



AGENDA MEMORANDUM

Future Item for the City Council Meeting of August 21, 2012

Action Item for the City Council Meeting of August 28, 2012

DATE: August 10, 2012

TO: Ronald L. Olson, City Manager

FROM: Tom Tagliabue, Director, Intergovernmental Relations
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Resolution opposing the U.S. Department of the Interior's Idle Iron policy and supporting both H.R. 6208 (the REEFS Act) and S. 1555/H.R. 3429 (the Rigs to Reef Habitat Protection Act).

CAPTION:

Resolution opposing the U.S. Department of the Interior's Idle Iron policy and supporting both H.R. 6208 (the "Retaining Essential Environmental Fishing Structures Act" or REEFS Act) and S. 1555/H.R. 3429 (the Rigs to Reef Habitat Protection Act).

PURPOSE:

The resolution expresses the City of Corpus Christi's (City) opposition to a federal administrative action that will do irreparable damage to on an extensive range of marine fisheries and ecosystems if the U.S. Department of the Interior removes artificial reefs from the Gulf of Mexico. In addition, the resolution expresses support for two federal bills – H.R. 6208 (the "Retaining Essential Environmental Fishing Structures Act" or REEFS Act) by US Representative Blake Farenthold and S. 1555 by Senator David Vitter/H.R. 3429 by Representative Steven Palazzo (the Rigs-to-Reef Protection Act).

BACKGROUND AND FINDINGS:

The U.S. Department of the Interior adopted the Idle Iron policy directive in October 2010 targeting offshore structures in the Gulf of Mexico and that have not produced oil or gas within five years of the directive issue date of Oct. 15, 2010. Of the estimated 3,500 oil and gas wells in the Gulf of Mexico, an estimated 475 structures have been removed in the last two years with another 200 slated for removal in 2012.

In recent months, opposition to the Idle Iron policy has grown because it destroys artificial reef habitat that supports a complex marine habitat. Artificial reefs created by non-producing oil and gas wells are proven to enhance the fishery resources and commercial and recreational fishing opportunities. Enhancement of fishery resources is

considered to be the restoration or creation of habitat to improve recruitment and spawning potential of reef associated species, while enhancement of fishing opportunities is the creation or improvement of fishing opportunities.

Tom Schmid of the Texas State Aquarium, Dr. Larry McKinney from the Harte Institute at Texas A&M University-Corpus Christi, and Skip Porter from the University of Texas Marine Science Institute in Port Aransas all support H.R. 6208 and have written an op-ed piece supporting the measure.

ALTERNATIVES:

The City Council has several options: (1) oppose the Idle Iron policy as recommended by City staff, (2) support the Idle Iron policy implemented by the U.S. Department of the Interior, (3) decline to support any or all of the federal legislative items, (4) support any or all of the federal legislative items, or (5) take no action on the Idle Iron policy and/or federal legislative items.

OTHER CONSIDERATIONS:

Congress is on recess until September 9. There is little time left for Congress to act during the 112th Congress which ends in January 2013.

CONFORMITY TO CITY POLICY:

The resolution is consistent with past actions of the City Council expressing support or opposition to legislative, regulatory and/or administrative proposals of state or federal agencies.

EMERGENCY / NON-EMERGENCY:

This is a non-emergency item.

DEPARTMENTAL CLEARANCES:

ACM – Business Support Services
City Attorney

FINANCIAL IMPACT:

Operating Revenue Capital X Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):n/a

Comments:

RECOMMENDATION:

Staff recommends adoption of the resolution opposing the federal regulatory action (i.e. Idle Iron policy) and supporting the two pieces of federal legislation – H.R. 6208 (REEFS Act) and S. 1555/H.R. 3429 (Rigs-to-Reef Habitat Protection Act).

LIST OF SUPPORTING DOCUMENTS:

1. Draft City Council Resolution
2. *Corpus Christi Caller-Times* column by David Sikes, August 1, 2012
3. Copy of H.R. 6208 by Rep. Blake Farenthold (REEFS Act)
4. Copy of S. 1555/ H.R. 3429 by Sen. David Vitter & Rep. Steven Palazzo