

Regular Session, 2012

# ACT No. 495

HOUSE BILL NO. 413

BY REPRESENTATIVE HARRISON

1 AN ACT

2 To amend and reenact R.S. 38:3086.24(H)(1) and 3086.26 and to enact R.S. 38:3086.24(L),  
3 relative to the Bayou Lafourche Fresh Water District; to authorize the board of such  
4 district to control and regulate the activities on the banks of Bayou Lafourche; to  
5 authorize the Coastal Protection and Restoration Authority to assist the district; to  
6 authorize the board to contract for services related to integrated coastal protection;  
7 and to provide for related matters.

8 Notice of intention to introduce this Act has been published  
9 as provided by Article III, Section 13 of the Constitution of  
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 38:3086.24(H)(1) and 3086.26 are hereby amended and reenacted  
13 and R.S. 38:3086.24(L) is hereby enacted to read as follows:

14 §3086.24. Powers

15 \* \* \*

16 H.(1) The board shall have full power and authority to cooperate and  
17 contract with the United States government, or any of its agencies, the state of  
18 Louisiana, or any of its departments, agencies, commissions, districts, or other  
19 political subdivisions, or with any person, firm, partnership, or corporation, with the  
20 view of accomplishing the construction, maintenance, and operation of pumping  
21 facilities and appurtenant pipeline facilities, the purpose of which would be to  
22 provide fresh water for said Bayou Lafourche. In the event that such pumping  
23 facilities and appurtenant pipeline facilities are constructed, erected, or installed by  
24 the state of Louisiana, the office of ~~public works~~ engineering of the Department of

1           Transportation and Development, state of Louisiana, the Coastal Protection and  
 2           Restoration Authority, the board of commissioners for the Lafourche Basin Levee  
 3           District, the board of commissioners for the Atchafalaya Basin Levee District, the  
 4           board of commissioners for the Lafourche Parish Water District No. 1 or other local  
 5           interests, and the board of commissioners for the Bayou Lafourche Freshwater  
 6           District, or any of them, it shall be the obligation of the board of commissioners for  
 7           the Bayou Lafourche Fresh Water District, and the board is hereby authorized and  
 8           directed to operate and maintain such pumping and pipeline facilities so as to provide  
 9           an adequate supply of fresh water in Bayou Lafourche.

10   \*       \*       \*

11                           L.(1) With the approval of the Coastal Protection and Restoration Authority,  
 12           the board of commissioners, in addition to any other powers and duties provided by  
 13           law, may establish on its own behalf or for the areas under its authority, particularly  
 14           but not limited to the banks of Bayou Lafourche, water resources development and  
 15           integrated coastal protection, including but not limited to the studying, engineering,  
 16           designing, planning, maintenance, operation, and construction of erosion control  
 17           measures, marsh management, coastal restoration, reservoirs, diversion canals,  
 18           gravity and pump drainage systems, and other works as such activities, facilities, and  
 19           improvements relate to integrated coastal protection, conservation, water resources  
 20           development, and saltwater intrusion. To that end and only upon approval of the  
 21           Coastal Protection and Restoration Authority, the board of commissioners may  
 22           regulate the location, construction, or use of any building or structure within the  
 23           district, where such building or structure threatens to interfere with water resources  
 24           development and integrated coastal protection.

25                           (2) The board of commissioners may enter into contracts or other  
 26           agreements, including cooperative endeavor agreements, with any public or private  
 27           person or persons, corporation, association, or other entity, including the Coastal  
 28           Protection and Restoration Authority, the state, and other agencies thereof, public  
 29           corporations, port authorities, levee districts, parishes, other political subdivisions,  
 30           or the United States government or agencies thereof, or any combination thereof, or

1           with the instrumentalities of any kind to provide water resources development and  
 2           integrated coastal protection, and to this end, may contract for the acceptance of any  
 3           grant of money upon the terms and conditions, including any requirement of  
 4           matching the grants in whole or in part, that may be necessary.

\*           \*           \*

6           §3086.26. Engineering services by ~~Department of Transportation and Development~~  
 7   Coastal Protection and Restoration Authority

8           The ~~Department of Transportation and Development~~ Coastal Protection and  
 9           Restoration Authority is authorized and directed to provide such engineering  
 10           assistance, advice, and supervision and shall provide such requests, investigations,  
 11           surveys, plans, and specifications as ~~said~~ the board of commissioners may require.  
 12           It shall be the duty of the ~~Department of Transportation and Development~~ Coastal  
 13           Protection and Restoration Authority to provide an appropriate representative to  
 14           attend meetings of the board of commissioners when such attendance is requested  
 15           by the board. The board of commissioners may hire employees and fix their  
 16           compensation and terms of employment as the board may determine to be necessary  
 17           in order to carry out the purposes of this Part.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**CODING:** Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.