

Regular Session, 2013

SENATE CONCURRENT RESOLUTION NO. 43

BY SENATOR MILLS

COASTAL PROTECT/RES AUTH. Requests the Coastal Protection and Restoration Authority in conjunction with the Department of Natural Resources to document the costs of complying with Section 404 of the Clean Water Act in public infrastructure projects in the state of Louisiana.

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A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority in conjunction with the Department of Natural Resources to document the cost of complying with Section 404 of the Clean Water Act in public infrastructure projects in the state of Louisiana.

WHEREAS, the state of Louisiana is facing unprecedented challenges in preserving and restoring its treasured coastline and wetlands, a challenge that requires the coordination of federal, state, local, and private resources; and

WHEREAS, in 1972, the United States government passed the Clean Water Act, which created a regulatory framework that oversees dredging, filling, or discharging into any federal water body or any waters that are connected to or drains into any federal water body; and

WHEREAS, because of the tremendous challenges in protecting our communities and fragile coastline, state and local governments have embarked on a number of projects that include dredging, drainage, and the building of levees; and

WHEREAS, Section 404 of the Clean Water Act requires these state and local governments to navigate a complex regulatory scheme to receive permitting for any dredging, filling or discharging into federal waters or any waters connected to federal waters,

1 and further requires the onerous mitigation of any wetlands impacted by such public  
2 infrastructure projects; and

3 WHEREAS, the Coastal Protection and Restoration Authority is charged with  
4 achieving a sustainable coast that will protect our communities, the nation's critical energy  
5 infrastructure, and our bountiful natural resources for future generations; and

6 WHEREAS, the Department of Natural Resources is charged with preserving and  
7 enhancing the nonrenewable natural resources of the state through conservation, regulation,  
8 management, and development to ensure that the state realizes appropriate economic benefits  
9 from its asset base; and

10 WHEREAS, in an effort to enhance the ability of state and local governments to  
11 pursue public infrastructure projects that will protect the people of Louisiana, our wetlands,  
12 and fragile coast, it is necessary to document the unnecessary costs associated with  
13 complying with Section 404 of the Clean Water Act and in particular its mitigation  
14 requirements.

15 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
16 urge and request the Coastal Protection and Restoration Authority in conjunction with the  
17 Department of Natural Resources to document the costs of complying with Section 404 of  
18 the Clean Water Act.

19 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
20 chair of the Coastal Protection and Restoration Authority, the secretary of the Department  
21 of Natural Resources, the administrator of the United States Environmental Protection  
22 Agency, and the commanding general and chief of engineers of the United States Army  
23 Corps of Engineers.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by McHenry Lee.

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DIGEST

Mills

SCR No. 43

Requests CPRA in conjunction with DNR to document the costs of complying with Section 404 of the Clean Water Act in public infrastructure projects in the state of Louisiana.