HLS 19RS-667 ORIGINAL

2019 Regular Session

HOUSE BILL NO. 165

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BY REPRESENTATIVE GISCLAIR

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COASTAL RESOURCES: Requires that agreements between an acquiring agency and a landowner for integrated coastal protection projects ensure public recreational access to lands and waterways reclaimed

AN ACT

2	To enact R.S. 41:1702(D)(2)(a)(ii)(gg), relative to reclamation of lands; to require that
3	agreements between an acquiring agency and a landowner for integrated coastal
4	protection projects ensure public recreational access to lands and waterways
5	reclaimed; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 41:1702(D)(2)(a)(ii)(gg) is hereby enacted to read as follows:
8	§1702. Reclamation of lands lost through erosion, compaction, subsidence, and sea
9	level rise; land acquisition for certain coastal projects; requirements
0	* * *
1	D. In all cases in which a definitive boundary may be arrived at by mutual
12	consent or through the procedures applicable to contested boundaries, the
13	administrator of the State Land Office, as provided in Paragraph (1) of this
4	Subsection, or the executive director of the Coastal Protection and Restoration
15	Authority, as provided in Paragraph (2) of this Subsection, may allow reclamation.
16	* * *
17	(2)(a)
18	* * *

Page 1 of 2

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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(ii) When land is acquired from any person by an "acquiring authority" as defined in R.S. 31:149, for the principal purpose of facilitating the development, design, and implementation of integrated coastal protection projects, including hurricane protection and flood control, by the state, its political subdivisions, or by the state and federal government, the executive director of the Coastal Protection and Restoration Authority, after consultation with other state agencies, including the Department of Natural Resources and the State Land Office, may, in accordance with rules and regulations adopted in accordance with the Administrative Procedure Act by the Coastal Protection and Restoration Authority after consultation with other state agencies, including the Department of Natural Resources and the State Land Office, enter into an agreement under this Section with respect to the ownership of minerals and other matters to the same extent as authorized under Item (i) of this Paragraph. In addition, such agreement shall, at a minimum, specify: (gg) That the public shall have access to the acquired land and waterways contained therein for navigation, boating, recreational fishing, hunting, trapping, and nature observation and study.

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)]

HB 165 Original

2019 Regular Session

Gisclair

Abstract: Requires that agreements between an acquiring agency and a landowner for integrated coastal protection projects ensure public recreational access to lands and waterways reclaimed.

<u>Present law</u> authorizes "acquiring authorities" to enter into agreements with respect to the ownership of minerals and surface rights for purposes of integrated coastal restoration projects.

<u>Proposed law</u> requires that the agreement contain a provision that ensures the public shall have access to the acquired land and waterways contained therein for navigation, boating, recreational fishing, hunting, trapping, and nature observation and study.

(Adds R.S. 41:1702(D)(2)(a)(ii)(gg))

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