

## RÉSUMÉ DIGEST

ACT 282 (SB 3)

2022 Regular Session

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Existing law establishes a coastal zone management program within the Dept. of Natural Resources and administered by the secretary of the department. The program includes regulation of the application and issuance of a coastal use permit prior to commencing a use of state or local concern in the coastal zone. New law retains existing law.

Existing law requires that any monies received by any state or local governmental entity arising from or related to a state or federal permit issued pursuant to the State and Local Coastal Resource Management Act of 1978, a violation thereof, or enforcement thereof, or for damages or other relief arising from or related to any of the foregoing, or for damages or other relief arising from or related to any use as defined by existing law, be used for integrated coastal protection, including coastal restoration, hurricane protection, and improving the resiliency of the coastal area. New law retains existing law.

Prior law provided for the distribution of monies collected from enforcement actions for uses of state concerns as follows:

- (1) 50% deposited into the Coastal Resources Trust Fund for reimbursement to the department for the cost of enforcing the coastal zone management program.
- (2) 25% deposited in the local government's mitigation banks.
- (3) 25% deposited in the Wetlands Conservation and Restoration Fund.

New law changes the deposit from 50% to the Coastal Resources Trust Fund to 75% to the Coastal Protection and Restoration Fund for projects consistent with existing law after deducting the cost to reimburse the department for enforcing the coastal zone management program.

New law retains existing law by requiring 25% be deposited in local government mitigation banks. New law further provides that when no local government mitigation bank exists, the funds are 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. New law requires the funds be used for projects consistent with existing law and within or for the benefit of areas within the geographic borders of that parish.

New law removes the 25% deposit to the Wetlands Conservation and Restoration Fund in prior law.

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

New law changes the deposit in the event no local government mitigation bank exists, from the Wetlands Conservation and Restoration Fund to 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. New law requires the funds be used for projects consistent with existing law and within or for the benefit of areas within the geographic borders of that parish.

Effective August 1, 2022.

(Amends R.S. 49:214.36(J) and (O)(2))