entire United States;

WHEREAS, shorelines, marshes, and swamps that serve as a vital barrier and a first line of defense against storm surge and flooding are disappearing;

WHEREAS, parts of our state remain unprotected from or vulnerable to future hurricane and flood events, and subsidence, sea level rise, and coastal land loss increase the risks to these communities;

WHEREAS, 2,250 square miles of coastal Louisiana is expected to be lost in the next 50 years if no additional action is taken;

WHEREAS, the Louisiana Coastal Protection and Restoration Authority (CPRA) has developed *Louisiana's Comprehensive Master Plan for a Sustainable Coast* (Coastal Master Plan), the first version developed and approved in 2007, a revision adopted in 2012, and an amended version has been drafted for approval by the CPRA Board and the Legislature in 2017;

WHEREAS, while coastal land loss is not new to Louisiana, the last decade has accelerated the need for a more focused effort on this growing problem: additional hurricanes have ravaged our coast; we experienced the *Deepwater Horizon* oil spill, the worst environmental disaster in the history of our country; and new funding sources are now available. The improved project evaluation process, used to develop the 2017 Master Plan, reflects a deeper understanding of Louisiana's current coastal environment and the changes expected over the next 50 years;

WHEREAS, the 2017 Coastal Master Plan and the 2018 Fiscal Year Annual Plan are to be presented to the legislature for approval in the 2017 Regular Session. The State of Louisiana should use all means and methods to move the projects and programs contained in those plans forward as expeditiously as possible and with minimal delays, particular with regard to permitting under local, state, and federal law;

WHEREAS, the Coastal Master Plan states a goal of protection, through the use of a combination of nonstructural programs, targeted structural measures to provide increased flood protection for all communities, and restoration, through the use of an integrated and synergistic approach to ensure a sustainable and resilient coastal landscape;

WHEREAS, streamlining the implementation of integrated coastal protection will deliver tangible benefits to the people and industries of Louisiana faster through a more resilient coast and a more sustainable Mississippi River Delta;

WHEREAS, the Louisiana coast is in a state of crisis and emergency that requires immediate and urgent action and attention to avert further injury to the lives, property, health, safety, and welfare of the citizens of Louisiana and the nation;

WHEREAS, immediately addressing this crisis and emergency will rejuvenate Louisiana's economy and provide benefits across generations, and impact numerous geographic areas and aspects of the nation's economy, including energy production, transportation and refining; intermodal commerce and trade; fisheries; disaster resilience; and natural capital;

WHEREAS, Hurricanes Katrina and Rita, along with other hurricanes and natural and man-made disasters, have demonstrated how important coastal infrastructure is to the preservation of human life, and how disruptive, costly and disastrous the failure to protect this infrastructure can be to state and national economies;

WHEREAS, a recent study by the Louisiana State University Economics and Policy Research Group has found a sizeable impact from coastal land loss due to the economic linkages between coastal economic activity and parts of the

state further inland, concluding that the New Orleans, Baton Rouge, and Houma regions could lose nearly $3 billion in annual economic activity as well as suffer $1.3 billion in damage to regional infrastructure from coastal erosion over the next 25 years if nothing is done to address the problem;

WHEREAS, substantial funding is already in place to implement integrated coastal protection to directly respond to and address this crisis and emergency, including funds available to CPRA as a result of the *Deepwater Horizon* oil spill and through the Gulf of Mexico Energy Security Act (GOMESA); however, actual spending of available funding on integrated coastal protection could be delayed by hurdles associated with permitting and environmental review under laws intended to prevent damage to the environment that do not adequately consider or distinguish projects designed to restore and protect a state's natural resources;

WHEREAS, a letter has been sent to President Donald Trump requesting that the federal government designate five important integrated coastal protection projects included in the Coastal Master Plan for high priority status under Executive Order 13766 of January 24, 2017, *Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects*. These projects will significantly contribute to the protection of Louisiana's coastal landscape and economy, leverage *Deepwater Horizon* oil spill recovery dollars, and further grow our state's burgeoning water management sector;

WHEREAS, this declaration is consistent with House Concurrent Resolution Number 4 of the 2017 First Extraordinary Session by Representative Zeringue, wherein the Louisiana Legislature recognized that the Louisiana coast is in a state of crisis and in need of federal attention and cooperation; and

WHEREAS, it may be necessary for the Legislature of the State of Louisiana and the President and Congress of the United States to implement laws, rules, regulations, procedures, or other methods for expediting or creating exemptions for permitting and environmental review currently necessary to implement integrated coastal protection in coastal Louisiana.

NOW THEREFORE I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: A state of crisis and emergency is hereby declared to exist in the coastal area of Louisiana, as defined by La. R.S. 49:214.2(4), the effects of which continue to threaten the lives, property, health, safety, and welfare of the citizens of the State.

SECTION 2: The Governor's Executive Assistant for Coastal Activities and the Executive Director of the CPRA, through and in coordination with the CPRA and the CPRA Board, are hereby authorized to undertake any activity authorized by law, including but not limited to the provisions of La. R.S. 49:214.1 *et seq.*, deemed appropriate in response to this declaration and to expedite implementation of integrated coastal protection.

SECTION 3: All departments, commissions, boards, agencies and officers of the State or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this coastal crisis and to assist in expeditiously implementing integrated coastal protection in the State.

SECTION 4: All departments, commissions, boards, agencies and offices of the State or any political subdivision thereof, are, to the maximum extent permissible under existing laws, rules, or regulations, authorized and directed to expedite all permitting and environmental review necessary for carrying out

integrated coastal protection, including creation of waivers, categorical exemptions, or expedited processes for such permitting and review.

SECTION 5: This order shall be transmitted to the President of the United States. By transmittal hereof, it is requested that the President recognize and declare that the coastal crisis and emergency in Louisiana is of national significance and provide appropriate federal attention and cooperation to assist Louisiana to expedite implementation of the integrated coastal protection plans, programs, and projects provided for in its Coastal Master Plan, to provide for the health, safety and welfare of the people of Louisiana and the nation, and to protect the significant federal investment which has already been made in coastal Louisiana, including that following Hurricanes Katrina and Rita. In particular, it is requested that the President use all means available to expedite all federal permitting and environmental review, including creation of waivers, categorical exemptions, alternative measures, or expedited processes under existing federal laws, rules, and regulations, including but not limited to the National Environmental Policy Act (NEPA), and to assure cooperation and collaboration between the federal, state, and local agencies and entities to clear regulatory hurdles.

SECTION 6: This order shall be transmitted to the Congress of the United States through the secretary of the United States Senate, the clerk of the United States House of Representatives and each member of the Louisiana delegation to the United States Congress. By transmittal hereof, it is requested that the Congress recognize the coastal crisis and emergency in Louisiana is of national significance and provide appropriate federal attention and cooperation to assist Louisiana to expedite implementation of the integrated coastal protection plans, programs, and projects provided for in its Coastal Master Plan, to provide for the health, safety and welfare of the people of Louisiana and the nation, and to protect the significant federal investment made in coastal Louisiana, including that following Hurricanes Katrina and Rita. In particular, it is requested that the Congress consider legislation to provide for means by which to expedite all federal permitting and environmental review, including creation of waivers, categorical exemptions, alternative measures, or expedited processes.

SECTION 7: This state of emergency extends from Sunday, February 2, 2020 to Monday, March 2, 2020, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 31st day of January, 2020.

GOVERNOR OF LOUISIANA

ATTEST BY THE SECRETARY OF STATE

SECRETARY OF STATE