

Regular Session, 2010

HOUSE BILL NO. 643

BY REPRESENTATIVE HENDERSON

FISHING/OYSTERS: Specifies certain conditions necessary for the issuance of a coastal use permit in certain public oyster seed ground areas

1 AN ACT

2 To enact R.S. 49:214.30(I), relative to coastal use permits; to provide for certain conditions
3 which must be met for the issuance of a coastal use permit in certain public oyster
4 seed ground areas; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 49:214.30(I) is hereby enacted to read as follows:

7 §214.30. Coastal use permits

8 * * *

9 I. In accordance with the provisions of R.S. 49:214.27(C), specifically
10 Paragraphs (4) through (6) thereof, in the case of an application for a coastal use
11 permit for activity in or requiring transit through certain public oyster seed
12 reservations and public oyster seed grounds located in Bay Gardene, Bay Junop, and
13 Sister Lake, as described in R.S. 56:434(E): the Lake Mechant, Lake Felicity, and
14 Lake Chien public oyster seed grounds established by the Louisiana Wildlife and
15 Fisheries Commission; that portion of the public oyster seed grounds established by
16 the Louisiana Wildlife and Fisheries Commission which is located in St. Bernard
17 Parish in those portions of Mississippi Sound, Three-Mile Bay, Bay Boudreau, and
18 West Karako Bay located north of latitude 30 degrees 00 minutes 00.00 seconds
19 North and east of longitude 89 degrees 30 minutes 00.0 seconds West; that portion
20 of the public oyster seed grounds established by the Louisiana Wildlife and Fisheries

1 Commission which is located in St. Bernard Parish, including Drum Bay, which is
2 west of longitude 89 degrees 13 minutes 56.6 seconds West, south of latitude 29
3 degrees 55 minutes 54.1 seconds North, and north of latitude 29 degrees 52 minutes
4 12.8 seconds North; and that portion of the public oyster seed grounds established
5 by the Louisiana Wildlife and Fisheries Commission which is located east of the
6 Mississippi River in Plaquemines Parish, including California Bay and Long Bay,
7 which is west of longitude 89 degrees 31 minutes 22.0 seconds West and south of
8 latitude 29 degrees 32 minutes 38.5 seconds North, the following conditions shall be
9 met in order for a permit to be issued:

10 (1) The permit shall require the use of "alternative access" as defined by R.S.
11 49:214.23(1) and shall prohibit prop wash or wheel wash.

12 (2) The activity shall employ the latest available technology, such as
13 directional drilling and the use of "alternative access vehicles", as defined in R.S.
14 49:214.23(2), so that impacts to the public oyster seed grounds shall be avoided or
15 minimized.

16 (3) The activity shall be performed only under the most favorable
17 meteorological and hydrological conditions, e.g., transit at the highest tides.

18 (4) Potential damage to the public oyster seed grounds by the permitted
19 activity shall be minimized in every way possible.

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)]

Henderson

HB No. 643

Abstract: Provides for certain restrictions on coastal use permits for activity in specified public oyster seed ground areas.

Proposed law requires that any coastal use permit issued for activities in the certain areas of the public oyster seed grounds shall require the following:

- (1) The use of "alternative access" which provides for ingress and egress in ways other than the use of dredging and shall prohibit prop wash or wheel wash.
- (2) The activity shall employ the latest available technology, such as directional drilling and the use of "alternative access vehicles" so that impacts to the public oyster seed grounds shall be avoided or minimized.

- (3) The activity shall be performed only under the most favorable meteorological and hydrological conditions, e.g., transit at the highest tides.
- (4) Potential damage to the public oyster seed grounds by the permitted activity shall be minimized in every way possible.

(Adds R.S. 49:214.30(I))