Simoneaux defends shell dredging permit OK

By BOB ANDERSON
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There was little choice but to issue permits to shell dredgers under the state's Coastal Zone Management Act, which calls for full use of coastal resources, the head of the Department of Natural Resources testified Monday.

DNR Secretary Frank Simoneaux, testifying before the Louisiana Coastal Commission on an appeal of the permits, said the act is difficult to administer because it instructs him to promote development and promote conservation at the same time.

"How do you balance that kind of thing?" Simoneaux asked the commission.

The act was a compromise, and even the makeup of the commission is a compromise in which everyone "represents a special interest," the DNR secretary said.

He said that in the last case in which he denied a permit, the commission overruled him and granted a permit for a marina on a barrier island.

"If you reversed that permit, I couldn't see how to deny this permit," Simoneaux told the commission. He described the act as an "ambiguous statute, which Solomon himself couldn't administer without a great deal of doubt.

Simoneaux said his staff lacked proof that shell dredging is damaging the environment, although he said he has a "nagging feeling" that it is harmful. The matter needs extensive study, he said, adding that he will not hesitate to revoke or amend the permits in two years if evidence shows that it is necessary.

"I do have concerns" about shell dredging, Simoneaux said. But his staff "couldn't put down in writing" that shell dredging has a negative effect on the environment.

Based on the evidence and the requirements of the statute, the DNR staff recommended that the permits be granted with certain restrictions, he said.

"I had to concur after evaluation of the statute," Simoneaux said.

"It's yet unknown what the environmental effect of shell dredging is," the DNR secretary told the commission.

He said he was aware of concern by fishermen that the fish population is being reduced by shell dredging but said that was something his staff could not prove.

Shell dredging is only one of the factors suspected in water quality problems for Lake Pontchartrain, he said. Earlier in the day a DNR staff member testified that the team that reviewed the permit application recommended to Simoneaux that the permits be granted only for two years but that Simoneaux granted them for five years instead.

Simoneaux told the commission that he chose the longer period because the application had taken so much of his staff's time — some 1,500 man hours.

But he said he wrote into the permits that a mandatory review of the permit be conducted after two years. Such a review will provide a chance to look at new evidence and take necessary action, while not taking as much time as reviewing a new permit, he said.

"I saw no need to re-invent the wheel. 18 months from now," Simoneaux said.

He said he would consider receiving public comment when the matter comes up for re-evaluation.