

KATHY CASTOR
11TH DISTRICT, FLORIDA

COMMITTEE ON
ARMED SERVICES

SUBCOMMITTEE ON TACTICAL AIR AND LAND
SUBCOMMITTEE ON EMERGING THREATS AND
CAPABILITIES

COMMITTEE ON THE BUDGET

DEMOCRATIC STEERING AND
POLICY COMMITTEE

ASSISTANT WHIP



Congress of the United States

House of Representatives

Washington, DC 20515-0911

WASHINGTON OFFICE:

137 CANNON BUILDING
WASHINGTON, DC 20515
(202) 225-3376

DISTRICT OFFICE:

4144 NORTH ARMENIA AVENUE
SUITE 300
TAMPA, FL 33607
(813) 871-2817

www.castor.house.gov

December 6, 2011

Chairman John Mica
Transportation and Infrastructure Committee
2165 Rayburn House Office Building
Washington, D.C. 20515

Ranking Member Nick Rahall, II
Transportation and Infrastructure Committee
2165 Rayburn House Office Building
Washington, D.C. 20515

RE: Improve the RESTORE Act

Dear Chairman Mica and Ranking Member Rahall:

As co-chair of the bipartisan Gulf Coast Caucus and proud representative of a district that borders on the Gulf of Mexico, the recovery and restoration of the Gulf and its communities are of immense importance to me and my constituents in Florida. The Gulf is a vital economic and ecological resource for the entire country. The tourism and seafood industry alone account for millions of American jobs. Thank you for considering Gulf environmental and economic restoration in your hearing today.

Your hearing focuses on the RESTORE Act and it is a fair starting point for discussion of Gulf restoration and research following the BP Deepwater Horizon disaster. I strongly support the policy direction that 80 percent of the fines and penalties under the Clean Water Act be directed to the Gulf of Mexico recovery and research. The National Commission on the BP Deepwater Horizon Oil Spill, Secretary of the Navy Ray Mabus report and the EPA Gulf Restoration Task Force all have come to the same conclusion.

However, your committee must address the flaws in the RESTORE Act to achieve meaningful recovery of the Gulf of Mexico. This is a once-in-a-lifetime opportunity to address critical systemic issues that have plagued the Gulf for decades. We must not waste it. The RESTORE Act does not reflect a comprehensive and long-term economic and environmental restoration. The bill needs improvement in many areas, but I will concentrate on the most important improvements that need to be made.

1. RESTORE should focus on a Gulf-wide research and recovery strategy

As currently drafted, the RESTORE Act does not promote a Gulf-wide research and recovery strategy. Under the formulas contained in the bill that divide the monetary resources, Gulf-wide research and recovery efforts would be disjointed and receive short-shift. The formulas currently contained in the bill appear to be based upon Senate dynamics

rather than a Gulf-wide recovery and research strategy based upon sound science. The RESTORE Act fails to make a large enough investment in Gulf-wide solutions to problems such as the “dead zone,” red tide outbreaks that threaten tourism, and the health of the Gulf overall. Where is the overarching science advisory component that is necessary for such an important research and recovery strategy? To accomplish truly comprehensive restoration it is critical to have a science advisory component. The data collected is not valuable unless there are scientists available to collate and analyze all of the data collected.

2. RESTORE should devote greater resources to long-term research and Gulf monitoring

While RESTORE does carve out some dollars for long-term research and monitoring, the investments are inadequate to ensure a long-term, sustained research and recovery effort. Many of the impacts from the catastrophic disaster are currently impossible to discern to the naked eye and in the short term.

3. Do not duplicate the billions of dollars from the Natural Resource Damage Assessments to impacted areas

Any legislation that devotes 80 percent of the Clean Water Act fines and penalties to the Gulf of Mexico research and recovery effort should not duplicate the billions of dollars going to the impacted areas under the Oil Pollution Act and the Natural Resource Damage Assessment (NRDA). One billion dollars already have been directed to oiled areas and states for cleanup and restoration. The Clean Water Act proceeds should be directed to the broader and more comprehensive and long term initiatives, many of which will complement some of the NRDA-funded restoration efforts. The current RESTORE Act formulas could lead to wasteful and redundant efforts. We must maximize Clean Water Act fines to leverage funding provided by NRDA, the BP fund administered by Kenneth Feinberg and other funding sources. The goal is to ensure the Clean Water Act fines have as broad an impact on restoring the Gulf as possible. Although the Natural Resource Damage Assessment is still underway, in anticipation of the largest NRDA settlement in history, BP has already made a \$1 billion ‘down payment’ for early restoration projects.

The Gulf is rich in natural resources that support many jobs and economic stability for millions of families. The Gulf States produced 30 percent of the United States’ gross domestic product in 2009. If our five Gulf States were one country, it would rank seventh in global gross domestic product. Our abundance of natural resources is critical to our economic health. As those resources dwindle, so do our livelihoods and our financial stability. Investing in long-term environmental restoration and addressing environmental issues present prior to the BP oil disaster is critical to achieving comprehensive economic restoration. It is also critical that BP be held responsible for economic damages caused by the BP Deepwater Horizon disaster to small businesses and affected individuals. BP has set aside \$20B to fund a Gulf Coast Claim Facility, which is responsible for directing those funds to businesses and individuals affected by the BP oil spill. To date, the Gulf Coast Claims Facility has paid out almost \$6B.

The Gulf of Mexico is of tremendous national significance. Not only does it provide 30 percent of the nation’s gross domestic product, but it also provides 33 percent of the nation’s

seafood, yielding more finfish, shrimp and shellfish annually than the south, mid-Atlantic, Chesapeake, and New England areas combined. The Gulf of Mexico is home to 13 of the top 20 ports by tonnage. The Gulf of Mexico also provides recreation for millions of visitors a year, creating a multibillion-dollar tourism industry. The coastal population of the Gulf of Mexico is estimated to grow to 61.4 million by 2025, a 40 percent increase in just twenty years.

I am encouraged to see bipartisan support to direct 80 percent of the Clean Water Act fines to the Gulf of Mexico. However, the RESTORE Act as currently drafted, falls far short of the coordinated, long-term, science-based effort that is needed to protect such a valuable national resource. Therefore, I look forward to working with all members on an improved national strategy for the Gulf of Mexico and its communities.

Sincerely,



Kathy Castor
United States Representative
Florida District 11