



Works in Progress

Conserving Coastal Georgia's Natural Heritage, Investing in Our Children's Future

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Digging deeper on harbor projects: The Big Picture

Much has been asserted about the economic benefit of deepening Savannah's harbor – some of it highly speculative and contradicting official analysis by the Corps of Engineers.

One thing is certain: the project's price tag of \$625 million is no chump change in today's budgeting world. Given the political emphasis on responsible government spending and anticipated cuts in a host of federal and state programs, objective assessment must outweigh wishful thinking in public discourse and related government expenditures.

We should consider the supreme importance of evaluating all viable options in spending tax dollars for economic recovery, and beyond that, to support sustained prosperity over the long-term. In forming the required perspective to ensure responsible decisions, a comprehensive approach is utterly essential.

The pivotal but still underexplored area of assessment involves worldwide port development trends and proven methods for moving commerce most efficiently. According to informed experts on these issues, regionally centralized transshipment facilities are the state-of-the-art in port planning, and they're already being applied throughout most of the world.

The eastern U.S. is one of the few regions not already being served by such a facility. Here, the tradition of smaller ports competing for federal funds, each in turn incrementally indulged at great public expense, has remained the norm. This is largely because, under current practices, funding for the Corps – which recommends projects for Congressional approval – is based on the number and

cost of projects it is required to plan and administer.

Thus, a series of harbor projects, no matter how costly or environmentally disruptive, rewards the Corps with more funding than would a smaller number of more justified projects.

There are multiple ports along the southeast coast vying for mega-ship traffic that will result when the Panama Canal is opened in 2014 (*see box, page 2*): Norfolk (already at 50 feet in depth), Charleston, Savannah, Jacksonville, and Miami. Of these, only Miami has the vital geographic placement with the potential to become a hub port of the scale needed to serve the entire Southeast.

Given modern methods and foreseeable options for shipping, handling, storing, and transferring commerce across the globe, a single well-planned hub mega-port supporting the entire Southeast appears to be the wisest investment of limited tax dollars.

Under such an arrangement, other ports would continue to support economic sub-regions by accommodating ships of a size they're already capable of serving. Likewise, distribution centers would continue to be located as required to serve their respective sub-regions, at the necessary scale and capacity.

By increasing the efficiency of the distribution system, overall economic activity will be maximized, and the actual commerce at the "spoke" ports, such as Savannah, will be greater than it would be in an inefficient system, that would thwart competitiveness. In other words, an integrated, regional ports and goods movement infrastructure will produce much more economic advantage to the region than a state-by-

state proliferation of duplicate ports and services. By the way, the "region" includes all the ports within 1000 miles of southern Florida, that is, from New York to Venezuela and all ports in-between, including all Gulf of Mexico and Caribbean ports.

This integration would offer huge opportunities for economic expansion, and give our region a chance to become a real competitor with the China-Southeast Asia trade area, yet causing far less environmental damage.

Looking ahead, the prospects of shifting to greater use of upgraded rail transport instead of less efficient, highway-dependent and fossil-fuel burning trucks for landside movement of goods would also favor a port-hub alternative. Using rail would compensate for greater transport distances traversed with faster, safer, and less polluting methods for moving commerce across the landscape.

At the same time, transfer of large volumes of commerce to and from trains is far more efficient than using a massive number of individual trucks. Hub and spoke transshipment would also increase the viability of economically and environmentally advantageous "short-ship" routes to even a greater number of smaller ports, without significant deepening or other infrastructure that poses threats to ecosystems.

Unfortunately, none of the above analysis has been incorporated into the lengthy and *seemingly* comprehensive assessment done by the Corps in the draft Environmental Impact Statement (EIS), released last November. The Corps' position is that they were charged with analyzing only the pros and cons of deepening the Savannah port, not a

Continued, next page

broader assessment of multiple ports and other options.

Yet, to be eligible for federal funding, port projects must reflect national economic interests. Surely national objectives, such as optimizing the use of tax dollars in support of economic recovery and diversification, must include a broader exploration of options and implications.

To realize regional and national economic potential and to remain globally competitive, America can no longer afford narrowly motivated political trade-offs and parochial, short-term thinking that result in squandering billions of government funds.

It is time for preparing and implementing a multi-state regional port development strategy, finally bringing an end to wasteful, serially pork-barreled port projects.

The Panama Canal, undertaking a \$5.25-billion expansion, expects three bigger US ports will handle a surge in trade as the waterway makes room for larger ships, said Alberto Aleman, the canal's chief executive officer.

Two deeper, wider ports along the US Eastern seaboard and one on the Gulf coast should be enough to handle the growth in traffic, instead of the approximately 13 port expansions now underway, Aleman said in an interview in Panama City.

"The East Coast has many ports, and the large container ships are not going to stop at every port," Aleman said.

From the *Manila Bulletin*, Feb 28, 2011

2011 EARTH DAY TRIBUTE: Speaking TRUTH to POWER

In tribute to Earth Day, it seems fitting that we confront the vexing problem of speaking the truth – because until we can agree about our most important problems they can never be solved. Unfortunately, we live at a time when facts are often dismissed as irrelevant, while beliefs, no matter how wrong-headed and self-defeating, dominate outcomes. Many fiercely defend the status quo because it is familiar – and a small minority benefits so lavishly from it – even though timely change is urgently needed if we are to protect our shared interests against growing threats.

Consider several of the most important issues that suffer from disruptive disputes that cause costly confusion and delays, stalling political decisions that are essential to our future – with profound environmental consequences.

Climate change is real and remedial action is urgently needed.

The vast majority of climate scientists agree that human activities are significantly worsening destructive trends in climate change. There are some impacts that are already harming us – including recurring, extended drought and widespread wildfires. Accelerating loss of ice at both polar caps is well documented and likely to cause destructive coastal flooding within our lifetime. Predictions of rising level of the oceans have steadily increased – so much so that levels anticipated by 2100, predicted only 10 years ago, are now forecasted to occur fifty years sooner. America must demonstrate leadership on this issue as soon as possible by

substantially reducing greenhouse gas emissions.

Offshore drilling cannot help with energy price and American fuel independence.

Americans use about 20% of the world's petroleum but our nation has well below 5% of the estimated remaining world oil reserves. No matter how much drilling is done and no matter how quickly, there is simply no possibility of achieving energy independence – or lower prices – by expanding U.S. oil production. The sooner America switches to alternative fuels and to far more efficient means of transport, the greater our energy independence will become.

Corporate subsidies for petroleum, coal, and nuclear power cannot be justified and are robbing our nation's future.

Billions of dollars in U.S. taxes are forfeited annually to benefit energy companies that are making record-breaking profits. Yet many of the activities supported with these government subsidies are aggravating climate change, polluting our air, water, and lungs, and impeding the adoption of responsible energy policy. With a goal of optimizing the use of tax dollars to serve the interests of the public, subsidies should ONLY be used to assist the cleanest, most renewable, and well-proven forms of energy – namely solar, wind, and geothermal. Recent studies by energy experts conclude that, within 20 years, all U.S. energy needs can be met with these renewable sources if we support their rapid implementation, which

means that conventional subsidies must be eliminated as soon as possible.

Alternative energy technology is ready to go – it only needs sufficient investment and uncompromised political support.

Lobbyists working for the oil, gas, and nuclear power industries would have us believe that there are only marginal short-term benefits offered by alternative forms of energy. Contrary to that profit-serving propaganda, great strides are being made throughout the world in the conversion to wind, solar, and geo-thermal sources of power. With the boost of a 'smart energy grid' there is no doubt that we can be free of the most costly, politically risky, and polluting conventional forms of energy within several decades. The sooner this is done the more we will benefit – in terms of both jobs and the environment.

Contrary to some political views, effective environmental protection is essential for a strong economy.

Research consistently demonstrates that states with stronger environmental regulations also have more diverse, stable economies and higher-paying jobs. As we face yet another cynical campaign to weaken environmental regulations, being asserted as necessary to promote economic recovery and trim state budgets, we must face the truth that our natural resources are among our most valuable assets. Foolhardy politics that undermine environmental safeguards work against the public's economic interests, benefitting only polluters at the expense of everyone else.

Fresh Approach to State Development Policy and the Environment Urgently Needed

State officials have never been enthusiastic about regulation, but the dual impacts of DNR budget cutting and desperate preoccupation with economic development are now marginalizing Georgia's natural environment even further.

A persistent and troubling example is the near universal accord to build more reservoirs as the first-order solution to state water management problems. This foolhardy remedy neglects two fundamental realities:

1. As we pointed out in an AJC guest column a year ago, the state's two largest water users, power production and agriculture, face no rules for conserving the huge volumes of water they consume. Under the Water Stewardship Act, virtually all water to be conserved in Georgia will be done by those municipal, residential and commercial users who consume no more than one-third of the water being used. This means that the cheapest and easiest solution to water management – improving water-use efficiency at farms and power plants – is not being seriously considered. Water-wasting coal and nuclear power plants continue to be permitted as if they have nothing to do with water problems – a counter-productive delusion nurtured by fragmented state policy.
2. Reservoirs waste water by accelerating evaporation. When rivers are diverted into large holding areas, exposure of water to air is vastly increased. The amount of water lost to evaporation depends on both the area of the reservoir and the ambient temperature. In sultry summer months, these losses are especially wasteful – as much as 40% of water stored in reservoirs can be lost during heat waves.

Another example is the much debated attempt to control “inter-basin transfers” (IBTs) – when water taken from one river is pumped to users in the drainage areas of other rivers. The DNR board recently adopted rules that make it optional for those who regulate IBTs to consider the downstream implications. Such weak controls seem crafted to invite reckless disruption of river ecosystems while indulging fast-growing areas of the state at the expense of smaller communities with less political clout.

For several years now, the Center has promoted the most practical solutions to resolving these problems: (a) put primary emphasis on minimizing wasted water by implementing comprehensive water conservation programs among all user groups, especially the biggest users, and (b) to the maximum extent possible, guide growth to those areas naturally suited to supporting it.

Instead of intensifying wasteful urbanization in Atlanta, which creates a host of related problems – such as crime, traffic delays, air pollution, and related threats to public health – why not pursue a prudent pattern of growth that distributes economic opportunities more uniformly, while profoundly reducing environmental costs?

For decades urban planners have debated the optimum size for a modern, post-industrial city. Based on the criteria they considered, there is utterly no doubt that Atlanta has grown well beyond its optimum net benefit to Georgia's citizens. If state and federal funding is to be wisely invested in providing infrastructure for growth, surely such decisions should be guided by the goal of maximizing public advantages throughout Georgia, not just established power centers in Atlanta.

How state funds are spent on infrastructure – water and sewer systems, bridges and roads, etc. – is largely determined by two agencies: the Georgia Environmental Financing Authority, and Georgia DOT. The One Georgia Authority, devoted to advancing economic prospects in rural areas, should also be part of the discussion.

If the decisions made by these agencies were guided by well-reasoned review criteria that included environmental costs, comparing proposed projects on that basis, development activities minimizing disruption of natural resources would be favored over those that don't. Taking water from one river basin to another could be just one of many wasteful actions that would disqualify a project competing for limited public funds. Conversely, using natural resources responsibly to serve locally desired, sustainable business growth supporting the creation of fair-wage jobs and other community goals would be rewarded.

The One Georgia Authority, which seeks to bring economic prospects to rural areas of the state, should also be included in this effort.

The required shift in state policy would have to be coordinated with a reformed economic development strategy guided by similar criteria. Over time, using a coherent and enlightened set of guidelines, these measures would diversify the benefits of growth and geographically disperse the opportunities of stable development throughout Georgia, while greatly reducing environmental costs.

None of these steps would be easy, but they are essential if Georgians hope to retain environmental quality while advancing accessible, responsible economic opportunities for all.

Corps' Study Shows Deepening of Savannah Harbor Unneeded and Wasteful

Press release issued by Southern Environmental Law Center, January 25, 2011.

ATLANTA—The Corps' environmental analysis of the proposed deepening of the Savannah Harbor is either so fundamentally flawed that it must be redone, or it shows that the project is a colossal waste of valuable resources, according to comments submitted today to the U.S. Army Corps of Engineers by the Southern Environmental Law Center on behalf of the South Carolina Coastal Conservation League, the South Carolina Wildlife Federation, the Center for a Sustainable Coast, the National Wildlife Federation, and the Savannah Riverkeeper.

In its draft Environmental Impact Statement, the Corps asserts that the project has nothing to do with maintaining or increasing business for the Georgia Ports Authority at the Savannah terminal. If the terminal's business is unaffected by the proposed deepening and would continue to grow without it, the conservation groups point out that spending \$600 million in taxpayer money to deepen the river and irreparably harm the river system is unnecessary and wasteful.

If economic studies should determine that the Corps' underlying assumption is incorrect, then the Corps' analysis must be redone as it fails to examine the environmental impact and risks of a busier port.

The conservation groups also highlight the need for a competitive comparison to other Atlantic ports to ensure the best, smartest investment of federal taxpayer money and to minimize damage to natural resources and unnecessary spending. Until the Corps analyzes regional alternatives for accommodating the larger class of container vessels, it should not propose to sink \$600 million into deepening a 38 mile channel stretching from offshore of Tybee Island all the way to Garden City—a channel so deep it could swallow a four story building.

The proposed deepening of the river itself raises substantial concerns over

harm to the river system and life dependent on the river's health. Among the major concerns of deepening are lower oxygen levels in the river that compromise river life and create complications for industrial dischargers upstream and seasonal dead zones compounded by salt water intrusion further into the river and the ground water supplies for local communities on both sides of the river.

Given the expected damage from lower oxygen levels after deepening, the Corps' plans to put the Savannah River on mechanical respirators that inject oxygen into the river. The EPA vetoed a similar attempted fix proposed for the compromised Mississippi River.

Additional comments from each group follow:

"The Corps asserts that the proposed deepening wouldn't affect the port's business, yet it would cost taxpayers hundreds of millions of dollars, and damage the Savannah River system which makes the proposed deepening a waste of public resources," said Chris DeScherer a senior attorney with Southern Environmental Law Center. "Until the Corps assesses the best regional location for federal taxpayer investment, moving forward with a \$600 million deepening and accompanying damage would be irresponsible."

"We didn't find the reassurances we hoped to see in this study for the future integrity of the wildlife refuge, the continued safety of our drinking water, or the economic necessity of the project," said Andrea Malloy, interim director of the S.C. Coastal Conservation League's South Coast Office. "What this document asserts with certainty is that the salt water in the Savannah Harbor will definitely move further up river if the channel is dredged to 48 feet, cause "unfixable" damage to the refuge, and contaminate vital sources of drinking water. Our drinking water is not up for experimentation."

"We are very concerned that, contrary to the draft EIS findings, this project remains economically unjustified and fiscally irresponsible," said David Kyler, executive director of the Center for a Sustainable Coast. "If it is approved as the Corps recommends using the incomplete and faulty analysis in this draft EIS, valuable coastal resources will be degraded and the taxpayers' money will be squandered."

"If the deepening goes forward as proposed, salt water encroachment and lower oxygen levels would harm wildlife populations with a domino effect through the food chain and river system, even creating dead zones," said Jim Murphy, attorney for the National Wildlife Federation. "If underlying assumptions about port business and ship traffic change, the Corps' study would need to account for the threat to endangered right whales that give birth off the Georgia coast and are particularly vulnerable to ship strikes."

"The Savannah River provides over 1.4 million people with their fresh water daily and with 43 industrial outfalls serves as a major economic driver in Georgia," said Tonya Bonitatibus, Savannah RIVERKEEPER®. "The current Corps' study gives preferential treatment to downstream users over the remaining 375 miles of river and leaves those upstream on the hook for the potential negative impacts to the oxygen in the Savannah harbor."

The Southern Environmental Law Center is a regional nonprofit using the power of the law to protect the health and environment of the Southeast (Virginia, Tennessee, North and South Carolina, Georgia, and Alabama). Founded in 1986, SELC's team of more than 40 legal and policy experts represent more than 100 partner groups on issues of climate change and energy, air and water quality, forests, the coast and wetlands, transportation, and land use.

Kyler: Georgia water bill aids speculators

By David Kyler, Executive Director

Published in the April 19 issue of the Savannah Morning News

There's little doubt that a bill recently passed by the Georgia Legislature will become a devious tool for still more profiteering by speculative developers at the expense of the tax-paying public.

SB 122 provides funding for local governments to build reservoirs to supply water to "preferred" development projects.

The problem is, as it has been for decades, too many local officials cannot distinguish between the interests of the community and their own nest enhancement. They rationalize that indiscriminate growth is unconditionally good, so what harm is there if they make a few bucks in accommodating it?

Dollars changing hands is often the only economic indicator they need to justify — and profit from — careless guesswork about growth.

Georgians should recall that a big reason why our state had record-breaking bank failures following the bubble bursting in 2008 was reckless developer speculation on the value of land and construction, assisted not only by good-ol'-boy banking methods, but also by local officials all too willing to approve most development projects.

That destructive pattern is headed toward a replay, now boosted by SB 122, which adds water supply to the back-room deals that extract profits from irresponsible developer speculation.

The Atlanta Journal Constitution recently reported (April 12) that Gov. Nathan Deal made encouraging the development of new regional reservoirs a hallmark of his first legislation season. However, the

newspaper said, his successes in that arena already are causing some to worry about who is behind these new projects.

For example, lawmakers were told SB 122 would allow local governments the chance to identify a project and then select a private company to invest in it. The Calhoun Creek project appears to be working in the opposite fashion. The newspaper reported that a private speculator is developing a project, then searching for a local government partner with the needed legal authority and access to state money.

Rest assured that the Calhoun Creek project is just the first example of many to follow. Developers will seek favors from local officials in proposing water-supply facilities to make their projects more marketable — most often selling to the next real estate speculators, not homebuyers.

As long as there is a perception that a market exists, or can be made to appear to exist, speculation will run roughshod over Georgia's landscape. The delusional perceptions that drive groundless speculation will be enhanced by SB 122 when its provisions are manipulated by over-reaching developers.

Short of either retracting the bill or significantly amending it by adding rigorous enforceable review criteria — at a time when state enforcement is woefully underfunded — the only remedy is for the public to become vigilant in scrutinizing all proposals for reservoirs and the professed justification.

When local officials propose new reservoirs or other support for proposed projects, citizens must be wary of motives and consequences.

They should be ask basic questions and demand answers:

- Is building a new reservoir more prudent than thoroughly implementing responsible water conservation measures, which usually costs far less?
- Why is more water needed and what areas will be served?
- Who owns land located within the service areas of proposed water projects?
- What major projects that claim need for water are being proposed and how essential are they?
- Does local growth at the rates and in the locations being proposed make sense?
- Will proposed projects improve the community and how will quality of life be affected, including impacts on valued natural areas?

SB 122 is another reason why Georgians must become more involved in the decisions being made by their elected officials at all levels. It has never been more obvious that we cannot depend on politicians to protect our interests as citizens and taxpayers.

Responsible Water Management

The Energy-Water Collision

Things You Should Know

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Energy and water are woven into our daily lives and strongly linked to one another. Producing energy uses water, and providing freshwater uses energy. Both these processes face growing limits and problems.¹ In most power plants, water cools the steam that spins the electricity-generating turbines. Refining transportation fuels requires water, as does producing fuels—for example, mining coal, extracting petroleum, or growing crops for biofuels. Using water in our homes and businesses requires getting it there, treating it, heating it, and more. Because of these links between energy and water, problems for one can create problems for the other. In places where using energy requires a large share of available water, or where water resources are scarce or stressed by competing pressures (such as the needs of farmers or of local ecosystems or, increasingly in many parts of the United States, by climate change), the energy-water connection can turn into a *collision*—with dangerous implications for both.

1 THIRSTY FOR POWER—Keeping U.S. power on each day requires more water than 140 New York Cities. The electric sector withdraws 143 billion gallons of freshwater per day.² More than half of the country's 104 nuclear power reactors use once-through cooling (see the text box on p. 4).³ Each of these plants withdraws 25 to 60 gallons of water for each kilowatt-hour of electricity it generates.⁴ Coal plants with similar cooling systems typically withdraw almost as much—20 to 50 gallons per kilowatt-hour—even without considering the water needed to mine coal or store coal waste from power plants. Those figures mean that for a nuclear or coal plant to generate the electricity for one load of hot-water laundry (using electric appliances), 3 to 10 times more water must be withdrawn at the plant than is used to wash the clothes.⁵

2 WITHDRAWAL SYMPTOMS—In the southeastern United States, power plants account for two-thirds of all withdrawals of freshwater. Nationally, the amount of freshwater withdrawn to cool power plants is roughly the same as that for crop irrigation.⁶ In the Southeast, electricity's water withdrawals easily top agriculture's: power plants there withdraw an average of 40 billion gallons of freshwater every day, or 65 percent of the region's total.⁷ Some plants lose or “consume” large amounts of the withdrawn water to evaporation: a typical 600-megawatt coal-fired power plant consumes more than 2 billion gallons of water per year from nearby lakes, rivers, aquifers, or oceans.^{8,9}

3 IN HOT WATER—Water discharged from a coal or nuclear plant is hotter—by an average of 17°F in summer—than when it entered the plant.¹⁰ Roughly one third of all U.S. power plants use once-through cooling¹¹ and so return virtually all the water they withdraw.

Still, these plants' significant water withdrawals can have a large impact on water quality, including temperature. Half of all coal plants report releasing water in the summer at peak temperatures of 100°F or more.¹² This thermal pollution can stress or kill fish and other wildlife. On Georgia's Chattahoochee River, for example, several thousand fish perished each summer until Georgia Power retrofitted its coal-fired plants with cooling towers in 2002.¹³ Coastal power plants discharging warmed seawater can similarly harm local marine ecosystems.¹⁴

For the complete text of this report, go to www.ucs.org
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A note from the Center...

For at least the past five years, the Center has been advising our members, the Georgia public, and state officials about profound conflicts between current state energy policy and wise water management. In legislative testimony and opinion columns published in the Atlanta Journal Constitution and through other forums, we have urged the reform of Georgia's energy policy to reflect the simple truth that conventional forms of power production consume—and waste—enormous volumes of water, and thus they need to be held accountable to reliable conservation measures.

Far more efficient sources of energy are available, yet Georgia continues to permit coal-burning power plants and the expansion of the Vogtle nuclear plant which, combined, will waste at least a hundred million gallons of water daily at a time when the state is struggling to find enough water to meet basic residential and commercial needs.

Indeed, Georgia is spending millions of dollars in legal fees wrangling with Florida and Alabama over “water wars” conflicts, while our state officials continue their reckless ‘free-pass’ neglect that allows power companies to squander huge volumes of Georgia's limited water supplies.

Such blatantly irresponsible performance is simply unacceptable at this stage in our understanding about resource management. We now have the technology, urgent need, and abundant justification to support adoption of a new energy policy that will correct wasteful practices under the state's currently uncoordinated, politically compromised, and contradictory policies for water use and power production.

- David Kyler
Executive Director
Center for a Sustainable Coast

Climate Change & Coastal Georgia: Confronting compromised leadership

On the 30th of October, 2010, the Center sponsored a meeting in Savannah that launched a coastal Georgia group of Citizens Climate Lobby (CCL), a national non-profit with over 30 groups around the US and Canada which facilitates concerned citizens' efforts to lobby for climate protection legislation. Since the start-up, the Savannah group has had more than a half dozen letters to the editor and a major op-ed piece by Stacey Kronquest published in the *Savannah Morning News*. Members have participated in "Congress on the corner" meetings with a wide range of local politicians and staffers.

The Savannah-based CCL group had repeatedly attempted to schedule meetings with local Congressmen, Republican Jack Kingston and Democrat John Barrow, without success until recently. On Tuesday, March 22, 2011 – with less than 24 hours notice – Congressman Barrow agreed to meet with the CCL representatives. On short notice, seven CCL representatives showed up at Barrow's Mall Avenue offices to discuss climate change.

Our two coastal Georgian Congressmen represent the dual sides of the pervasive PR campaign to deny legitimate action on climate change. Kingston is an outright denier, of not only climate change, but evolution as well. He has been quoted as advising that we should "get science out of Washington." So much for hoping scientific facts can be used to influence Jack Kingston's ideology.

Barrow, on the other hand, claims to be quite concerned with climate change, advocating "all reasonable measures" to control and reverse global warming, but he has broken from his Democratic Party and voted against the two most significant pieces of climate control legislation to date: the cap-and-trade bill last year, and the recent proposal to enable the federal Environmental Protection Agency (EPA) to control carbon emissions under the Clean Air Act.

When questioned by our CCL group, Barrow explained that while he agreed with the intentions of these legislative actions, he disagreed with specifics of the proposals. Broadly, Barrow does not think it is right to "penalize" dirty power producers for actions we are all responsible for – since nearly all drive petroleum-fueled cars and use coal-fired electrical power.

Further, he thinks having EPA regulate carbon emissions is a bad idea because it would make power from fossil fuels too expensive for lower-income constituents. Barrow asserts that carbon limits should be regulated by specific legal provisions if they are to be pursued at all, not by simply adding them to the list of substances being regulated under the Clean Air Act.

The CCL group pointed out that a billion dollars of government investment will create more than four thousand jobs if used for energy conservation, about two thousand jobs for wind or solar and far less than one thousand jobs if spent on fossil fuels or nuclear power. Spending money to create jobs through fossil fuels or nuclear is a terrible waste, they said. In response, Barrow merely shrugged.

What *does* Rep. Barrow support? He endorses a proposal of The Nature Conservancy and the American Enterprise Institute (odd bedfellows) to pour tax-generated revenue into clean energy research. As proposed, this subsidy would be in the tens of billions of dollars spent over many years.

The obvious consequence of that proposal would be to divert scarce public funds from actually implementing clean energy to doing "research". This will not only make it more difficult to finance clean energy implementation now, but will delay taking meaningful steps until, presumably, we discover the "silver bullet" which will reverse global warming without costing either the public or the dirty power industry a dime (other than publically-funded research).

Barrow simply ignored the assertion that wind and solar power are being effectively implemented on a grand scale right now in Europe and China – and in the American West, as well – clearly proving that our present clean technology is ready to be implemented here and now.

Center board president Steve Willis asked Rep. Barrow whether he thought donations to his last campaign of \$143,000 (at a minimum) from dirty power industries might influence his maverick behavior as a Democrat. Barrow scoffed, saying that it is unlikely that such a paltry sum would influence a man who received 1.3 million dollars in contributions during that election alone.

Sea Level & Georgia's Coast: A clash between culture & harsh reality

Based on Comments by Center Board President Steve Willis, presented at the Red Clay Conference hosted by the Georgia Bar Association, March 4, 2011

The two most important things to understand about the impact of global warming and sea rise on the Coast of Georgia are: (1) even if the more moderate predictions of sea rise are realized, the marshes and barrier island ecosystems will be severely damaged, and (2) homes and developed areas clustered around coastal waters – worth billions of dollars – will either be destroyed, placed in grave jeopardy, or protected at enormous and ever-greater public expense in the years ahead.

The timing of this inundation is expected to be so rapid relative to periods of natural adaptation (decades, not centuries) that it will take centuries or millennia for the process of "marsh succession" to reestablish a stable coastal ecology *if* physical barriers to it are removed.

The Center for a Sustainable Coast has been working for over a decade to advocate a sustainable approach to ensuring responsible use of natural resources in support of coastal Georgia's economy. Although the Center has often focused on the protection of the coastal environment against more immediate threats, we have come to understand that most of the challenging issues affecting the coast – sea rise, rampant development speculation, inadequate regulation and enforcement, ocean acidification, diminishing and impaired fresh water supply, poor economic choices, and irresponsible governance, for instance – cannot be successfully addressed without looking beyond the coast toward broad public policy at the state and national levels.

Thus, we have been a persistent voice in opinion columns and other venues advocating reforms that address these massive problems. This often entails joining forces with national and global initiatives opposing counter-productive trends in biofuels, climate change, and coal and nuclear power.

The road to hell is paved with compartmentalized thinking – which almost always serves some mischief-maker's immediate profit-taking strategies, with profoundly destructive consequences. The division of the American citizenry into groups such as "consumer", "environmentalist", "businessman", "politician", "bureaucrat", and so on ultimately is just an especially harmful form of compartmentalization, as is the separation of energy policy from water management and other public programs having environmental consequences.

From its inception, by focusing our mission on 'sustainability', the Center has approached all problems from a 'systemic' perspective, which includes analysis of realistic projections of on-the-ground, cumulative, comprehensive impacts of present policies and actions, and exposing them as irresponsible if not fraudulent exploitation of public interest.

Both Congressmen serving Georgia's coast, Jack Kingston and John Barrow (a Republican and a Democrat), make no bones about their view of their job: they are not primarily educators, problem-solvers, or leaders, but rather loyal representatives of their constituents. As such, they believe they should listen, carrying forth their constituent's thoughts and opinions in their name, no matter how misinformed or outdated.

This liberates our Congressmen to tell people what they want to hear, perpetuating the status quo, regardless of how reckless that may be – a much less dicey political strategy than telling voters what they don't want to hear by tackling unsavory but real problems having controversial solutions that provoke electorate apprehensions.

Unfortunately, it also frees politicians from the laborious task of thinking objectively for themselves, learning about issues that are important but not of immediate concern to their constituents, avoiding the challenge of providing real leadership.

Voters think they are hearing their ideas and opinions confirmed by knowledgeable and thoughtful leaders when Kingston and Barrow speak, but, in truth, they are merely hearing their own predispositions echoed, even if often obsolete and uninformed.

Above all else, the Center advocates making science the primary element in all decisions in order to achieve a more sustainable coast. In a culture where self-serving manipulators are frequently attempting to use words out of context to serve their own agendas, we must explain what is meant by the word *science*. We mean it as a fact- and logic-based, method of producing knowledge, founded in careful analysis of empirical observations.

Science is thinking based on demonstrable and repeatable observations of physical reality, as well as universally accepted principles of logic and mathematics – which are themselves ultimately based on, and verified by, empirical observations. We ignore reality at our own peril, thus by suppressing the use of science in public policy, influential political forces are inviting disaster.



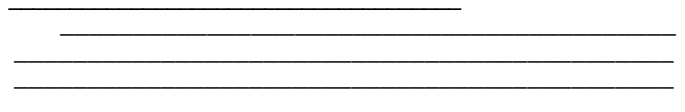
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June 2011



Dear Friends and Supporters –

As you probably know, ever since the Center was formed in 1997, selectively chosen legal actions have been among our many activities advocating responsible conservation and use of coastal Georgia's natural resources. These prudent legal actions have been taken to strengthen the interpretation and enforcement of environmental laws, with the goal of enhancing the long-term sustainability of Georgia's coast. During those 14 years we've been involved in fewer than ten legal cases – all against state and federal agencies, not individuals.

Rather than challenging every violation, we've filed cases that, if properly resolved, will result in permanently improved enforcement standards and procedures protecting coastal waters, marshes, wetlands, barrier islands, and maritime forests, as well as public and private property – including recreational areas and homesites.

Thank you for your support of the Center's past efforts! Our accomplishments would not have been possible without our members and supporters, whose generosity is essential to sustaining the Center's daily operations.

In asking you to consider renewing or expanding your financial support, we take this opportunity to provide an update on some current legal issues the Center has recently initiated.

Letters of Permission (LOPs)

The LOP issue came to our attention in the fall of 2010 when the Coastal Resources Division (CRD) of DNR granted Twentieth Century Fox approval for a temporary but significantly disruptive use of a shorefront area of Jekyll Island that was within the jurisdiction of the Shore Protection Act (SPA). This was done without any permit being applied for or issued. Not only is there no provision in the SPA for LOPs, but there wasn't any public notice about the activities being approved, and no chance for concerned citizens to comment on, or appeal, impending actions. On April 5, the Center's attorneys filed a petition seeking an injunction to stop the use of LOPs and a judgment declaring the practice illegal. It is expected that if this ruling is made, DNR will subsequently seek to establish new provisions in law that will allow LOPs. However, to establish such provisions, a public rulemaking process would be required, enabling us to do as much as possible to ensure appropriate public notice and conditions limiting the use of LOPs, and a process for enforcing and, if necessary, legally appealing future LOPs.

Marsh Buffer Protection

Under Georgia's *Soil Erosion and Sedimentation Control Act*, all waters of the state must be protected with at least a 25-foot buffer of undisturbed land left in its natural condition. Anyone seeking to alter the buffer must apply for a variance, which may be granted by the Environmental Protection Division (EPD) of DNR. However, we have noted instances in which the EPD is making it easier to ask forgiveness rather than permission. In one recent situation, a bulkhead was built in the buffer without a permit, but the "solution" did not require the removal of the bulkhead and the restoration of the destroyed buffer area. Rather, the agency essentially permitted the violation after the fact, and the only consequence for the violator was a relatively small increase in the cost of the project. EPD's issuance of a "consent order" in this situation required only a fine and some unspecified remediation of an area other than the location where damage actually occurred. In response, on March 18 our attorneys filed a Petition for a Hearing on a Marsh Buffer Violation. Our action seeks to produce a judicial finding that consent orders may not be used by EPD to allow *de facto* after-the-fact approval of activities that were in violation of the E&S law's requirement for a buffer along all "waters of the state," including marshes. If this case is resolved to achieve that goal, we believe that future violations of the marsh buffer will be less extreme and less frequent. We expect that EPD, local governments, and property owners will take their legal obligation to honor the buffer more seriously as a result of this case.

These legal actions are well justified, serving as compelling examples of the importance of the Center's work to the interests of current and future citizens of coastal Georgia.

Complementing such enforcement activities are valuable Center efforts to educate and engage the public on a wide range of inter-related issues, including harbor deepening, alternative energy implementation, coastal zone management, climate change, barrier island protection, water management, and the control and monitoring of coastal development.

We hope you'll express your support for the Center's ongoing efforts by sending a tax-deductible contribution in the enclosed envelope. We value your opinions and depend on your involvement in our work.

For Georgia's Coast,
Board Members & Staff
Center for a Sustainable Coast