

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 46

BY REPRESENTATIVE MINCEY

FLOODING/CONTROL: Urges and requests the governor's executive assistant for coastal activities to coordinate a study among state agencies and make recommendations to the governor and the legislature relative to management of the Amite River Basin

1 A CONCURRENT RESOLUTION

2 To urge and request the governor's executive assistant for coastal activities to coordinate a
3 study among state agencies and make recommendations to the governor and the
4 legislature relative to management of the Amite River Basin, including areas
5 authorized under the federal Amite River and Tributaries Project.

6 WHEREAS, the governor's executive assistant for coastal activities (executive
7 assistant) is authorized to coordinate the powers, duties, functions, and responsibilities of
8 any state agency relative to integrated coastal protection, including hurricane protection,
9 flood control, and wetlands conservation and restoration, and may seek and utilize the
10 assistance of personnel from the Coastal Protection and Restoration Authority (CPRA) and
11 any state department or agency to carry out his duties, functions, and responsibilities as set
12 forth in R.S. 49:214.3.1; and

13 WHEREAS, the executive assistant also acts as the chairman of the Coastal
14 Protection and Restoration Authority Board (CPRA Board) which directs policy regarding
15 integrated coastal protection with hurricane protection, storm damage reduction, flood
16 control, and conservation and restoration of the coastal area as a high-priority public policy
17 of the state, as authorized and required by Article IX, Section 1 of the Louisiana Constitution
18 and R.S. 49:214.1, et seq. and the CPRA is the implementation arm of the CPRA Board; and

1 WHEREAS, the 2017 Comprehensive Master Plan for a Sustainable Coast identifies
2 projects designed to build and maintain land, reduce flood risk to our citizens and
3 communities, and provide habitats to support ecosystems that will assist in providing for the
4 continued existence of Louisiana's residential, agricultural, energy, and industrial
5 development in the coastal area; and

6 WHEREAS, Louisiana is regularly impacted by flooding throughout the state and
7 extreme water events have increased in both frequency and magnitude; and

8 WHEREAS, the state of Louisiana is positioned to be a national leader in
9 watershed-based floodplain management, working through partnerships among state
10 agencies that coordinate and align the actions and objectives of state and local governments,
11 federal agencies, institutions of higher education, and private and not-for-profit
12 organizations; and

13 WHEREAS, the state of Louisiana is committed to increasing community and
14 regional resilience to flooding by managing, mitigating, and adapting to future flood risk;
15 and

16 WHEREAS, communities are hydraulically and hydrologically connected within the
17 bounds of a watershed and decisions made in one portion of a watershed will impact
18 floodplains in other portions of the same watershed; and

19 WHEREAS, flooding after a rain event is not only related to the amount and intensity
20 of rainfall received but is also closely tied to land use, as well as policy and infrastructure
21 decisions; and

22 WHEREAS, multiple programs designed to mitigate and reduce flood risks are
23 managed in different state agencies, local entities, and political subdivisions; and

24 WHEREAS, currently floodplains are impacted by actions and decisions made by
25 a wide variety of people and regulatory bodies, including private landowners, municipalities,
26 and parish leaders and laws, including zoning, building codes, statewide regulations, and
27 federal requirements. Existing practices across varying levels of government do not
28 currently provide for the floodplain management that is necessary to properly address
29 drainage issues as land is developed, including in the Amite River Basin; and

1 WHEREAS, the increasing frequency and extent of flood events demands heightened
2 levels of coordination, information sharing, and response among state agencies and other
3 stakeholders in order to more closely align resources and programs designed to protect
4 communities from flooding and manage floodplains and watersheds effectively; and

5 WHEREAS, the widespread disaster caused by the great floods of 2016 revealed how
6 susceptible Louisiana's landscape is to flooding, particularly within the Amite River Basin;
7 and

8 WHEREAS, building on an early investigation into innovative solutions, Governor
9 John Bel Edwards launched the Louisiana Watershed Initiative (LWI), governed by the
10 Council on Watershed Management, to reform the state's approach to flood mitigation; and

11 WHEREAS, the LWI is pursuing a holistic approach to watershed management, one
12 that goes beyond conventional mitigation measures and incorporates nature-based solutions;
13 and

14 WHEREAS, it is important that a system of management be developed for the
15 various watersheds in the state of Louisiana; and

16 WHEREAS, the greatest impact of the great floods of 2016 were within the Amite
17 River Basin located primarily in the coastal area and it is imperative to move forward with
18 management of the Amite River Basin before the next flood event; and

19 WHEREAS, study of management of the Amite River Basin would assist in the
20 development of an overall scheme of management for all of the watersheds identified in
21 Louisiana by the LWI and assure that management of the Amite River Basin moves forward
22 in an accelerated manner such that flood mitigation grant funds resulting from the Great
23 Floods of 2016 could be used to implement projects in the watershed expeditiously and
24 ahead of the next flood event in an effort to protect the safety and welfare of the citizens
25 living and working in the Amite River Basin; and

26 WHEREAS, the executive assistant and the CPRA Board are charged by the
27 Legislature of Louisiana with the responsibility for policy relative to the integration of
28 hurricane protection, storm damage reduction, flood control, infrastructure, and coastal
29 protection and restoration efforts in accordance with the master plan and annual plans and
30 the CPRA is the implementation arm of the CPRA Board; and

1 WHEREAS, since the majority of the Amite River Basin is located in the coastal
2 area, the Legislature of Louisiana finds that the executive assistant and the CPRA Board are
3 most suited to coordinate the timely completion of a study relative to the management of the
4 Amite River Basin and provide recommendations on management of the Amite River Basin
5 to the Legislature of Louisiana before the beginning of the 2022 Regular Session.

6 THEREFORE BE IT RESOLVED that the Legislature of Louisiana does hereby urge
7 and request the executive assistant to coordinate a comprehensive assessment and study
8 relative to management of the Amite River Basin, including areas authorized under the
9 federal Amite River and Tributaries Project.

10 BE IT FURTHER RESOLVED that this comprehensive assessment and study of the
11 management of the Amite River Basin shall, at a minimum, include the following:

12 (1) Review of the current management of the Amite River Basin and entities in
13 charge of management of the basin.

14 (2) Review of the history of the management of the Amite River Basin on the local,
15 state and federal levels, including the federal Amite River and Tributaries Project.

16 (3) Review the history of flood events in the Amite River Basin.

17 (4) Provide an assessment of the historical, existing, and planned hurricane storm
18 damage reduction and flood protection and drainage infrastructure projects within the Amite
19 River Basin that clearly depicts which communities are protected by that infrastructure given
20 hydrologic conditions.

21 (5) Use of the latest and most scientifically-reliable data and technology available.

22 (6) Provide an assessment of which communities are currently providing funding for
23 the operations and maintenance of associated flood protection and drainage infrastructure
24 in the Amite River Basin and which communities are not.

25 (7) Propose appropriate boundary lines for updating the management of flood
26 control and other water resources within the Amite River Basin based on the latest and most
27 scientifically-reliable data that is available relating to watersheds and the hydrology of the
28 Amite River Basin.

29 (8) Develop overall strategies to promote and maintain the management of the Amite
30 River Basin.

1 (9) Implement, by the CPRA at the direction and coordination of the executive
2 assistant and coordination, as necessary, all study efforts with the LWI, the Louisiana
3 Department of Transportation and Development, the Louisiana office of community
4 development, the United States Army Corps of Engineers, state and local political
5 subdivisions and related governmental entities within the Amite River Basin, and any other
6 stakeholders identified by the Coastal Protection and Restoration Authority or the CPRA
7 Board.

8 (10) Consider any issues regarding the displacement of any persons as a result of
9 flood control.

10 BE IT FURTHER RESOLVED that the executive assistant shall submit a report of
11 its study and recommendations for any statutory, rule, regulation, or policy changes relative
12 to management of the Amite River Basin to the governor and the Legislature of Louisiana
13 no later than sixty days prior to the 2022 Legislative Session and deliver copies of the report
14 to the president of the Senate, the speaker of the House of Representatives, the Senate
15 Natural Resources committee, the Senate Transportation, Highways and Public Works
16 committee, the House Natural Resources and Environment committee, the House
17 Transportation, Highways and Public Works committee, the Louisiana office of community
18 development, the Council on Watershed Management, the Louisiana Department of
19 Transportation and Development, the CPRA Board, and the executive director of the Coastal
20 Protection and Restoration Authority.

21 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to
22 governor, the governor's executive assistant for coastal activities, the Coastal Protection and
23 Restoration Authority Board, the executive director of the Coastal Protection and Restoration
24 Authority, the Louisiana office of community development, the secretary of the Louisiana
25 Department of Transportation and Development, and the Council on Watershed
26 Management.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 46 Reengrossed

2021 Regular Session

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Urges and requests the governor's executive assistant for coastal activities to coordinate a study among state agencies and make recommendations to the governor and the legislature relative to management of the Amite River Basin, including areas authorized under the federal Amite River and Tributaries Project. Requires the executive assistant provide a report to the governor and the La. Legislature 60 days prior to the opening of the 2022 Regular Session.

Summary of Amendments Adopted by HouseThe House Floor Amendments to the engrossed bill:

1. Add "issues regarding the displacement of any persons as a result of flood control" to the list of issues to be studied and reported on by the governor's executive assistant for coastal activities.