

Regular Session, 2010
HOUSE BILL NO. 844
BY REPRESENTATIVE GISCLAIR

ACT No. 834

1 AN ACT

2 To amend and reenact R.S. 49:214.30(A), relative to coastal use permits; to provide for
3 consistency with the state's master plan for coastal protection and restoration
4 activities under such permits; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 49:214.30(A) is hereby amended and reenacted to read as follows:
7 §214.30. Coastal use permits

8 A.(1) No person shall commence a use of state or local concern without first
9 applying for and receiving a coastal use permit. Decisions on coastal use permit
10 applications shall be made by the secretary, except that the local government shall
11 make coastal use permit decisions as to uses of local concern in areas where an
12 approved local program is in effect. Conditions set forth in a coastal use permit shall
13 supersede any and all variances or exceptions granted by the commissioner of
14 conservation in accordance with R.S. 30:4(E)(1) for activities within the coastal zone
15 as defined by R.S. 49:214.24.

16 (2) Prior to issuance of a coastal use permit, the secretary shall ensure that
17 the activity for which application is being made is consistent with the state's master
18 plan for integrated coastal protection. No activity which is not consistent with the
19 plan shall be granted a coastal use permit. In addition, any permit granted to repair
20 or replace a pipeline that would impact integrated coastal protection in the state's
21 master or annual plan shall include a requirement that the pipeline owner shall be
22 responsible for the cost to repair or replace such pipeline. The pipeline owner shall
23 be responsible for the performance of any pipeline relocation work to accommodate
24 the construction of any integrated coastal protection. Any incremental costs

1 associated with such relocation work shall be reimbursed to the pipeline owner by
2 the appropriate federal, state, or local governmental agency. As used in this
3 Paragraph, "incremental costs" means the cost of the pipeline relocation required by
4 the appropriate governing authority less the cost that the pipeline operator would
5 have incurred for the maintenance project.

6 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____