

2025 Regular Session

SENATE BILL NO. 97

BY SENATORS PRESSLY AND BASS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FLOODS/FLOODING. Creates the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority. (8/1/25)

AN ACT

To amend and reenact R.S. 38:2(A)(2) and (3), 5.1, 6, 32(B)(3), 84(A) and (B), 111, 112, 214(C) and the introductory paragraph of R.S. 49:214.6.6(A) and (C), 220.41(D), 220.42(B)(5) and (7) and to enact R.S. 38:90.2(D), 214(D), and Chapter 11-A of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2351 through 2359, and R.S. 49:214.6.3(A)(5), 214.6.6(A)(5), 220.42(B)(9) and (10), relative to flood control, risk reduction, navigation, and water resource management; to provide for the Department of Transportation and Development; to provide for the office of public works; to create the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority; to provide for purpose and intent; to provide for the development and implementation of an integrated plan for the upland area; to provide for definitions; to create the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority Board; to provide for members, powers, duties, and functions of the board; to provide for master and annual plans; to provide for public meetings and notices; to provide for legislative approval; to provide for the executive director; to provide for infrastructure programs; to provide for the Coastal Protection and Restoration

1 Authority; to provide for the chief resilience officer; and to provide for related
2 matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 38:2(A)(2) and (3), 5.1, 6, 32(B)(3), 84(A) and (B), 111, 112, 214(C)
5 are hereby amended and reenacted and R.S. 38:90.2(D), 214(D), and Chapter 11-A of Title
6 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2351 through 2359, are
7 hereby enacted to read as follows:

8 §2. Functions of department

9 A. * * *

10 (2)(a) The Coastal Protection and Restoration Authority Board shall have
11 superseding jurisdiction over all integrated coastal protection, as defined in R.S.
12 49:214.2(10), in the coastal area, as defined in R.S. 49:214.2(3).

13 **(b) The Coordinated Use of Resources for Recreation, Economy,**
14 **Navigation, and Transportation Authority Board shall have superseding**
15 **jurisdiction over all integrated projects in the upland area, as provided in R.S.**
16 **38:2351 et seq.**

17 (3)(a) Subject to the right to be reimbursed for reasonable costs associated
18 with such service, the Coastal Protection and Restoration Authority Board shall
19 render to local governmental subdivisions, levee districts, levee and conservation
20 districts, flood authorities, and any other special district all engineering, economic,
21 and other advisory services within the scope of its functions and jurisdiction as
22 defined in R.S. 49:214.2(3) and (10) which its facilities allow.

23 **(b) Subject to the right to be reimbursed for reasonable costs associated**
24 **with such service, the Coordinated Use of Resources for Recreation, Economy,**
25 **Navigation, and Transportation Authority Board shall render to local**
26 **governmental subdivisions, levee districts, ports, navigation districts and**
27 **commissions, levee and conservation districts, and any other special district all**
28 **engineering, economic, and other advisory services within the scope of its**
29 **functions and jurisdiction as provided in R.S. 38:2351 et seq. which its facilities**

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§5.1. Planning assistance to municipal and other planning agencies; federal grants

A. For the purpose of providing planning assistance to municipal, parish, regional and other planning agencies of the state of Louisiana in the solution of their planning problems, the Department of Public Works, State of Louisiana, be and is authorized to apply for and accept grants of money from the government of the United States or any federal agencies in connection with such assistance and, to this end, the said department may contract with the United States or such federal agencies for the acceptance of such grants including any requirement for matching said grants in whole or in part.

B. For the purpose of providing planning assistance to municipal, parish, regional, and other agencies of the state of Louisiana, within the statutory mission as provided in R.S. 38:2351 et seq., the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority is hereby authorized to apply for and accept grants of money from the government of the United States or any federal agencies in connection with such assistance and, to this end, the authority may contract with the United States or such federal agencies for the acceptance of such grants including any requirement for matching said grants in whole or in part.

§6. Cooperation with drainage districts, levee boards, and political subdivisions

The Department of Transportation and Development may also cooperate with any drainage or subdrainage district, any gravity drainage or gravity subdrainage district, any levee board, or any political subdivision, now or hereafter organized in accordance with law, upon any terms and conditions prescribed by the department.

For all upland areas as defined in R.S. 38:2352, the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority shall serve as the coordinating entity consistent with this title. The department shall assess and collect fees for the engineering services it provides to drainage

1 districts, levee boards, and political subdivisions, other than state or federally funded
2 projects.

3 * * *

4 §32. Louisiana Water Resources Program; powers, duties, and functions

5 * * *

6 B. The office of engineering shall be authorized to engage in the following
7 activities:

8 * * *

9 (3) To develop statewide water resources plans to assure the availability, safe
10 use, and wise management of the state's water resources in both the short and long
11 terms. **All plans shall be developed in coordination with the Coordinated Use of**
12 **Resources for Recreation, Economy, Navigation, and Transportation Authority**
13 **for the noncoastal area of the state.**

14 * * *

15 §84. Parishes and municipalities authorized to comply with federal flood insurance
16 act

17 A. In order to secure for the citizens of the state of Louisiana the flood
18 insurance coverage provided for by the National Flood Insurance Act of 1968, 42
19 USC 4001 et seq., all of the parishes and municipalities of the state may adopt, **in**
20 **coordination with the chief resilience officer** such ordinances, rules, and
21 regulations, including zoning and land use regulations, as are necessary to comply
22 with the requirements of said Act and the regulations adopted pursuant thereto by the
23 Federal Emergency Management Agency. **For upland areas of the state as defined**
24 **in R.S. 38:2352, said ordinances, rules and regulations shall also comply with**
25 **any statewide floodplain management standards which may be established by**
26 **the Coordinated Use of Resources for Recreation, Economy, Navigation, and**
27 **Transportation Authority.**

28 B. The office of engineering **chief resilience officer** shall cooperate with the
29 Federal Insurance Administrator of the Federal Emergency Management Agency in

1 the planning and carrying out of state participation in the National Flood Insurance
2 Program and shall aid, advise, and cooperate with parishes and municipalities
3 endeavoring to qualify for participation in said program.

4 * * *

5 §90.2. Revision of flood information database by the Floodplain Evaluation and
6 Management Commission

7 * * *

8 **D. The commission shall collaborate with the Coordinated Use of**
9 **Resources for Recreation, Economy, Navigation, and Transportation Authority**
10 **to manage statewide flood risk data for all areas within the authority's**
11 **jurisdiction.**

12 * * *

13 §111. Contracts by drainage districts, levee boards, and political subdivisions with
14 Department of Transportation and Development or the Coastal
15 Protection and Restoration Authority

16 Any drainage or subdrainage district, gravity drainage, or gravity subdrainage
17 district, levee board, or political subdivision may contract with the Department of
18 Transportation and Development or, for projects in the coastal area as defined in R.S.
19 49:214.2, the Coastal Protection and Restoration Authority, **or for projects in the**
20 **upland area as defined in R.S. 38:2352, the Coordinated Use of Resources for**
21 **Recreation, Economy, Navigation, and Transportation Authority,** upon any
22 terms for the payment of the cost of the drainage and reclamation projects within the
23 confines of the district or districts involved proportionately by the Department of
24 Transportation and Development, **the Coordinated Use of Resources for**
25 **Recreation, Economy, Navigation, and Transportation Authority,** or the Coastal
26 Protection and Restoration Authority, and the districts as may be agreed upon
27 between the Department of Transportation and Development, **the Coordinated Use**
28 **of Resources for Recreation, Economy, Navigation, and Transportation**
29 **Authority,** or the Coastal Protection and Restoration Authority, and the governing

1 authorities of the districts entering into any contract.

2 §112. Cooperation with federal government and state of Mississippi in building
3 levees

4 By and with the concurrence and approval of the local levee authorities in
5 interest in Louisiana, and of the Department of Transportation and Development, or
6 for levees in the upland area as defined in R.S. 38:2352, the Coordinated Use of
7 Resources for Recreation, Economy, Navigation, and Transportation Authority,
8 or, for levees in the coastal area as defined in R.S. 49:214.2, the Coastal Protection
9 and Restoration Authority, the state of Mississippi and the United States
10 Government, or ~~either~~ any of them, jointly or severally, may construct and have
11 entire charge and control of, both in construction and maintenance, and for protection
12 and preservation, all levees which may be deemed necessary by the grantees, or by
13 either of them, for protection against overflow from the Mississippi River, through
14 and over all parts of the state of Louisiana which by the changes of the channel of
15 the Mississippi River have been separated from other parts of the state of Louisiana,
16 and which are now on the east side of the present channel of the river, and attached
17 to the mainland of the state of Mississippi. The levees shall be of the dimensions and
18 shall be located, and built from adjacent soil, along the lines, and for the distances,
19 determined by the engineers in charge of levee construction either for the United
20 States or for the state of Mississippi, or for both.

21 * * *

22 §214. Interference with drainage prohibited

23 * * *

24 C. Upon the request of the Department of Transportation and
25 Development, the Coordinated Use of Resources for Recreation, Economy,
26 Navigation, and Transportation Authority, or the Coordinated Use of Resources
27 for Recreation, Economy, Navigation, and Transportation Authority Board, if
28 the area is located within the upland area, as defined in R.S. 38:2352, and
29 involves integrated upland projects the state police shall issue a citation to any

1 person who is in violation of this Section. Every person convicted of a violation
 2 of this Section shall be fined not less than twenty-five dollars nor more than
 3 three hundred dollars.

4 D. Each fine imposed pursuant to the provisions of this Section shall be
 5 collected by the court and forwarded to the state treasurer for deposit in the state
 6 treasury.

7 * * *

8 CHAPTER 11-A COORDINATED USE OF RESOURCES FOR
 9 RECREATION, ECONOMY, NAVIGATION,
 10 TRANSPORTATION AUTHORITY

11 §2351. Coordinated Use of Resources for Recreation, Economy, Navigation,
 12 and Transportation Authority; purpose and intent

13 A. The Coordinated Use of Resources for Recreation, Economy,
 14 Navigation, and Transportation Authority, referred to in this Chapter as the
 15 "authority", is hereby established as the single coordinating entity responsible
 16 for the prioritization, planning, and funding of projects related to flood control,
 17 risk reduction, navigation, and water resource management in all areas of the
 18 state not included within the coastal area as defined in R.S. 49:214.2.

19 B. The legislature declares that it is the public policy of the state to
 20 develop and implement, on a comprehensive and coordinated basis, an
 21 integrated plan that shall support and integrate the development and
 22 implementation of policies and initiatives for flood protection, infrastructure
 23 planning, and economic development in the upland area. Consistent with this
 24 goal, it is the policy of this state to achieve a proper balance between
 25 development and conservation and encourage the use of state resources in
 26 responsible economic development of the area. The authority shall implement
 27 the policy within these areas ensuring the efficient and coordinated
 28 management of water resources within its jurisdiction, addressing issues related
 29 to water quantity, flood risk mitigation, navigation, economic development, and

1 recreation. It shall be the policy of the state within these areas that through the
2 comprehensive and coordinated efforts and acting in accordance with the
3 provisions of this Chapter, the authority shall exercise all powers necessary to
4 plan, develop, and implement projects and programs consistent with the
5 legislative intent expressed in this Chapter.

6 C. Notwithstanding any other provision of state or federal law, the
7 authority is established, authorized, and empowered to carry out all functions
8 necessary to serve as the single entity responsible to act as the local sponsor for
9 construction, operation, and maintenance of all of projects approved by the
10 board in areas under its jurisdiction.

11 §2352. Definitions

12 As used in this Chapter, the following terms shall have the meanings
13 ascribed to them:

14 (1) "Upland area" means all land in the state of Louisiana that is not
15 included within the coastal area as defined in R.S. 49:214.2(4).

16 (2) "Upland parishes" means all parishes of the state, in whole or in part,
17 that are not included within the coastal area as defined in R.S. 49:214.2(4).
18 These areas are primarily affected by riverine flooding, watershed management,
19 inland navigation, and flood control infrastructure rather than coastal erosion
20 or sea level rise.

21 §2353. Coordinated Use of Resources for Recreation, Economy, Navigation,
22 and Transportation Authority Board

23 A. The Coordinated Use of Resources for Recreation, Economy,
24 Navigation, and Transportation Authority Board is hereby created within the
25 Department of Transportation and Development. The board is hereby
26 established, and shall exercise the powers and duties set forth in this Chapter
27 or otherwise provided by law. The department shall provide any necessary
28 staffing for the board. The provisions of R.S. 44:5(A) shall not be applicable to
29 any activities or records of or pertaining to the authority.

1 **B.(1) The Coordinated Use of Resources for Recreation, Economy,**
2 **Navigation, and Transportation Authority Board shall consist of no more than**
3 **fifteen members, selected by the governor, representing the following:**

4 **(a) The Red River Waterway district, nominated by the commission.**

5 **(b) The office of multimodal commerce. The commissioner shall serve**
6 **until, or without, express gubernatorial designation of an alternative.**

7 **(c) Statewide flood protection. The chief resiliency officer shall serve**
8 **until, or without, express gubernatorial designation of an alternative.**

9 **(d) The Department of Economic Development. The secretary of the**
10 **department shall serve until, or without, express gubernatorial designation of**
11 **an alternative.**

12 **(e) The North Louisiana Economic Partnership. The executive director**
13 **shall serve until, or without, express gubernatorial designation of an alternative.**

14 **(f) The Department of Culture, Recreation, and Tourism. The lieutenant**
15 **governor shall serve until, or without, express gubernatorial designation of an**
16 **alternative.**

17 **(g) Ports, located within the upland parishes, whole or in part.**

18 **(h) A levee board, no more than one, located within the upland parishes,**
19 **whole or in part.**

20 **(i) Duly elected members of the executive branch of local government**
21 **located within the upland parishes, whole or in part.**

22 **(j) The Department of Agriculture and Forestry. The commissioner shall**
23 **serve until, or without, express gubernatorial designation of an alternative.**

24 **(k) Industry operating and located within the upland parishes, whole or**
25 **in part. The executive directors of the Red River Valley Association and**
26 **Ouachita River Valley Association, shall serve until, or without, express**
27 **gubernatorial designation of an alternative.**

28 **(2) The board shall not consist of more than two port directors and no**
29 **more than one levee board.**

1 C. Any member of the board who represents a political subdivision shall
2 recuse himself from deliberations and from voting on any matter concerning the
3 taking of action against that political subdivision for lack of compliance with the
4 master or annual plan.

5 D. The chair of the board shall be appointed by the governor.

6 §2354. Master and annual plans; development; priorities

7 A.(1) The board shall, in accordance with the procedures set forth in this
8 Section, develop a master plan and an annual plan for protecting, conserving,
9 enhancing, and developing the area outside the coastal zone through the
10 construction and management of integrated projects and programs, including
11 privately funded projects or plans, and addressing those activities that
12 significantly affect such projects, all consistent with the legislative intent as
13 expressed in this Chapter, and which plan shall be subject to the approval of the
14 legislature as provided in Subsections B and E of this Section. In addition, the
15 board, in accordance with the procedures set forth in this Section including
16 legislative approval, shall review, revise, and amend the master plan when
17 necessary or, at a minimum, every six years.

18 (2) The master plan and the annual plan shall include requests for
19 funding of projects and programs related to the authority's mission. The annual
20 plan shall include at least a three-year projection of funding of projects and
21 programs related to the authority's mission, including but not limited to
22 relevant public or private funding sources.

23 B. The board shall develop the master and annual plans in accordance
24 with the following procedure:

25 (1) The board shall conduct not less than three public hearings in
26 separate locations in the upland parishes for the purpose of receiving comments
27 and recommendations from the public and elected officials. All public hearings
28 must be held at least sixty days prior to the submission of the plans to the
29 legislature.

1 **(2) At least two weeks prior to each public hearing the board shall**
2 **contact the parish governing authorities, regional flood protection authorities,**
3 **levee districts, and the state legislators of the parishes in the area for the**
4 **purpose of soliciting their comments and recommendations and notifying them**
5 **of the public hearing to be held in their area.**

6 **(3) Ten days prior to the first such public hearing the board shall publish**
7 **in the Louisiana Register and the official state journal the schedule of public**
8 **hearings setting out the location, place, and time of all the hearings.**

9 **(4) At least seven days prior to each hearing the board shall publish a**
10 **notice of the hearing in the official journal of each parish within the area of the**
11 **hearing. The notice of a hearing shall have been published in the official journal**
12 **of each parish in the upland area prior to the final scheduled public hearing.**
13 **The board may provide for additional public hearings when necessary upon at**
14 **least three days notice published in the official journal of the parishes in the**
15 **area of the hearing and written notice to the parish governing authorities.**

16 **(5) The board shall receive written comments and recommendations**
17 **until thirty days prior to the submission of the master and annual plans to the**
18 **legislative committees.**

19 **C. The master plan shall address the authority's efforts from both**
20 **short-term and long-range perspectives and shall incorporate structural,**
21 **management, and institutional components of both efforts. The plan shall**
22 **include but not be limited to the following:**

23 **(1) A list of projects and programs required for the protection,**
24 **conservation, enhancement, and development of the noncoastal area and the**
25 **action required of each state agency to implement said project or program.**

26 **(2) A schedule and estimated cost for the implementation of each project**
27 **or program included in the master plan.**

28 **D.(1) Where feasible, the master plan shall include scientific data and**
29 **other reasons, including but not limited to the social, geographic, economic,**

1 engineering, and biological considerations as to why each project or program
2 was selected for inclusion. Specifically, an explanation shall be included as to
3 how each project or program advances the plan objectives with respect to the
4 protection, conservation, enhancement, and development of the upland area.

5 (2) Prior to recommending any project for inclusion in the master plan,
6 the board shall identify and declare in writing:

7 (a) The public use benefits intended to be derived from the project that
8 justify the project.

9 (b) The use benefits that private landowners are expected to derive from
10 the project.

11 (c) The manner in which the benefits will be realized over the life of the
12 project.

13 (d) The entities or persons who will be responsible for the long-term
14 operation and maintenance of the project both in terms of manpower and cost.

15 (e) The entities or persons who will be responsible for monitoring the
16 project to ensure that it is functioning properly and realizing the intended
17 public and private benefits.

18 E.(1) After adoption by the board, the master plan shall be submitted to
19 the House Committee on Natural Resources and Environment and the Senate
20 Committee on Natural Resources and the House Committee on Transportation,
21 Highways and Public Works and the Senate Committee on Transportation,
22 Highways and Public Works for approval. In addition, the annual plan shall be
23 submitted to the House Committee on Natural Resources and Environment and
24 the Senate Committee on Natural Resources and the House Committee on
25 Transportation, Highways and Public Works and the Senate Committee on
26 Transportation, Highways and Public Works on or before the fifteenth day of
27 the regular legislative session of each year. The committees shall take action on
28 the annual plan on or before June first of each calendar year.

29 (2) If any committee disapproves a plan, it shall send the plan back to the

1 authority together with a brief summary of the reasons for disapproval and may
2 make recommendations concerning changes it deems necessary or appropriate
3 to remedy any deficiencies in the plan.

4 (3) The legislature may approve or disapprove a plan by resolution
5 adopted by a majority vote of the members of each house of the legislature. If
6 the legislature disapproves a plan, it shall include in the resolution a brief
7 summary of the reasons for disapproval and may make recommendations
8 concerning any changes it deems necessary or appropriate to remedy any
9 deficiencies in the plan.

10 (4) If the legislature approves the master plan, or if the legislature fails
11 to take action on the master plan within sixty days after the plan is submitted,
12 the board shall provide for implementation of the plan as submitted. If the
13 legislature approves the annual plan, or if the legislature fails to disapprove the
14 annual plan by July first, the board shall provide for implementation of the plan
15 as submitted. The projects and programs provided for in the annual plan shall
16 be undertaken in conformity with the order of priority as contained in the
17 annual plan.

18 (5) At any time subsequent to the adoption or implementation of a plan
19 in accordance with the procedure set forth in this Section, the board may amend
20 or supplement the plan to add or delete projects and programs. No project shall
21 be added or deleted unless and until the amendment to the plan is approved as
22 provided in this Section. Any such amendment to the plan submitted to the
23 legislature shall conform to the requirements specified in Subsections B and D
24 of this Section.

25 §2355. Functions and responsibilities; Coordinated Use of Resources for
26 Recreation, Economy, Navigation, and Transportation Authority
27 Board

28 A. The board shall:

29 (1) Represent the state's position in policy relative to the protection,

1 conservation, enhancement, and management of the upland area of the state
2 through oversight of integrated projects and programs and by addressing
3 activities which could significantly affect integrated projects and programs, all
4 consistent with the legislative intent as expressed in this title.

5 (2) Develop, coordinate, make reports on, and provide oversight for a
6 comprehensive upland area master plan and annual plans, working in
7 conjunction with state agencies, political subdivisions, including flood protection
8 authorities, levee districts, and federal agencies. The master plan shall include
9 a comprehensive strategy addressing the protection, conservation,
10 enhancement, and management of the upland area through the construction
11 and management of integrated projects and programs, all consistent with the
12 legislative intent as expressed in this Chapter. The annual plan shall be
13 developed as the annual implementation of the comprehensive master plan and
14 shall be submitted to the legislature for approval as set forth in R.S. 38:2354.
15 The annual plan shall include a description and status of all projects and
16 programs pertaining to the authority's mission, including privately funded
17 projects or plans, and addressing those activities which significantly affect
18 projects set forth in the plan, all consistent with the legislative intent as
19 expressed in this title.

20 (3) Submit to the House Committee on Natural Resources and
21 Environment and the Senate Committee on Natural Resources and the House
22 Committee on Transportation, Highways and Public Works and the Senate
23 Committee on Transportation, Highways and Public Works the integrated
24 plans developed pursuant to R.S. 38:2354. Upon approval of the plans by the
25 legislative committees and prior to implementation of the plans, in whole or in
26 part, the plans shall be approved by the legislature as provided in R.S.
27 38:2354(E).

28 (4) Develop procedures in accordance with the Administrative Procedure
29 Act and take actions against any entity, including political subdivisions, to

1 enforce compliance with the comprehensive master upland area plan. Such
2 procedures and actions may include but are not limited to determinations of
3 noncompliance; appeal from such determinations; the taking of administrative
4 action, including the withholding of funds; and civil action, including the
5 seeking of injunctive relief, or any other remedy necessary to ensure compliance
6 with the plan.

7 (5) Develop guidelines for cost-sharing agreements with public and
8 private entities participating in approved projects within the authority's
9 jurisdiction.

10 B. The board may:

11 (1) Accept and use, in accordance with law, gifts, grants, bequests,
12 endowments, or funds from any public or private source for purposes consistent
13 with responsibilities and functions of the board and take such actions as are
14 necessary to comply with any conditions required for such acceptance.

15 (2) Utilize the services of other executive departments of state
16 government upon mutually agreeable terms and conditions.

17 (3) Take such other actions not inconsistent with law as are necessary to
18 perform properly the functions of the board.

19 (4) Adopt rules and regulations in accordance with the Administrative
20 Procedure Act to implement the provisions of this Section.

21 (5) Delegate signing authority for contracts to the chairman of the board,
22 the executive director of the Coordinated Use of Resources for Recreation,
23 Economy, Navigation, and Transportation Authority, or an authorized designee
24 of either. Such designation by the chairman or the director shall be by authentic
25 act.

26 (6) Approve all requests for programs and projects in the upland area,
27 insofar as such requests are for funds to be appropriated from the funds
28 available to the authority.

29 (7) Delegate any of its powers, duties, and functions to the chairman of

1 the board, to the executive director of the Coordinated Use of Resources for
2 Recreation, Economy, Navigation, and Transportation Authority, or to state
3 agencies, political subdivisions, including flood protection authorities, or levee
4 districts.

5 (8) Enter into any contract with the federal government or any federal
6 agency or any political subdivision of the state or private individual for the
7 study, planning, engineering, design, construction, operation, maintenance,
8 repair, rehabilitation, or replacement of any integrated project within the
9 authority's jurisdiction and to this end, may contract for the acceptance of any
10 grant of money upon the terms and conditions, including any requirement of
11 matching the grants in whole or part, which may be necessary.

12 (9) Maximize the use of nonfederal funds and in-kind donations to
13 provide for the costs associated with nonfederal cost-share requirements
14 associated with integrated projects within the authority's jurisdiction.

15 (10) Enter into any agreement with a parish governing authority located
16 wholly or partially within the coastal area but which is not part of a levee
17 district for the construction, operation, maintenance, repair, rehabilitation, or
18 replacement of any upland protection, conservation and restoration, hurricane
19 protection, infrastructure, storm damage reduction, integrated coastal
20 protection, or flood control project. The board shall have the power to provide
21 in the agreement for the use and exercise by the parish governing authority of
22 all powers of levee districts or levee and drainage districts.

23 C. Approval by the board shall be required for any request by a state
24 agency or department for any funds to finance research, programs, mitigation,
25 or projects involving integrated protection, including hurricane protection or
26 the conservation and restoration, of upland areas. However, this Subsection
27 shall not affect self-generated or dedicated funds.

28 D. No state agency or entity shall enter into a contract with the United
29 States Army Corps of Engineers which would require the state to assume

1 liability for or provide the cost of operations and maintenance for a protection
2 project unless the contract provides for independent third-party review and
3 evaluation in accordance with the best available science and technical
4 capabilities to confirm the project's anticipated level of protection against
5 flooding prior to the state or political subdivision assuming liability and
6 operations and maintenance obligations. The independent third-party reviewer
7 and evaluator provided for in the contract shall be approved by both the United
8 States Army Corps of Engineers and the nonfederal sponsor. However, the
9 provisions of this Subsection shall not apply to contracts for routine
10 maintenance or other minor construction or repairs, or in cases where there is
11 imminent threat to life or property, or when the chairman of the Coordinated
12 Use of Resources for Recreation, Economy, Navigation, and Transportation
13 Authority Board, with the approval of the board, determines that an emergency
14 exists whereby compliance with the provisions of this Subsection would create
15 an unreasonable hardship.

16 E. Notwithstanding any other provision of law to the contrary, the
17 Department of Wildlife and Fisheries may enter into a cooperative endeavor
18 agreement with the authority, board, or a levee district to allow the use of the
19 department's personnel, equipment or lands owned or leased by the state to
20 satisfy mitigation requirements imposed upon the authority or levee district by
21 federal, state, or local law.

22 F. Upon the approval by the board, and notwithstanding any law to the
23 contrary, the authority, the state, or any political subdivision thereof, may use
24 its own resources for satisfying any mitigation requirements resulting from or
25 related to an integrated noncoastal project within the authority's jurisdiction.

26 G. Notwithstanding any law to the contrary, the Coordinated Use of
27 Resources for Recreation, Economy, Navigation, and Transportation Authority,
28 upon approval by the board, may enter into a contract for the study,
29 investigation, and cleanup of, or response to, hazardous substances directly with

1 any person or entity who has entered into a contract with the United States
2 Army Corps of Engineers for an integrated protection program or project
3 within the authority's jurisdiction where the hazardous substance is located and
4 if federal law, rules, regulations, guidance, or the terms of a cooperative,
5 partnership, or other agreement for the program or project require the state of
6 Louisiana to directly take action with regard to the study, investigation, and
7 cleanup of, or response to, the hazardous substance. Nothing in this Section
8 shall prevent the authority from contracting with any person or entity in any
9 other manner permitted by law. In approving the contract with the United
10 States Army Corps of Engineers contracting entity or person, the board shall
11 do all of the following:

12 (1) Make a determination that the United States Army Corps of
13 Engineers entered into the contract with its contractor through a public bid
14 process.

15 (2) Obtain from contractors other than the one under contract with the
16 United States Army Corps of Engineers, at least two estimates for the needed
17 work to be conducted under the contract for study, investigation, and cleanup
18 of, or response to, hazardous substances from persons or entities qualified to
19 conduct such work, as determined by the board.

20 (3) Obtain an estimate for the needed work from the United States Army
21 Corps of Engineers contractor.

22 (4) Make a determination that contracting directly with the United States
23 Army Corps of Engineers contractor is economical, feasible, and in the best
24 interest of the health, safety, and welfare of the citizens of the state of Louisiana.

25 H.(1) The board shall broadcast over the internet live audio and video
26 streams of all its board meetings in which votes are scheduled to occur.

27 (2) All meetings broadcast in accordance with Paragraph (1) of this
28 Subsection shall be recorded, archived, and made accessible to the public for at
29 least six years after the date of the meeting.

1 **(3) The provisions of this Subsection shall not apply to executive sessions**
2 **held in accordance with the Open Meetings Law as provided in R.S. 42:11 et**
3 **seq.**

4 **(4) The audio and video records created pursuant to this Subsection shall**
5 **not be construed in a manner to be the official record, or any part of the official**
6 **record, of the proceedings of a meeting of the board.**

7 **(5) If the board is precluded from fulfilling the requirements of this**
8 **Subsection due to a technical problem beyond its control, or when the only**
9 **meeting room available lacks the equipment necessary to facilitate internet**
10 **broadcast, the failure to broadcast or record the proceedings of a meeting of the**
11 **board shall not be construed to be a violation of the provisions of this**
12 **Subsection. However, the board shall take no votes at this meeting.**

13 **§2356. Coordinated Use of Resources for Recreation, Economy, Navigation,**
14 **and Transportation Authority**

15 **A. The Coordinated Use of Resources for Recreation, Economy,**
16 **Navigation, and Transportation Authority is hereby created within the office of**
17 **public works. The authority shall:**

18 **(1) Have the right to acquire, own, administer, alienate, and otherwise**
19 **dispose of all kinds of property, movable and immovable, corporeal and**
20 **incorporeal; contract, adopt, alter, or destroy an official seal. Except as**
21 **otherwise expressly provided by this Chapter, the authority may perform every**
22 **act necessary, convenient, or incidental to the exercise of its power and**
23 **authority, the discharge of its duties, or the performance of its functions.**

24 **(2) Serve as the implementation arm of the Statewide Flood Control**
25 **Program in R.S. 38:90.1 et seq, and for other functions of the department**
26 **outside of the coastal area. The authority shall be directed by the policy set by**
27 **the Coordinated Use of Resources for Recreation, Economy, Navigation, and**
28 **Transportation Authority Board.**

29 **(3) Through its offices and officers, be responsible for the**

1 implementation and enforcement of the authority's master plan and annual
2 plan. The authority shall implement the integration of storm damage reduction,
3 restoration, flood control, infrastructure, and navigation in non-coastal areas
4 in accordance with the master plans and annual plans, as well as perform other
5 functions as directed by the board.

6 B. Executive Director.

7 (1) There shall be an executive director of the Coordinated Use of
8 Resources for Recreation, Economy, Navigation, and Transportation Authority.
9 He shall report to the Coordinated Use of Resources for Recreation, Economy,
10 Navigation, and Transportation Authority Board for all matters within the
11 jurisdiction and purview of the board, and shall work in coordination and
12 collaboration with the chief resilience officer.

13 (2) The governor may appoint an executive director of the Coordinated
14 Use of Resources for Recreation, Economy, Navigation, and Transportation
15 Authority. In the event an executive director is not appointed, the director of
16 public works may serve as the executive director of the Coordinated Use of
17 Resources for Recreation, Economy, Navigation, and Transportation Authority.

18 (3) The executive director or his designee shall have authority, in
19 accordance with applicable rules and regulations of the civil service commission
20 to employ, appoint, transfer, assign, terminate, and promote such personnel as
21 is necessary for the efficient administration of the Coordinated Use of Resources
22 for Recreation, Economy, Navigation, and Transportation Authority.

23 (4) The executive director, or his designee, shall approve all plans,
24 specifications, and estimates for the construction of all projects for which the
25 authority is responsible. He also shall have such other duties as may be assigned
26 to him by the Coordinated Use of Resources for Recreation, Economy,
27 Navigation, and Transportation Authority Board, by the provisions of this
28 Chapter, or by the laws of this state. He shall report the proceedings of his office
29 annually to the Coordinated Use of Resources for Recreation, Economy,

1 Navigation, and Transportation Authority Board and at such other times as the
2 board may designate, and he shall make any additional reports as are required
3 by the board.

4 (5) The executive director, or in his discretion a subordinate or
5 subordinates, shall administer the programs, projects, and activities approved
6 for funding by the Coordinated Use of Resources for Recreation, Economy,
7 Navigation, and Transportation Authority Board relating to and affecting an
8 integrated upland system, including conservation, restoration, creation, and
9 enhancement of upland areas, storm damage reduction, flood control,
10 infrastructure, economic development, and navigation in Louisiana's uplands
11 area as provided by law and as provided in the master and annual plans, and
12 other special programs as may be directed by the board.

13 (6) The executive director shall report annually to the legislature as to
14 the progress of the projects and programs enumerated in the master plan or
15 annual plans or any component thereof. For each project or program, estimated
16 construction and maintenance costs, progress reports, and estimated completion
17 timetables shall be provided.

18 (7) The executive director is granted full power and authority to
19 delegate, assign, or appoint in his discretion any subordinate to perform any
20 function or duties required by law to be performed by the authority, except as
21 specifically provided in this Title. This grant of power and authority shall be
22 liberally construed to effectuate the purposes of this Chapter.

23 (8) The executive director shall provide the necessary reports, staff,
24 assistance, and support to the Coordinated Use of Resources for Recreation,
25 Economy, Navigation, and Transportation Authority Board in order to assist
26 in the development of the master plan and annual plan.

27 (9) The executive director may appoint ex officio notaries in accordance
28 with the provisions of R.S. 35:411.

29 §2357. Interaction with Coastal Protection and Restoration Authority

1 The Coastal Protection and Restoration Authority and the Coordinated
2 Use of Resources for Recreation, Economy, Navigation, and Transportation
3 Authority shall jointly develop integrated flood protection strategies. The
4 Coastal Protection and Restoration Authority shall remain responsible for its
5 functions and responsibilities as defined in R.S. 49:214.5.1 et seq. The
6 Coordinated Use of Resources for Recreation, Economy, Navigation, and
7 Transportation Authority shall oversee riverine flood management, inland
8 navigation, and water resource infrastructure within the upland area as defined
9 in R.S. 38:2352 and as consistent with this Chapter.

10 §2358. Functions and responsibilities; Coordinated Use of Resources for

11 Recreation, Economy, Navigation, and Transportation Authority

12 A. The authority shall administer the programs of the Coordinated Use
13 of Resources for Recreation, Economy, Navigation, and Transportation
14 Authority Board. The executive director may use his contracting authority, or
15 the contracting authority of any state department or agency, to implement the
16 provisions of this Chapter. His contracting authority shall include construction
17 management at risk, operation and maintenance, design-build,
18 design-build-operate and maintain, design-build-finance-operate and maintain,
19 outcome-based performance contracts, or any combination of design,
20 construction, finance, and services for operation and maintenance of any
21 project authorized by the board, where appropriate. The Coordinated Use of
22 Resources for Recreation, Economy, Navigation, and Transportation Authority
23 shall promulgate, through the Administrative Procedure Act, rules, regulations,
24 or guidelines for the implementation of the contracting authority granted by the
25 provisions of this Section. The Coordinated Use of Resources for Recreation,
26 Economy, Navigation, and Transportation Authority shall have the authority
27 to execute and implement contracts entered into by the board.

28 B. The authority shall implement projects in the upland area as
29 approved by the board and consistent with the legislative intent of this Chapter.

1 However, no project shall be undertaken except those included in an annual
2 plan finally approved by the legislature in accordance with the provisions of
3 R.S. 38:2354, regardless of the source of funds for the project, except in cases
4 of projects undertaken and financed out of the emergency fund, established in
5 the annual plan. An emergency for which such fund shall be used shall be
6 defined by the Coordinated Use of Resources for Recreation, Economy,
7 Navigation, and Transportation Authority Board and all funds shall be spent
8 only in accord with procedures established by the authority board for such
9 fund. All projects undertaken pursuant to the provisions of this Chapter shall
10 be either funded through the Statewide Flood Program, the state general fund,
11 or other sources of funding available to the authority, including but not limited
12 to direct federal aid, grants, gifts, and other donations received by the state for
13 the purposes of this Chapter.

14 C. The authority shall:

15 (1) Have oversight over the administration of all matters related to the
16 study, planning, engineering, design, construction, extension, improvement,
17 repair, and regulation of projects within its jurisdiction.

18 (2) Take such other actions not inconsistent with law as are necessary to
19 perform the functions of the authority.

20 D. The authority may:

21 (1) Negotiate and execute contracts, upon such terms as the authority
22 may agree, for legal, financial, consulting, or other professional services or
23 personal services necessary to the conduct of the authority. In addition, the
24 authority may enter into contracts for engineering and construction services or
25 agreements with the federal government, local governing authorities, political
26 subdivisions, or with other public or private entities for the administration,
27 implementation, or enforcement of integrated noncoastal projects, programs,
28 or activities as directed by the Coordinated Use of Resources for Recreation,
29 Economy, Navigation, and Transportation Authority Board.

1 **(2) Acquire by purchase, donation, or otherwise any land rights needed**
2 **for integrated upland area projects and other property required for the**
3 **operation of the projects that are to be owned and operated by the office or**
4 **political subdivision of the state; provided, that any property acquired for any**
5 **project may reserve the minerals to the landowners, whether private or public,**
6 **in accordance with the provisions of R.S. 31:149.**

7 **(3) Develop procedures to evaluate new and improved flood protection**
8 **technologies.**

9 **(4) Perform pre-construction and post-construction monitoring of**
10 **projects that will be implemented or have been implemented by the office.**

11 **(5) Coordinate its efforts with local governments, political subdivisions,**
12 **interest groups, and the public.**

13 **(6) Develop, implement, operate, maintain, and monitor plans and**
14 **projects within its jurisdiction and consistent with the legislative intent of this**
15 **title.**

16 **(7) Take any other action necessary to administer any plans, projects,**
17 **policies, or programs consistent with the master plan or any annual plan,**
18 **including but not limited to issuing bonds or incurring other debt obligations,**
19 **provided that such bonds or other debt obligations shall be subject to the**
20 **approval of and sold by the State Bond Commission in accordance with the**
21 **provisions of R.S. 39:1403.**

22 **(8) Utilize the services of the Natural Resources Trust Authority for**
23 **funding support.**

24 **E.(1) The board or the authority shall be authorized to solely utilize the**
25 **science and technology capacity of Louisiana universities, the water institute,**
26 **and other institutes within the state to enhance programs, projects, and**
27 **activities for the following purposes:**

28 **(a) To identify any uncertainty related to the physical, chemical,**
29 **geological, biological, or cultural baseline conditions in the upland area.**

1 **(b) To improve the knowledge of the physical, chemical, geological,**
2 **biological, or cultural baseline conditions in the noncoastal area.**

3 **(c) To identify and develop technologies, models, methods, and**
4 **demonstrations to carry out the purposes of this Subsection.**

5 **(2) In carrying out the provisions of this Subsection, the Coordinated Use**
6 **of Resources for Recreation, Economy, Navigation, and Transportation**
7 **Authority Board or the Coordinated Use of Resources for Recreation, Economy,**
8 **Navigation, and Transportation Authority may enter into contracts and**
9 **cooperative agreements with Louisiana universities, the water institute, or other**
10 **institutes within the state as authorized in this Subsection to enhance relevant**
11 **programs, projects, and activities.**

12 **(3) For the purposes of this Subsection, the water institute shall mean**
13 **The Water Institute of the Gulf, a 501(c)(3) nonprofit entity, incorporated on**
14 **March 25, 2011, or its successors.**

15 **F. Any rule, regulation, or guideline developed pursuant to this Subpart**
16 **shall be proposed or adopted pursuant to the rulemaking procedures set forth**
17 **in the Administrative Procedure Act.**

18 **§2359. Infrastructure priority program; applications; evaluations**

19 **A. Applications for funding of any infrastructure project may be**
20 **submitted by any political subdivision of the state. For any infrastructure**
21 **projects, applications shall be made to the Coordinated Use of Resources for**
22 **Recreation, Economy, Navigation, and Transportation Authority Board by**
23 **November first of each year for consideration of funding in the following fiscal**
24 **year. Applications submitted in accordance with the provisions of this Section**
25 **shall not be subject to the provisions of R.S. 39:101. Agencies submitting**
26 **applications for projects in this program shall be responsible for preparation**
27 **of applications for their respective projects. Information to be provided in the**
28 **application shall include but not be limited to the following:**

29 **(1) Demonstration of need for the project and benefits of the project.**

1 regarding the proposed infrastructure projects. Such hearings may be held at the
2 same time and location as hearings set for public comment on the annual plan. The
3 authority shall prioritize and rank such applications. The authority shall provide its
4 application evaluations to the Coastal Protection and Restoration Authority Board.

5 **For statewide flood mitigation projects, the Coordinated Use of Resources for**
6 **Recreation, Economy, Navigation, and Transportation Authority Board shall**
7 **perform the same functions in the upland area as defined by R.S. 38:2352.**

8 * * *

9 §220.41. Chief resilience officer; purpose; definition

10 * * *

11 D. For purposes of this Section, "resilience" shall mean a capability to
12 anticipate, prepare for, respond to, and recover from significant multi-hazard threats
13 with minimal damage to social well-being, the economy, infrastructure, and the
14 environment, **including flood risk management.**

15 §220.42. Functions and duties

16 * * *

17 B. The chief resilience officer, subject to the approval of the governor, shall:

18 * * *

19 (5) Coordinate and focus federal involvement in Louisiana with respect to
20 resilience and risk mitigation, **including flood risk mitigation.**

21 * * *

22 (7) Assist with the state's planning efforts including the Coastal Master Plan,
23 **the Upland Master Plan,** the State Hazard Mitigation Plan, and the Statewide
24 Watershed Management Plan to ensure the incorporation and alignment of the state's
25 resilience goals and objectives into a unified, proactive, pre-disaster approach to
26 adaptation and long-term resilience.

27 * * *

28 **(9) Coordinate with state and local officials, the Coastal Protection and**
29 **Restoration Authority, and the Coordinated Use of Resources for Recreation,**

1 Economy, Navigation, and Transportation Authority to pursue statewide
2 strategy for the National Flood Insurance Program.

3 (10) Coordinate statewide policy and planning with respect to flood
4 control.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 97 Original

2025 Regular Session

Pressly

Present law provides for the jurisdiction and responsibilities of the Dept. of Transportation and Development and the Coastal Protection and Restoration Authority concerning flood control, navigation, water resource management, and related infrastructure.

Proposed law creates the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority (the authority) as the primary entity responsible for integrated flood control, risk reduction, navigation, water resource management, and infrastructure projects specifically within the upland areas of the state, excluding areas under the Coastal Protection and Restoration Authority.

Proposed law details the authority's jurisdiction, encompassing comprehensive planning, prioritization, and implementation of flood protection, infrastructure development, economic advancement, navigation enhancement, and recreational improvement projects. It explicitly grants the authority the power to manage water resources, ensure flood risk mitigation, and promote sustainable economic and recreational development.

Proposed law establishes the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority Board (the board), consisting of no more than 15 gubernatorial appointees, representing the Red River Waterway district, the office of multimodal commerce, statewide flood protection (chief resiliency officer), Dept. of Economic Development, North Louisiana Economic Partnership, Dept. of Culture, Recreation, and Tourism, ports located in upland parishes, one levee board, executive branch members from local governments in upland parishes, Dept. of Agriculture and Forestry, and industry representatives, specifically the executive directors of the Red River Valley Association and Ouachita River Valley Association. Proposed law limits the board's composition to no more than two port directors and one levee board member.

Proposed law details the board's responsibilities, including developing, approving, and overseeing master and annual plans. Plans developed by the board require submission and approval by the House and Senate Committees on Natural Resources and Environment and the House and Senate Committees on Transportation, Highways, and Public Works. Legislative committees have the authority to approve, disapprove, or request revisions. Plans are subject to comprehensive public hearings, input from local authorities, and formal publication in the Louisiana Register and official parish journals.

Proposed law outlines comprehensive procedural guidelines for plan submission, legislative committee reviews, amendments, and final adoption. Plans must include clear justifications, projected public and private benefits, implementation schedules, and detailed monitoring and maintenance strategies.

Proposed law provides the executive director of the authority significant administrative and

operational responsibilities, including oversight of project execution, budget management, personnel administration, and reporting requirements to both the board and the legislature annually. The executive director is appointed by the governor or, if not appointed, the director of public works may serve as executive director. Proposed law allows the executive director authority to employ personnel, delegate responsibilities, approve project plans, specifications, and budgets, and ensure compliance with the authority's master and annual plans.

Proposed law grants extensive powers to the authority to enter into contracts, partnerships, and cooperative agreements with federal, state, local governments, and private entities, allowing the acceptance and management of federal grants and matching funds. The authority is also empowered to administer infrastructure projects, perform detailed evaluations, and coordinate all related funding applications.

Proposed law mandates collaboration between the authority and the Coastal Protection and Restoration Authority, especially concerning statewide flood protection strategies. It specifies rigorous standards for project assessment, independent reviews, and transparent operations, including broadcasting and archiving board meetings.

Proposed law introduces an infrastructure priority program managed by the authority, designed to systematically evaluate, prioritize, and fund infrastructure projects submitted by political subdivisions, with explicit application criteria and a detailed public review process.

Effective August 1, 2025.

(Amends R.S. 38:2(A)(2) and (3), 5.1, 6, 32(B)(3), 84(A) and (B), 111, 112, 214(C), and R.S. 49:214.6.6(A)(intro para) and (C), 220.41(D), 220.42(B)(5) and (7); adds R.S. 38:90.2(D), 214(D), 2351-2359, and R.S. 49:214.6.3(A)(5), 214.6.6(A)(5), 220.42(B)(9) and (10))