

1 that the required mitigation would render the proposed project impracticable if the project
2 has a clearly overriding public interest; and

3 WHEREAS, the Clean Waters Act and the Rivers and Harbors Act do not allow for
4 such variances when a project to mitigate coastal wetland loss is being considered, even
5 when that project has a clearly overriding public interest; and

6 WHEREAS, in an effort to help the state protect its valuable coast and wetlands,
7 federal law should allow for a variance for a project that has a clearly overriding public
8 interest.

9 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana memorializes
10 the Congress of the United States to allow for variances on certain projects regulated by the
11 Clean Water Act and the Rivers and Harbors Act.

12 BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted
13 to the secretary of the United States Senate and the clerk of the United States House of
14 Representatives and to each member of the Louisiana delegation to the United States
15 Congress.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by McHenry Lee.

SCR 41 Original

DIGEST
2018 Regular Session

Gary Smith

Memorializes Congress to allow for variances on certain projects regulated by the Clean
Water Act and the Rivers and Harbors Act.