

First Extraordinary Session, 2005

HOUSE BILL NO. 166

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

COASTAL COMMISSION: 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; to
3 authorize a hurricane protection feasibility study; to authorize and provide for the
4 development and implementation of an intracoastal protection highway; to provide
5 definitions, powers, and duties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

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

8 §213.11. Louisiana coastal protection highway

9 A. Purposes. The devastation of Hurricanes Katrina and Rita illustrated the
10 necessity of a coastal and hurricane protection barrier sufficient to protect human
11 life, infrastructure, and economic assets north of the Gulf Intracoastal Waterway
12 from the impacts of hurricane force winds, large tidal surges, and saltwater
13 inundation of delicate wetlands, crop lands, oyster beds, and freshwater fisheries.
14 The Louisiana coastal protection highway would provide coastal wetlands protection
15 and flood defense, additional hurricane evacuation infrastructure, protect vital crop
16 land and fisheries, improve transportation infrastructure for the energy sector,
17 contribute to the economic development of the state, and improve the Gulf
18 Intracoastal Waterway for commerce.

1 B. Definitions. (1) "Hurricane protection" means a system of barriers and
2 associated elements to provide protection against tidal surges.

3 (2) "Louisiana coastal protection highway" means a coastal protection barrier
4 with an associated toll highway, which is to be constructed in the area of the Gulf
5 Intracoastal Waterway from the Texas border to New Orleans, Louisiana.

6 C. The authority, acting through the secretary of the Department of Natural
7 Resources, the secretary of Department of Wildlife and Fisheries, the secretary of
8 Department of Transportation and Development, and Secretary of Department of
9 Economic Development, shall:

10 (1) Provide for a feasibility study to be completed by March 15, 2006, and
11 develop a plan for construction of the Louisiana coastal protection highway.

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

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

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

22 (5) Manage the construction, operation, and maintenance of the Louisiana
23 coastal protection highway.

24 (6) Monitor and seek available private funding alternatives, such as the
25 build-operate-transfer model, for financing of the construction, operation, and
26 maintenance of the Louisiana coastal protection highway.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Robideaux

HB No. 166

Abstract: Provides for the development of a coastal protection highway composed of levees and highways which provide protection from storm surge resultant from hurricanes.

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)