

RÉSUMÉ DIGEST

ACT 222 (HB 474)

2017 Regular Session

Garofalo

Existing law authorizes the Dept. of Wildlife and Fisheries to issue an alternative oyster culture (AOC) permit to a holder of a valid oyster lease on state water bottoms within the confines of that oyster lease. New law expands the eligibility for an AOC permit to include a person owning a water bottom or holding an oyster lease on a privately owned water bottom or on a dual-claimed water bottom.

Prior law required a determination that the water bottom in question is a state-owned water bottom. Further required suitability mapping. New law removes both of these requirements.

Prior law required the Dept. of Wildlife and Fisheries to develop a suitability map to identify areas appropriate for alternative oyster cultivation and to determine where AOC activities are unsuitable. Requires that rules and regulations relative to alternative oyster cultivation be based on the suitability mapping, the coastal master plan and annual plan, and other information the department deems relevant. New law removes references to the suitability mapping. Provides, rather, that the department determine areas that are not suitable for alternative oyster culture due to conflicts with other uses of the state water bottom and use any updated or revised information and coastal use permit requirements, along with the coastal master plan and annual plan in the issuance of AOC permits.

New law repeals the requirement that an AOC permit can only authorize alternative oyster culture activities on state-owned water bottoms. Also repeals suitability mapping requirements relative to potential areas of conflict and suitability for alternative oyster culture activities.

Effective August 1, 2017.

(Amends R.S. 56:431.2(A)(1) and (B)(2); Repeals R.S. 56:431.2(B)(3)(d) and (C))