

First Extraordinary Session, 2005

SENATE BILL NO. 110

BY SENATORS MICHOT AND N. GAUTREAU AND REPRESENTATIVES FRITH
AND ROBIDEAUX

LAND USE. Authorizes the wetlands authority to develop an intracoastal protection highway.

1 AN ACT

2 To enact R.S. 49:213.11, relative to hurricane protection, and coastal conservation,
3 restoration and management; to authorize a hurricane protection feasibility study; to
4 authorize and provide for the development and implementation of an intracoastal
5 protection highway; to provide definitions, powers, and duties; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:213.11 is hereby enacted to read as follows:

9 **§213.11 Louisiana Coastal Protection Highway**

10 **A. Purposes**

11 **The devastating occurrence of hurricanes Katrina and Rita showed the**
12 **necessity of a coastal and hurricane protection barrier sufficient to protect**
13 **human life, infrastructure, and economic assets north of the Gulf Intracoastal**
14 **Waterway from the impacts of hurricane force winds, large tidal surges, and**
15 **saltwater inundation of delicate wetlands, crop lands, oyster beds and**
16 **freshwater fisheries. The Louisiana Coastal Protection Highway would provide**
17 **coastal wetlands protection and flood defense, additional hurricane evacuation**

1 infrastructure, protect vital crop land and fisheries, improve transportation
2 infrastructure for the energy sector, contribute to the economic development of
3 the state, and improve the Gulf Intracoastal Waterway for commerce.

4 B. Definitions

5 (1) "Hurricane Protection" means a system of barriers and associated
6 elements to provide protection against tidal surges.

7 (2) "Louisiana Coastal Protection Highway" means a coastal protection
8 barrier with an associated toll highway, which is to be constructed in the area
9 of the Gulf Intracoastal Waterway from the Texas border to New Orleans,
10 Louisiana.

11 C. The authority acting through the Secretary of the Department of
12 Natural Resources, Secretary of the Department of Wildlife and Fisheries,
13 Secretary of the Department of Transportation and Development, and
14 Secretary of the Department of Economic Development shall:

15 (1) Conduct a feasibility study to be completed by March 15, 2006, and
16 develop a plan of constructing the Louisiana Coastal Protection Highway.

17 (2) Enter into contracts and agreements of any nature for the purposes
18 of this Section with any person, corporation, association, or other entity to carry
19 out the purposes of and the powers granted in this Section.

20 (3) Enter into contracts and agreements with any person, corporation,
21 association, or other entity concerning the providing of lands, servitudes, rights-
22 of-way, and relocations, and may engage jointly in the exercise of any power to
23 include the construction, operation, and maintenance of any facilities and
24 improvements for the purposes of the project under this Section.

25 (4) Buy and sell property, make and execute all contracts, and perform
26 any and all things necessary to carry out the purposes of this Section.

27 (5) Manage the construction, operation, and maintenance of the
28 Louisiana Coastal Protection Highway.

29 (6) Monitor and seek available private funding alternatives, such as the

1 **build-operate-transfer model, for financing of the construction, operation, and**
2 **maintenance of the Louisiana Coastal Protection Highway.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. W. Wiley.

DIGEST

Proposed law defines "hurricane protection" as a system of barriers and associated elements to provide protection against tidal surges.

Proposed law defines "Louisiana Coastal Protection Highway" as a coastal protection barrier with an associated toll highway, which is to be constructed in the area of the Gulf Intracoastal Waterway from the Texas border to New Orleans.

Proposed law requires the Wetlands Conservation and Restoration Authority to do the following:

- (1) Conduct a feasibility study to be completed by March 15, 2006, and develop a plan of constructing the Louisiana Coastal Protection Highway.
- (2) Enter into contracts and agreements of any nature for the purposes of the Louisiana Coastal Protection Highway with any person, corporation, association, or other entity to carry out the purposes of and the powers granted to the authority.
- (3) Enter into contracts and agreements with any person, corporation, association, or other entity concerning the providing of lands, servitudes, rights-of-way, and relocations, and engage jointly in the exercise of any power to include the construction, operation, and maintenance of any facilities and improvements for the purposes of the Louisiana Coastal Protection Highway.
- (4) Buy and sell property, make and execute all contracts, and perform any and all things necessary to carry out the purposes of the Louisiana Coastal Protection Highway.
- (5) Manage the construction, operation, and maintenance of the Louisiana Coastal Protection Highway.
- (6) Monitor and seek available private funding alternatives, such as the build-operate-transfer model, for financing of the construction, operation, and maintenance of the Louisiana Coastal Protection Highway.

(Adds R.S. 49:213.11)