

1 "district," is hereby created. The district shall lie within the Atchafalaya,
2 Mermentau, Mermentau Headwaters, Teche, and Vermilion watersheds,
3 situated in the parishes of Acadia, Allen, Avoyelles, Calcasieu, Cameron,
4 Evangeline, Iberia, Iberville, Jefferson Davis, Point Coupee, Rapides, St.
5 Landry, St. Martin, St. Mary, and Vermilion. The district boundaries within
6 those parishes shall be aligned with the geographic area composed of
7 Hydrologic Unit Subbasins 08080101, 08080102, 08080103, 08080201, and
8 08080202, as defined by the United States Geological Survey Watershed
9 Boundary Dataset as of August 1, 2023. The Louisiana Watershed Flood Center,
10 in consultation with the office of state lands and the Coastal Protection and
11 Restoration Authority, shall submit to the legislature a detailed legal description
12 of the Acadiana Watershed District boundaries by January 1, 2024.

13 §3322. Purpose

14 The purpose of the district shall be to:

15 (1) Participate in any activity designed and conducted to promote
16 drainage and flood-risk reduction within the boundaries of the district.

17 (2) Promote and support a unified effort to address drainage and flood
18 issues in the region in cooperation with local, state, and federal agencies.

19 (3) Identify local public sources of revenue or expenditure that may be
20 used to draw down federal matching funds for the provision of drainage
21 projects to reduce flood risk.

22 (4) Cooperate with local, state, and federal entities engaged in planning
23 and construction of drainage and flood reduction and mitigation projects in the
24 state and region.

25 (5) Cooperate with local and state entities engaged in establishing best
26 practice development standards for flood-risk reduction and mitigation in the
27 region.

28 §3323. Corporate status; domicile

29 A. The district shall constitute a body corporate in law and shall be a

1 political subdivision of the state. The district may incur debt and contractual
2 obligations in accordance with law, sue and be sued, purchase and sell property,
3 have a corporate seal, and do and perform any and all acts in its corporate
4 capacity and in its corporate name which are necessary and proper for carrying
5 out the purposes and objects for which it is created.

6 B. The district shall be domiciled and shall establish an office for the
7 transaction of its business operations at a location within the boundaries of the
8 district.

9 C. The district may own, operate, and maintain a regional sensor
10 network to inform water management practices.

11 D. The district shall recognize the Louisiana Watershed Flood Center
12 at the University of Louisiana at Lafayette as a center of excellence for
13 watershed management for the purposes of serving as a community resource
14 and authority on research-based data including but not limited to hydraulic and
15 hydrologic data, watershed models, and innovative watershed practices.

16 E. The district shall be the primary and official repository for all data
17 and models developed for Hydrologic Unit Subbasins 08080101, 08080102,
18 08080103, 08080201, and 08080202 and shall also receive, own, operate, and
19 maintain the Louisiana Watershed Initiative Region 5 hydrologic and hydraulic
20 models and any derivative work therein.

21 F. The district shall be audited pursuant to R.S. 24:513.

22 §3324. Board of commissioners; appointments; terms; vacancies

23 A. The Board of Commissioners of the Acadiana Watershed District,
24 referred to in this Chapter as the "board", is hereby created. The governance,
25 control, and management of the affairs of the district shall be vested in the
26 board.

27 B. The board shall be comprised of the following members:

28 (1) The police jury presidents of the parishes of Acadia, Allen, Avoyelles,
29 Calcasieu, Cameron, Evangeline, Jefferson Davis, Rapides, and Vermilion, or

1 their respective designees.

2 (2) The parish presidents of the parishes of Iberia, Iberville, Pointe
3 Coupee, St. Landry, St. Martin, and St. Mary, or their respective designees.

4 C. The board may appoint a technical advisory committee to advise the
5 board on scientific, engineering, and other technical matters. Committee
6 members shall not have voting rights on the board of commissioners. The
7 committee shall be composed of the following members, who shall be nominated
8 by their respective constituent organizations:

9 (1) A representative of Louisiana Soil & Water Conservation District
10 IV.

11 (2) A representative of the Teche-Vermilion Fresh Water District.

12 (3) A representative of the University of Louisiana at Lafayette
13 Watershed Flood Center.

14 (4) A representative of the Louisiana Natural Resources Conservation
15 Service of the U.S. Department of Agriculture Natural Resources Conservation
16 Division.

17 (5) Two at-large members nominated by a municipality or
18 municipalities with a population of thirty thousand or more and meeting the
19 technical qualification requirements described in this Section.

20 (6) Two at-large members nominated by a municipality or
21 municipalities with a population of less than thirty thousand and meeting the
22 technical qualification requirements described in this Section.

23 (7) One member nominated by the secretary of the Department of
24 Transportation and Development.

25 (8) One member nominated by the executive director of the Coastal
26 Protection and Restoration Authority.

27 (9) One member nominated by the Commander and District Engineer
28 of the New Orleans District, U.S. Army Corps of Engineers.

29 D. All public officials or designees serving on the board shall serve terms

1 concurrent with their term of office. Technical advisory committee members
2 shall serve terms of three years, with the initial terms staggered in accordance
3 with the board's bylaws.

4 E. Members of the board, member designees, and technical advisory
5 committee appointees shall reside within the boundaries of the district or any
6 parish within which a portion of the district lies.

7 F. Board member designees and technical advisory committee
8 appointees shall have professional experience in engineering, project
9 management, certified flood plain management, or other drainage-related field
10 such as geosciences, hydrology, or water management.

11 §3325. Officers; vacancies; compensation

12 A. The commissioners shall elect from their membership a chairman,
13 a vice chairman, and a secretary-treasurer. The duties of the officers shall be
14 fixed by the bylaws adopted by the board.

15 B. Any vacancy which occurs in the membership of the board shall be
16 filled in the same manner as required for the member being replaced.

17 C. The commissioners shall serve without compensation, except per
18 diem or expense reimbursement to which they may be individually entitled as
19 members of their constituent organizations.

20 D. All commissioners shall be subject to the Code of Governmental
21 Ethics.

22 §3326. Bylaws; quorum

23 A. The board shall adopt such bylaws as it deems necessary or advisable
24 for conducting its business affairs by January 1, 2024. Such bylaws shall
25 include, but not be limited to:

26 (1) Procedures for the election of officers, including initial terms of
27 office and methods and grounds for removal of officers.

28 (2) Procedures and grounds for removal of commissioners, which shall
29 include, but not be limited to, felony conviction and failure of the commissioner

1 to meet board attendance requirements.

2 (3) Frequency of meetings.

3 (4) Appointment of standing and special committees as necessary to
4 carry out the purposes of this Chapter.

5 B. Before entering upon his official duties, each member of the board
6 shall take the oath of office provided by Article X, Section 30 of the Constitution
7 of Louisiana before an officer authorized by law to administer oaths.

8 C. A majority of the membership of the board shall constitute a quorum
9 for the transaction of business.

10 §3327. Powers and duties of the board

11 A. In order to accomplish the purposes for which the district is created,
12 the board may purchase, acquire by donation, hold, sell, and convey immovable
13 and movable property and execute such contracts as it may deem necessary or
14 convenient to enable it to properly carry out the purposes for which it is
15 created.

16 B. Notwithstanding any provision of law to the contrary, the board may
17 accept the transfer or donation of funds from the governing authorities of
18 parishes, municipalities, drainage districts, levee districts, and other political
19 subdivisions in the district.

20 C. Notwithstanding any provision of law to the contrary, the board may
21 contract with the federal government, the state, or any other public or private
22 entity to receive and expend funds to plan and perform projects for watershed
23 management.

24 D. The board may levy a district drainage tax on all property within the
25 boundaries of the district subject to taxation for drainage purposes. The tax
26 shall not be levied unless the proposition to levy the tax is approved by a
27 majority of the electors within the district boundaries who vote on the
28 proposition.

29 E. In addition to the duties defined elsewhere in this Chapter, the board

1 shall have the duty and authority to:

2 (1) Represent the public interest in supporting drainage, flood
3 reduction, and mitigation in the district.

4 (2) Advise state and local government agencies on issues concerning
5 drainage and the reduction and mitigation of flood risk in the district.

6 (3) Conduct public hearings and share public input on the community's
7 priorities relative to drainage, flood risk, and mitigation in the district.

8 (4) Enter into contracts, agreements, or cooperative endeavors with the
9 state and its political subdivisions and with any public or private entity to
10 promote the public purposes of the district.

11 (5) Construct and maintain drainage works of all types, either in
12 cooperation with public entities within the boundaries of the district, or upon
13 its own undertaking. Notwithstanding any other provisions of this Chapter to
14 the contrary, all works undertaken pursuant to the authority granted by this
15 Section shall be performed in accordance with the provisions of R.S. 38:2211,
16 et seq. Construction projects shall require approval of two-thirds of the total
17 voting membership of the board. All other decisions, including technical,
18 planning, and permitting decisions, shall require approval by a simple majority
19 of the total voting membership.

20 (6) Develop and recommend watershed management practices and
21 regional guidance within the district, insofar as those practices affect watershed
22 management, that address the following:

23 (a) Planning.

24 (b) Permitting.

25 (c) Selection and performance of projects and programs.

26 (d) Resolution of conflicts among agencies.

27 (e) Use of best available science.

28 (f) Outreach to the public and state and federal agencies.

29 (g) Coordination with state agencies and political subdivisions regarding

1 watershed management.

2 (h) Identifying, obtaining, and expending funding for planning and
3 projects, and entering into agreements with public and private entities.

4 (i) Entering into agreements with public and private entities to identify,
5 obtain, and expend funds.

6 (j) Assisting political subdivisions in planning, designing, and
7 constructing projects, and identifying and obtaining funding.

8 (k) Maintaining completed projects and programs.

9 (l) Defining qualifications for staff and contractors.

10 F. The board may develop a regional hazard mitigation plan consistent
11 with parish hazard mitigation plans.

12 G. The board shall consider the benefits of participating in the National
13 Flood Insurance Program Community Rating System (CRS) or any successor
14 or similar program, including how to maximize municipal participation in the
15 CRS. The board shall also consider and prioritize other available policies and
16 programs that can reduce flood risk and reduce flood insurance premiums.

17 H. The board may develop and implement a plan to manage and
18 maintain any waterways in the district, of state or regional concern, in relation
19 to matters impacting the district, in coordination with other federal, state, and
20 local water management jurisdictions and authorities.

21 I. The board shall develop a master plan for comprehensive drainage,
22 flood control, and water resource management through the construction and
23 management of projects and programs, including planning, permitting,
24 development, and waterway management. The plan should consider the Coastal
25 Protection and Restoration Authority Master Plan and provide for public
26 outreach.

27 J. The board, with the approval of the representative parish governing
28 authorities, shall appoint an administrative body to carry out the purposes of
29 this Chapter.

1 **K. The division of administration, Department of Transportation and**
2 **Development, and the Coastal Protection and Restoration Authority shall not**
3 **displace, replace, or supplant state appropriations from the state general fund**
4 **or other state funds designated for the district.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jacob K. Wilson.

	DIGEST	
SB 102 Original	2023 Regular Session	Fred Mills

Proposed law establishes the Acadiana Watershed District, provides for its purpose, and defines its geographic boundaries.

Proposed law provides for the district's corporate status and its authority to incur debt, for a domicile central to the district, for ownership, operation, and maintenance of a regional sensor network, and for recognition of the Louisiana Watershed Flood Center at UL-Lafayette as a regional data resource.

Proposed law provides for the responsibilities and auditing of the district and for its use, storage, and maintenance of the LWI Region 5 hydrologic and hydraulic model.

Proposed law establishes a board of commissioners to govern and manage the affairs of the district, provides for the membership appointments, for creation of bylaws, for meetings, for a technical advisory committee comprised of non-voting members, for compensation of board members, for terms, and for replacement of board members.

Proposed law provides for the powers of the board of commissioners, including that to acquire funding and property, to contract with public and private entities, to levy taxes on any property within the district subject to taxation, to advise state and local government on drainage and flooding issues, to conduct public hearings, to construct and maintain drainage works, to develop and recommend regional planning and practice guidance, and to develop and implement a waterway management plan and a comprehensive drainage, flood control, and water resource management plan.

Proposed law authorizes the district to develop a regional hazard mitigation plan that is consistent with parish hazard mitigation plans.

Proposed law precludes the division of administration, Dept. of Transportation and Development, and the Coastal Protection and Restoration Authority from displacing, replacing, or supplanting district funding.

Effective August 1, 2023.

(Enacts R.S. 38:3321-3327)