

Regular Session, 2012

HOUSE CONCURRENT RESOLUTION NO. 42

BY REPRESENTATIVE SCHEXNAYDER

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to encourage and enable the United States Army Corps of Engineers to expedite their wetlands permitting process.

WHEREAS, the Clean Water Act enacted in 1972 included provisions aimed at protecting the existence of wetlands throughout the country, provisions especially important in the state of Louisiana where so much of our territory is considered wetland; and

WHEREAS, wetlands provide the state with essential habitat for much of what makes the state of Louisiana great; wetlands contribute heavily to the hunting and fishing activities for which Louisiana is well known around the country; and

WHEREAS, however, protection of wetlands cannot and should not completely stand in the way of economic and infrastructure development which will allow the state of Louisiana to progress and grow into the rest of this century and to provide for a better quality of life for the citizens of the state; and

WHEREAS, the Clean Water Act required the United States Army Corps of Engineers to review construction and development plans located in wetlands across the country and issue permits (404 permits) to authorize appropriate development and potentially to require, as a part of that permit, compensatory mitigation for the destruction of wetlands as a result of the approved development; and

WHEREAS, these 404 permits are required for such activities as road construction, expansion, modification, and improvements, including culvert placement and expansion and necessary bridges; and

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

evaluate a permit application resulting in difficulties for the state and local governments to respond to the needs of their citizens by improved infrastructure; and

WHEREAS, although the Corps of Engineers has instituted nationwide permits for minor activities and regional permits for certain activities, the time required for issuance of wetlands permits remains extensive and almost putative, resulting in delays for infrastructure projects throughout the state; and

WHEREAS, over the thirty plus years since the Clean Water Act was enacted, the Corps of Engineers should have had enough experience with the variety of issues involved in permit applications to be able to streamline the review process and time line in order to enable a state or local highway construction project to proceed in a timely manner.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to encourage and enable the United States Army Corps of Engineers to expedite their wetlands permitting process.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE