Panel’s rules reported tougher than officials’

By BOB ANDERSON
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The coastal section of the Department of Natural Resources proposed tighter restrictions for shell dredgers than DNR administrators put in the permits, the Louisiana Coastal Commission was told Wednesday.

The staff recommended no dredging within 1,000 feet of any coastal reefs that are exposed above the water bottom, said James Blackmon, a DNR coastal analyst.

That feature was not considered enforceable, DNR Deputy Secretary Winston Day told the commission, which is hearing appeals of the permits.

Day said DNR did not want to give “false expectations” to the fishing and environmental groups opposed to dredging by including a permit restriction that DNR could not make sure was met.

Instead, the permit issued by DNR allows dredging of small reefs exposed above the water bottom and allows dredging up to larger reefs that are not part of special protected areas.

DNR does not know the location of all the reefs and does not have the manpower to find out whether dredging companies are working within 1,000 feet of a reef that is protruding above the bottom, Day said, explaining why the staff recommendation was not followed.

It is those reefs that fishermen and shrimpers are most concerned about, because they say such reefs provide habitat for aquatic life.

Day said DNR will pull spot inspections on dredges and on barges at their dock. If large amounts of shells with living organisms growing on them are found, the department will take action, he said.

Blackmon testified that he would prefer to see no dredging of reefs that are not covered with silt.

Dredging near such reefs may cause them to be undermined or to become undermined or to become

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covered with silt, the coastal analyst testified.

Asked about the number of reefs that exist between the bottom and the surface, Blackmon recounted a flight over the area and said:

“If there are reefs present, they are subaqueous (below surface) reefs.”

Shell dredging opponents say that, of the numerous reefs that once jutted from the waters of Atchafalaya Bay, only a few outcroppings remain. This could jeopardize an important state boundary of which some reefs were a part, they say.

Blackmon also testified that the coastal zone section recommended only a two-year permit, so that more material on the environmental impacts of dredging could be gathered and assessed before a longer permit was granted.

Instead, the DNR administration gave the dredgers a five-year permit with an administrative review after two years, Blackmon said under cross-examination.

Asked if he agreed with the decision of his superiors, Blackmon said he understood that it would require an enormous number of man-hours to review another permit application in two years. That was the reason for the longer permit, he said.

The analyst said he still hopes DNR will in other areas, draw new lines to take in other areas that need protection, but he conceded there is nothing in the permit that will require that such action be taken.

The emerging Atchafalaya delta needs to be protected if the life of Louisiana’s fisheries is to be prolonged, he said.

The marshlands of the delta provide an important nursery ground for fish and shrimp and also provide vegetative matter that is the basis of the food chain, according to Blackmon.

“We’re losing areas of primary productivity in most areas, but gaining in the Atchafalaya,” he said.

Environmental and fishing groups allege that dredging deep channels in Atchafalaya Bay is detrimental to delta building.

“To prolong the fisheries industry in Louisiana, we should encourage delta growth to provide more fisheries nursery areas,” Blackmon said.

The reefs in Atchafalaya Bay are being removed much faster than they are being produced, according to the coastal analyst. In fact, there are hardly any living oyster-producing reefs in the area, he said.

Barney Barrett, who represents the Department of Wildlife and Fisheries, told the commission, asked Blackmon if he feels the shell dredging industry is overregulated.

Blackmon said he feels the permit requirements established by DNR are fair.

Every marsh buggy that runs through the marsh isn’t required to have a special location detecting device on it, Barrett said.

Barrett’s department is charged with regulating the shell industry and also receives direct funds for every yard of shells dredged.

The Iberia Rod and Gun Club, one of several organizations appealing the permits, withdrew its appeal Wednesday, announcing that it has reached a settlement with Lake Charles Dredging & Towing Co.

The hearings of the other appeals will continue at 9 a.m. Monday in the State Land and Natural Resources Building.