

United States Senate

WASHINGTON, DC 20510-1804

August 10, 2012

Admiral Robert J. Papp, Jr.
Commandant
United States Coast Guard
2100 2nd Street SW
Washington, DC 20593

Dear Admiral Papp:

I am writing to request your assistance in addressing several lingering impacts from the Deepwater Horizon oil spill which pose a continued threat to Louisiana's coast and the navigability of its waters.

There is significant concern that spill-related needs are not being adequately addressed under the Coast Guard's direction. I met on July 25th with representatives from the Coastal Protection and Restoration Authority and Jefferson, Lafourche, and St. Tammany Parishes to discuss these issues. The Louisiana Legislature has also passed a resolution calling on the Coast Guard and Congressional delegation to intervene, and my staff received a briefing on August 1st from Rear Admiral Cari Thomas, Assistant Commandant for Response Policy, about the Coast Guard's current activities. As a result of these discussions, I have become concerned about the current response posture in Louisiana and the presence of environmental and navigation hazards.

First, the Coast Guard has signed out numerous segments of shoreline from active monitoring by Shoreline Cleanup Assessment Teams (SCATs) and transitioned into a legacy response system that depends on citizens to spot oil and call a National Response center hotline. This may be premature for many segments of the Louisiana coastline. As you are aware, unlike the frequented beaches of other Gulf Coast states, Louisiana's shoreline is mostly comprised of inaccessible wetlands, which diminishes the effectiveness of a system that depends upon citizen reporting. State officials have indicated to me that the Coast Guard signed out numerous segments of coastline without properly assessing them. Areas of the Louisiana shoreline which were not inspected after the spill should be inspected without delay to determine whether oil is present. In addition, areas which have experienced re-oiling in recent months should be transitioned back into active monitoring and subjected to a reasonable level of patrolling until a significant period of time has passed without any oil washing ashore.

Secondly, the State has expressed significant concern about the presence of submerged oil mats (SOMs) in the Gulf, which can cause recurrent oiling of certain shoreline segments and wash ashore in their entirety during a major storm. The State indicates that studies have already been conducted to identify *methods for removal* of submerged oil mats. There is another study ongoing by the Operational Science Advisory Team (OSAT) III, which the Coast Guard is helping to lead,

designed to identify the *location* of submerged oil mats in the Gulf. Despite the commissioning of these studies to determine the location of SOMs and methods to remove them, neither the Coast Guard nor BP have committed to removing the oil from the water once it's located. I would welcome your commitment that the Coast Guard will assure removal of SOMs from the water once they are located and after a timely review concludes that removal is technically feasible and environmentally beneficial.

Thirdly, boaters and fishermen have expressed concern about orphaned boom anchors posing a threat to navigation. Water depths in Louisiana's coastal wetlands are typically very shallow, especially near the shoreline where oil boom was deployed. Narrow channels and the prevalence of near-shore fishing make it extremely difficult for boats to avoid these hazards. According to the Coast Guard, approximately 350 boom anchors were never recovered from the Deepwater Horizon response. The Coast Guard conducted a limited survey of 46 orphaned boom anchors, representing just 13% of the total, and concluded they do not pose a threat to navigation because they are sunken into the mud. There are several problems with this assertion. First, it is unclear whether these 46 anchors were individually *inspected* to determine if they were completely submerged, or whether an *assumption* of submersion was made instead. Water is sufficiently shallow in most areas that these inspections can be conducted without highly-specialized equipment. Second, boom anchors do not behave like vessel anchors because there is no propulsion involved, so they are not necessarily dragged along the seabed over a sufficient distance to become entrenched. Third, the seabed is softer and muddier in certain areas than others, so anchors in areas with harder seabeds that were not included in the survey, may not be sunken. Fourth, since water depths are so shallow along much of Louisiana's coast, anchors that are not *completely* submerged in water two-feet deep could easily cause damage.

The State of Louisiana has documented 20 incidents of boats colliding with orphaned boom anchors. It provided information to the Coast Guard about each of those incidents along with the GPS location where they respectively occurred, but so far the Coast Guard has not acted. Would you please review the State's documentation on previous collisions and authorize removal of the anchors involved in those incidents? Given the variability of seabed characteristics and water depths throughout the state, if the anchor survey did not verify *complete* submersion for the 46 anchors that were evaluated, along with persuasive evidence that the other 304 are also entirely submerged, the Coast Guard's previous conclusion is unsubstantiated, and it should take appropriate action to remove all anchors that are not completely submerged.

I believe these are reasonable requests. I appreciate the practical need to wind down response activities in areas that have been inspected, remediated, and are highly unlikely to be re-oiled. However, state and local officials have expressed real concerns to me about these outstanding needs and the current level of effort, which I'm sure you can appreciate. I look forward to working with you to ensure adequate protection for Louisiana's wetlands, beaches, and waterways and the wildlife and fishermen who depend upon them to survive. Thank you in advance for providing a timely response.

Sincerely,



Mary L. Landrieu
United States Senator

Cc: John A. Alario, Jr., Louisiana State Senate
Jim Tucker, Louisiana House of Representatives
Garret Graves, Louisiana Coastal Protection and Restoration Authority
Pat Brister, St. Tammany Parish
Michel Claudet, Terrebonne Parish
Nathan Granger, Vermilion Parish
Mitch Landrieu, City of New Orleans
Magnus "Sonny" McGee, Cameron Parish
Paul Naquin, St. Mary Parish
Billy Nungesser, Plaquemines Parish
David Peralta, St. Bernard Parish
Charlotte Randolph, Lafourche Parish
Errol Romero, Iberia Parish
John Young, Jefferson Parish
Rear Admiral Cari B. Thomas, Office of Response Policy
Rear Admiral Roy A. Nash, Eighth District
Captain Sam "Duke" Walker, Federal On-Scene Coordinator