



Present law provides that 100% of monies collected from enforcement actions for uses of local concerns be deposited in local government mitigation banks. Present law provides for a pro rata division in cases involving two or more local governments. Present law provides for the monies deposit in the Wetlands Conservation and Restoration Fund, but can only be used for mitigation projects within the geographic borders of that local government in the event there is no local government mitigation bank.

Proposed law changes the deposit from local government mitigation banks to a restricted fund administered by the local governing authority of the parish or parishes in which the adverse impact related to the use is located. Proposed law requires the funds be used for projects consistent with present law and within or for the benefit of areas within the geographic borders of that parish.

Proposed law provides for distribution based on the type of use of the coastal zone involved of any monies received in settlement or by final judgement for assessed damages, restoration costs, actual restoration of areas disturbed, or reasonable and proper sanctions.

Proposed law provides that for uses of state concern the monies shall be used consistent with present law and shall be deposited as follows:

- (1) 50% deposited into the Coastal Protection and Restoration Fund.
- (2) 25% deposited into a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Such funds shall only to be used for projects selected by the local governing authority. Unless otherwise prohibited by law, preferences may be given to local contractors for project planning, permitting, and implementation for such selected projects.
- (3) 25% deposited into the Coastal Protection and Restoration Fund to be used to match funding for projects selected by local governing authorities.
- (4) For uses of local concern, all of the monies collected shall be deposited into a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Such funds shall only to be used for projects selected by the local governing authority that are consistent with Paragraph (O)(2) of this Section."

Effective August 1, 2020.

(Amends R.S. 49:214.36(E) and (J))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Natural Resources to the original bill

1. Changes the deposit of monies from local government mitigation banks to a restricted

fund administered by the local governing authority.

2. Provides relative to the deposits in the Coastal Protection and Restoration Fund.
3. Provides relative to monies received from settlement or final judgement from civil liability, damages, restoration costs, actual restoration, or sanctions.