

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 46

BY REPRESENTATIVE MINCEY

A CONCURRENT RESOLUTION

To urge and request the governor's executive assistant for coastal activities to coordinate a study among state agencies and make recommendations to the governor and the legislature relative to management of the Amite River Basin, including areas authorized under the federal Amite River and Tributaries Project.

WHEREAS, the governor's executive assistant for coastal activities (executive assistant) is authorized to coordinate the powers, duties, functions, and responsibilities of any state agency relative to integrated coastal protection, including hurricane protection, flood control, and wetlands conservation and restoration, and may seek and utilize the assistance of personnel from the Coastal Protection and Restoration Authority (CPRA) and any state department or agency to carry out his duties, functions, and responsibilities as set forth in R.S. 49:214.3.1; and

WHEREAS, the executive assistant also acts as the chairman of the Coastal Protection and Restoration Authority Board (CPRA Board) which directs policy regarding integrated coastal protection with hurricane protection, storm damage reduction, flood control, and conservation and restoration of the coastal area as a high-priority public policy of the state, as authorized and required by Article IX, Section 1 of the Louisiana Constitution and R.S. 49:214.1, et seq. and the CPRA is the implementation arm of the CPRA Board; and

WHEREAS, the 2017 Comprehensive Master Plan for a Sustainable Coast identifies projects designed to build and maintain land, reduce flood risk to our citizens and communities, and provide habitats to support ecosystems that will assist in providing for the continued existence of Louisiana's residential, agricultural, energy, and industrial development in the coastal area; and

WHEREAS, Louisiana is regularly impacted by flooding throughout the state and extreme water events have increased in both frequency and magnitude; and

WHEREAS, the state of Louisiana is positioned to be a national leader in watershed-based floodplain management, working through partnerships among state agencies that coordinate and align the actions and objectives of state and local governments, federal agencies, institutions of higher education, and private and not-for-profit organizations; and

WHEREAS, the state of Louisiana is committed to increasing community and regional resilience to flooding by managing, mitigating, and adapting to future flood risk; and

WHEREAS, communities are hydraulically and hydrologically connected within the bounds of a watershed and decisions made in one portion of a watershed will impact floodplains in other portions of the same watershed; and

WHEREAS, flooding after a rain event is not only related to the amount and intensity of rainfall received but is also closely tied to land use, as well as policy and infrastructure decisions; and

WHEREAS, multiple programs designed to mitigate and reduce flood risks are managed in different state agencies, local entities, and political subdivisions; and

WHEREAS, currently floodplains are impacted by actions and decisions made by a wide variety of people and regulatory bodies, including private landowners, municipalities, and parish leaders and laws, including zoning, building codes, statewide regulations, and federal requirements. Existing practices across varying levels of government do not currently provide for the floodplain management that is necessary to properly address drainage issues as land is developed, including in the Amite River Basin; and

WHEREAS, the increasing frequency and extent of flood events demands heightened levels of coordination, information sharing, and response among state agencies and other stakeholders in order to more closely align resources and programs designed to protect communities from flooding and manage floodplains and watersheds effectively; and

WHEREAS, the widespread disaster caused by the great floods of 2016 revealed how susceptible Louisiana's landscape is to flooding, particularly within the Amite River Basin; and

WHEREAS, building on an early investigation into innovative solutions, Governor John Bel Edwards launched the Louisiana Watershed Initiative (LWI), governed by the Council on Watershed Management, to reform the state's approach to flood mitigation; and

WHEREAS, the LWI is pursuing a holistic approach to watershed management, one that goes beyond conventional mitigation measures and incorporates nature-based solutions; and

WHEREAS, it is important that a system of management be developed for the various watersheds in the state of Louisiana; and

WHEREAS, the greatest impact of the great floods of 2016 were within the Amite River Basin located primarily in the coastal area and it is imperative to move forward with management of the Amite River Basin before the next flood event; and

WHEREAS, study of management of the Amite River Basin would assist in the development of an overall scheme of management for all of the watersheds identified in Louisiana by the LWI and assure that management of the Amite River Basin moves forward in an accelerated manner such that flood mitigation grant funds resulting from the Great Floods of 2016 could be used to implement projects in the watershed expeditiously and ahead of the next flood event in an effort to protect the safety and welfare of the citizens living and working in the Amite River Basin; and

WHEREAS, the executive assistant and the CPRA Board are charged by the Legislature of Louisiana with the responsibility for policy relative to the integration of hurricane protection, storm damage reduction, flood control, infrastructure, and coastal protection and restoration efforts in accordance with the master plan and annual plans and the CPRA is the implementation arm of the CPRA Board; and

WHEREAS, since the majority of the Amite River Basin is located in the coastal area, the Legislature of Louisiana finds that the executive assistant and the CPRA Board are most suited to coordinate the timely completion of a study relative to the management of the Amite River Basin and provide recommendations on management of the Amite River Basin to the Legislature of Louisiana before the beginning of the 2022 Regular Session.

THEREFORE BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the executive assistant to coordinate a comprehensive assessment and study

relative to management of the Amite River Basin, including areas authorized under the federal Amite River and Tributaries Project.

BE IT FURTHER RESOLVED that this comprehensive assessment and study of the management of the Amite River Basin shall, at a minimum, include the following:

(1) Review of the current management of the Amite River Basin and entities in charge of management of the basin.

(2) Review of the history of the management of the Amite River Basin on the local, state and federal levels, including the federal Amite River and Tributaries Project.

(3) Review the history of flood events in the Amite River Basin.

(4) Provide an assessment of the historical, existing, and planned hurricane storm damage reduction and flood protection and drainage infrastructure projects within the Amite River Basin that clearly depicts which communities are protected by that infrastructure given hydrologic conditions.

(5) Use of the latest and most scientifically-reliable data and technology available.

(6) Provide an assessment of which communities are currently providing funding for the operations and maintenance of associated flood protection and drainage infrastructure in the Amite River Basin and which communities are not.

(7) Propose appropriate boundary lines for updating the management of flood control and other water resources within the Amite River Basin based on the latest and most scientifically-reliable data that is available relating to watersheds and the hydrology of the Amite River Basin.

(8) Develop overall strategies to promote and maintain the management of the Amite River Basin.

(9) Implement, by the CPRA at the direction and coordination of the executive assistant and coordination, as necessary, all study efforts with the LWI, the Louisiana Department of Transportation and Development, the Louisiana office of community development, the United States Army Corps of Engineers, state and local political subdivisions and related governmental entities within the Amite River Basin, and any other stakeholders identified by the Coastal Protection and Restoration Authority or the CPRA Board.

(10) Consider any issues regarding the displacement of any persons as a result of flood control.

BE IT FURTHER RESOLVED that the executive assistant shall submit a report of its study and recommendations for any statutory, rule, regulation, or policy changes relative to management of the Amite River Basin to the governor and the Legislature of Louisiana no later than sixty days prior to the 2022 Legislative Session and deliver copies of the report to the president of the Senate, the speaker of the House of Representatives, the Senate Natural Resources committee, the Senate Transportation, Highways and Public Works committee, the House Natural Resources and Environment committee, the House Transportation, Highways and Public Works committee, the Louisiana office of community development, the Council on Watershed Management, the Louisiana Department of Transportation and Development, the CPRA Board, and the executive director of the Coastal Protection and Restoration Authority.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to governor, the governor's executive assistant for coastal activities, the Coastal Protection and Restoration Authority Board, the executive director of the Coastal Protection and Restoration Authority, the Louisiana office of community development, the secretary of the Louisiana Department of Transportation and Development, and the Council on Watershed Management.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE