

RÉSUMÉ DIGEST

ACT 105 (SB 94)

2025 Regular Session

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Existing law defines jurisdictional "waters of the state" as surface waters subject to tides, lakes, rivers, streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state otherwise defined as "waters of the United States" in federal law, and their tributaries.

Existing law defines "fastlands" as lands surrounded by publicly owned, maintained, or otherwise validly existing levees or natural formations which prevent activities, other than pumping of water for drainage, within the surrounded area from having direct and significant impacts on coastal waters.

New law adds that fastlands includes areas that would otherwise be considered wetlands as defined in federal law, and that are surrounded by either privately or publicly owned or maintained levees, berms, flood protection structures, or natural formations that prevent a continuous surface connection to waters of the U.S.

New law provides that "waters of the state" does not include fastlands as defined in existing law (R.S. 49:214.23(6)) or wetlands that are fastlands and do not have a surface connection to waters of the U.S.

New law provides that the definition for "waters of the state" has no effect on ownership of public or private lands or water bottoms nor on perceived access to private lands or water bottoms due to a continuous surface connection.

Prior law referred to the body of water bordering Louisiana's coastline as the "Gulf of Mexico".

New law changes the name of the water body to the "Gulf of America".

Effective June 8, 2025.

(Amends R.S. 30:2073(7) and R.S. 49:1(A) and 214.23(6); adds R.S. 49:1(D))