HLS 12RS-462 ENGROSSED

Regular Session, 2012

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HOUSE CONCURRENT RESOLUTION NO. 42

BY REPRESENTATIVE SCHEXNAYDER

CONGRESS: Memorializes congress to encourage and enable the U.S. Army Corps of Engineers to expedite their wetlands permitting process

A CONCURRENT RESOLUTION

2 To memorialize the United States Congress to take such actions as are necessary to 3 encourage and enable the United States Army Corps of Engineers to expedite their 4 wetlands permitting process. 5 WHEREAS, the Clean Water Act enacted in 1972 included provisions aimed at 6 protecting the existence of wetlands throughout the country, provisions especially important 7 in the state of Louisiana where so much of our territory is considered wetland; and 8 WHEREAS, wetlands provide the state with essential habitat for much of what 9 makes the state of Louisiana great; wetlands contribute heavily to the hunting and fishing 10 activities for which Louisiana is well known around the country; and 11 WHEREAS, however, protection of wetlands cannot and should not completely stand 12 in the way of economic and infrastructure development which will allow the state of 13 Louisiana to progress and grow into the rest of this century and to provide for a better quality 14 of life for the citizens of the state; and 15 WHEREAS, the Clean Water Act required the United States Army Corps of 16 Engineers to review construction and development plans located in wetlands across the 17 country and issue permits (404 permits) to authorize appropriate development and 18 potentially to require, as a part of that permit, compensatory mitigation for the destruction 19 of wetlands as a result of the approved development; and

1 WHEREAS, these 404 permits are required for such activities as road construction, 2 expansion, modification, and improvements, including culvert placement and expansion and 3 necessary bridges; and 4 WHEREAS, there is frequently valuable time lost on infrastructure construction projects due to the extensive period usually required by the Corps of Engineers to review and 5 6 evaluate a permit application resulting in difficulties for the state and local governments to 7 respond to the needs of their citizens by improved infrastructure; and 8 WHEREAS, although the Corps of Engineers has instituted nationwide permits for 9 minor activities and regional permits for certain activities, the time required for issuance of 10 wetlands permits remains extensive and almost putative, resulting in delays for infrastructure 11 projects throughout the state; and 12 WHEREAS, over the thirty plus years since the Clean Water Act was enacted, the 13 Corps of Engineers should have had enough experience with the variety of issues involved 14 in permit applications to be able to streamline the review process and time line in order to 15 enable a state or local highway construction project to proceed in a timely manner. 16 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 17 memorialize the United States Congress to take such actions as are necessary to encourage 18 and enable the United States Army Corps of Engineers to expedite their wetlands permitting 19 process. 20 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the 21 presiding officers of the Senate and the House of Representatives of the Congress of the 22 United States of America and to each member of the Louisiana congressional delegation.

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)]

Schexnayder HCR No. 42

Memorializes the U.S. Congress to take such actions as are necessary to encourage and enable the U.S. Army Corps of Engineers to expedite their wetlands permitting process.