

Regular Session, 2014

SENATE BILL NO. 305

BY SENATOR CHABERT

COASTAL RESOURCES. Provides relative to Coastal Louisiana Levee Consortium.  
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AN ACT

To enact R.S. 49:214.6.8 and to repeal R.S. 38:331, relative to coastal protection and restoration; to provide relative to the Coastal Louisiana Levee Consortium as an advisory commission of the Coastal Protection and Restoration Authority Board; to provide relative to duties, purposes, and membership; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R. S. 49:214.6.8 is hereby enacted to read as follows:

**§214.6.8. Coastal Louisiana Levee Consortium; establishment; purposes**

**A.(1) There is hereby created the Coastal Louisiana Levee Consortium, hereinafter referred to as the "consortium", which shall include members from those levee districts, flood protection authorities, or parishes situated entirely or partially within the coastal area as defined in R.S. 49:214.2(4) and as provided in Subsection B of this Section.**

**(2) The consortium shall be an advisory commission of the Coastal Protection and Restoration Authority Board. It shall be a public body and subject to public records and open meeting laws.**

1           **(3) The purpose of the consortium shall be to facilitate communication**  
2           **and coordination of efforts of the levee districts, flood protection authorities,**  
3           **and parishes specified in Subsection B of this Section; to protect coastal**  
4           **Louisiana, its people, property, and resources; to increase awareness and**  
5           **understanding of integrated coastal protection, including but not limited to**  
6           **conditions, issues, strategies, and policies of flood control, coastal levee systems,**  
7           **hurricane risk reduction systems, and mitigation projects; and to provide one**  
8           **unified voice that is representative of the coastal levee community in**  
9           **communicating information necessary for decision-making to policymakers at**  
10           **the state and federal levels and to the board and the authority set forth in R.S.**  
11           **49:214.1, et seq.**

12           **B.(1) The members of the consortium shall consist of the director,**  
13           **general manager, or president, or their designee, of each board of**  
14           **commissioners of a coastal levee district or flood protection authority, including**  
15           **the following:**

16           **(a) Atchafalaya Basin Levee District.**

17           **(b) Grand Isle Independent Levee District.**

18           **(c) Lafourche Basin Levee District.**

19           **(d) North Lafourche Conservation, Levee and Drainage District.**

20           **(e) Pontchartrain Levee District.**

21           **(f) South Lafourche Levee District.**

22           **(g) Terrebonne Levee and Conservation District.**

23           **(h) Southeast Louisiana Flood Protection Authority - East.**

24           **(i) Southeast Louisiana Flood Protection Authority - West.**

25           **(j) Lafitte Area Independent Levee District.**

26           **(k) St. Mary Levee District.**

27           **(l) Iberia Parish Levee, Hurricane and Conservation District.**

28           **(m) Chenier Plain Coastal Restoration and Protection Authority.**

29           **(n) Amite River Basin Commission.**

1                   (o) Non-Flood Protection Asset Management Authority.

2                   (p) The Sewerage and Water Board of New Orleans.

3                   (q) Any other levee district or flood protection authority that may be  
4 created and made operational for a coastal parish after January 1, 2014,  
5 including but not limited to levee districts or flood protection authorities for  
6 Acadia, Lafayette, Jefferson Davis, St. Tammany and Tangipahoa parishes.  
7 However, until such time as a levee district or flood protection authority is  
8 created and made operational for the parish, the parish president or police jury  
9 president, or their designee, of each of the above parishes shall be a member of  
10 the consortium.

11                   (r) Plaquemines Parish president.

12                   (2) A designee of a member shall meet at least one of the following  
13 requirements:

14                   (a) He shall be serving as a current member of his respective levee board,  
15 flood protection authority, or parish governing authority.

16                   (b) He shall have expertise in engineering or public works functions  
17 related to flood and drainage control, water resources, soil conservation, or  
18 related functions.

19                   C. The consortium shall:

20                   (1) Advise the Coastal Protection and Restoration Authority Board  
21 concerning integrated coastal protection, including but not limited to  
22 conditions, issues, strategies, and policies of flood control, coastal levee systems,  
23 hurricane risk reduction systems, and mitigation projects.

24                   (2) Coordinate the exchange of information among consortium members  
25 and advise consortium members and others in assessing and addressing the  
26 above issues.

27                   (3) Evaluate the potential of various strategies, develop regional  
28 awareness of effective strategies, and develop a regional plan for the  
29 improvement of regional levee systems and integrated coastal protection.

1           (4) Seek the input of other local officials in assessing, addressing, or  
2           developing any regional strategy or plan.

3           (5) Seek the expertise of and work in conjunction with any other  
4           interested federal, state or local entities, including but not limited to the United  
5           States Army Corps of Engineers, the Coastal Protection and Restoration  
6           Authority, the Federal Emergency Management Agency, and nongovernmental  
7           organizations.

8           (6) Provide an annual report on the status of levees and integrated  
9           coastal protection within the member levee districts, flood protection  
10           authorities, and parishes no later than January first of each year to the Coastal  
11           Protection and Restoration Authority Board.

12           D. (1) The chairman of the Coastal Protection and Restoration Authority  
13           Board shall call the first meeting of the consortium. Thereafter, the meetings  
14           shall be called by the consortium chairman.

15           (2) At the first meeting, the members shall elect a consortium chairman,  
16           vice chairman, and such other officers as the members may deem advisable.

17           (3) The officers shall be selected from among the members of the  
18           consortium. The consortium chairman shall be a member who is already  
19           serving as a current member of the Coastal Protection and Restoration  
20           Authority Board.

21           (4) Every four years thereafter or at a special call by majority vote of the  
22           consortium, an election shall be held for officers, subject to the eligibility  
23           requirements set forth in this Section.

24           E. Members of the consortium shall receive no pay or allowances for  
25           their attendance at meetings of the consortium, but may be compensated for  
26           expenses incurred in attending meetings by their respective governing  
27           authorities according to the authority's regulations. Participation in the  
28           consortium shall be considered as a function of the office held by the member  
29           in their governing authority.

1                   **F. A meeting of the consortium shall be convened at least twice a year in**  
 2                   **the capital of the state or at a location in the coastal area of the state, as**  
 3                   **determined by the consortium members.**

4                   Section 2. R.S. 38:331 is hereby repealed.

5                   Section 3. This Act shall become effective upon signature by the governor or, if not  
 6 signed by the governor, upon expiration of the time for bills to become law without signature  
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 9 effective on the day following such approval.

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The original instrument was prepared by Jerry G. Jones. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy Vicknair.

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#### DIGEST

Chabert (SB 305)

Proposed law provides for the Coastal Louisiana Levee Consortium to be an advisory commission of the Coastal Protection and Restoration Authority Board. Provides that it shall be a public body and subject to open meetings and public record laws.

Proposed law provides that the purpose of the consortium shall be to facilitate communication and coordination of efforts to protect coastal Louisiana, its people, property, and resources; to increase awareness and understanding of integrated coastal protection, including but not limited to conditions, issues, strategies, and policies of flood control, coastal levee systems, hurricane risk reduction systems, and mitigation projects; and to provide a unified voice that is representative of the coastal levee community in communicating information necessary for decision-making to policymakers at the state and federal levels and to the Coastal Protection Restoration Authority and Board.

Proposed law provides that the consortium shall:

- (1) Advise the Coastal Protection and Restoration Authority Board concerning integrated coastal protection, including but not limited to conditions, issues, strategies, and policies of flood control, coastal levee systems, hurricane risk reduction systems, and mitigation projects.
- (2) Coordinate the exchange of information among consortium members and advise consortium members and others in assessing and addressing the above issues.
- (3) Evaluate the potential of various strategies, develop regional awareness of effective strategies, and develop a regional plan for the improvement of regional levee systems and integrated coastal protection.
- (4) Seek the input of other local officials in assessing, addressing, or developing any regional strategy or plan.
- (5) Seek the expertise of and work in conjunction with any other interested federal, state or local entities, including but not limited to the United States Army Corps of

Engineers, the Coastal Protection and Restoration Authority, the Federal Emergency Management Agency, and nongovernmental organizations.

- (6) Provide an annual report on the status of levees and integrated coastal protection within the member levee districts, flood protection authorities, and parishes no later than January first of each year to the Coastal Protection and Restoration Authority Board.

Proposed law provides that the consortium members shall consist of the director, general manager, or president, or their designee, of each board of commissioners of a coastal levee district or flood protection authority, including the following:

- (1) Atchafalaya Basin Levee District.
- (2) Grand Isle Independent Levee District.
- (3) Lafourche Basin Levee District.
- (4) North Lafourche Conservation, Levee and Drainage District.
- (5) Pontchartrain Levee District.
- (6) South Lafourche Levee District.
- (7) Terrebonne Levee and Conservation District.
- (8) Southeast Louisiana Flood Protection Authority - East.
- (9) Southeast Louisiana Flood Protection Authority - West.
- (10) Lafitte Area Independent Levee District.
- (11) St. Mary Levee District.
- (12) Iberia Parish Levee, Hurricane and Conservation District.
- (13) Chenier Plain Coastal Restoration and Protection Authority.
- (14) Amite River Basin Commission.
- (15) Non-Flood Protection Asset Management Authority.
- (16) The Sewerage and Water Board of New Orleans.
- (17) Any other levee district or flood protection authority that may be created and made operational for a coastal parish after January 1, 2014, including but not limited to levee districts or flood protection authorities for Acadia, Lafayette, Jefferson Davis, St. Tammany, and Tangipahoa parishes. However, until such time as a levee district or flood protection authority is created and made operational for the parish, the parish president or police jury president, or their designee, of each of the above parishes shall be a member of the consortium.
- (18) Plaquemines Parish president.

Proposed law provides for the calling of meetings and election of officers from among the consortium members, including the chairman who must already be serving on the Coastal Protection and Restoration Authority Board.

Proposed law provides that members of the consortium shall receive no pay or allowances for their attendance at meetings of the consortium, but may be compensated for expenses incurred in attending meetings by their respective governing authorities according to the authority's regulations. Participation as a member of the consortium shall be considered as a function of the office held by the member in their governing authority. Further provides that a meeting of the consortium shall be convened at least twice a year in the capital of the state or at a location in the coastal area of the state, as determined by the consortium members.

Present law provides for Coastal Levee Consortium and sets forth certain purposes and duties.

Proposed law repeals present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 49:214.6.8; repeals R.S. 38:331)

#### Summary of Amendments Adopted by Senate

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

1. Removes Vermilion Parish from the list of consortium members who have not created a levee district or flood protection authority.
2. Provides that the chairman will be a member who is already serving as a current member of the Coastal Protection and Restoration Authority.

##### Senate Floor Amendments to engrossed bill

1. Adds the Non-Flood Protection Asset Management Authority and the Sewerage and Water Board of New Orleans to the membership of the Coastal Louisiana Levee Consortium.