
DIGEST

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HB 352 Reengrossed

2015 Regular Session

Leger

Abstract: Provides for approval by the Coastal Protection and Restoration Authority for an reclamation or purchase of land for integrated coastal protection projects.

Present law authorizes an "acquiring authority" to acquire land for facilitation of the development, design, and implementation of coastal conservation, restoration, protection, or management plans by the state, its political subdivisions, or the state and federal governments. Further provides that the secretary of the Dept. of Natural Resources may, after consultation with other state agencies, enter into an agreement with respect to ownership of minerals and other matters.

Proposed law retains present law but uses the term "integrated coastal protection project" to cover all the possible projects outlined in present law and changes the approval authority from the secretary of the Dept. of Natural Resources to the executive director of the Coastal Protection and Restoration Authority.

Present law provides a process whereby land lost through erosion, compaction, subsidence, or sea level rise can be reclaimed by the previous owner. Application must be made to the Dept. of Natural Resources and permits must be issued by the State Land Office. Proposed law provides that the application is submitted to the State Land Office who then issues the permit.

Present law uses outdated references to the "Office of Coastal Protection and Restoration Authority" and outdated descriptions of coastal protection and restoration projects. Proposed law updates those references to the "Coastal Protection and Restoration Authority" and "integrated coastal protection projects".

Present law authorizes the secretary of the Dept. of Natural Resources to enter into agreements with land owners adjacent to state water bottoms who have a right to reclaim land in order to allow perpetual, transferrable ownership of mineral rights in order to facilitate coastal projects. Proposed law changes that authorization to the executive director of the Coastal Protection and Restoration Authority, after consultation with the Dept. of Natural Resources.

Present law provides that no reclamation can be permitted if the Dept. of Natural Resources, the State Land Office, or the Attorney General objects. Proposed law adds the Coastal Protection and Restoration Authority to that list.

(Amends R.S. 41:1702(C), (D)(intro. para.) and (1), (2)(a)(i), (ii)(intro. para.), (dd), (b), (d), and (f), (G)(1) and (2), (H), and (I))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Provide for the use of the term "integrated coastal protection project" to cover all the possible coastal protection or restoration projects.
2. Update references from "Coastal Protection and Restoration Authority Office" to "Coastal Protection and Restoration Authority".
3. In efforts by a private landowner to reclaim land lost to erosion, change the approval authority from the secretary of the Dept. of Natural Resources to the executive director of the Coastal Protection and Restoration Authority, after consultation with the Dept. of Natural Resources and the State Land Office.
4. Add the Coastal Protection and Restoration Authority to the list of those entities that may object to issuance of a reclamation permit and to the list of those whose decisions relative to reclamation may be appealed to the 19th JDC.