

# **LA's TOP COASTAL ACCOMPLISHMENTS**

## **Since Hurricanes Katrina and Rita**

### **1. Formation of Coastal Protection and Restoration Authority (CPRA)**

Act 8 of the 2005 1<sup>st</sup> Ext. Session (SB 71 by Senator Reggie Dupre)  
By an overwhelming legislative vote, the Louisiana legislature created the CPRA which was responsible for developing and beginning the implementation of a comprehensive master plan for coastal protection. For the 1<sup>st</sup> time in Louisiana's history the Legislature created a single authority to integrate and consolidate their hurricane protection and coastal restoration efforts.

### **2. Constitutional Amendment for the dedication of Outer Continental Shelf oil and gas revenue**

ACT 69 of the 2005 1<sup>st</sup> Ext. Session (SB27 by Senator Reggie Dupre)  
Legislative passage of a Constitutional Amendment to dedicate 100% of all future Federal Outer Continental Shelf (OCS) oil and gas revenues to be *"used only for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetland losses."*  
This proposed Constitutional Amendment also changed the name and purpose of the Wetlands Conversation and Restoration Fund to the broader Coastal Protection and Restoration fund.

This Constitutional Amendment was approved by an 82% margin by the voters on September 30, 2006 as Constitutional Amendment # 1. This Constitutional Amendment passed by one of the highest margins since the 1974 State Constitution went into effect.

**3. Commencement and Drafting of the State's Master Coastal Protection Plan by the CPRA.**

In less than 15 months the CPRA developed the most comprehensive protection plan in the State's history. There were many public hearings held throughout coastal communities as part of the development of the master plan.

**4. Levee District Reform for the New Orleans Metro Region**

Act 1 of the 2006 1<sup>st</sup> Ext. Session (SB 8 by Senator Walter Boasso) and Act 43 of the 2006 1<sup>st</sup> Ext. Session (SB 9 by Senator Walter Boasso)

These two Acts were the statutory (ACT 1) and Constitutional Amendment (Act 43) that allows for the consolidation of several levee districts in the New Orleans region.

Levee district reform was the primary focus in the 2006 1<sup>st</sup> Ext. Session in February, 2006.

The Constitutional Amendment passed by an 81% margin on Sept. 30, 2006 as Constitutional Amendment #3.

**5. Objecting to Outer Continental Shelf (OCS) Oil and Gas Lease Sale**

After over 60 years of offshore drilling in federal waters off the Louisiana coast, the State for the 1st time objected to a federal lease sale because of the impact this drilling has caused to coastal communities and infrastructure.

**6. Filing Suit Against Federal Government on OCS Lease Sale**

Louisiana successfully filed suit against the U.S. Minerals Management Service (MMS). The Louisiana's statutory authority granting state jurisdiction in order to file this suit was granted under Act 548 of the 2006 Regular Session (SB635 by Senator Reggie Dupre)

Within days after the passage of this Act, Louisiana Governor Kathleen Blanco authorized the lawsuit against MMS.

**7. Oyster Lease Acquisition and Compensation Program**

Act 425 of the 2006 Regular Session (HB 1249 by Representative Kenneth

Odinet)

Authorizes acquisition of oyster leases subject to direct impact from coastal protection projects and provides generally for oyster lease terms.

**8. Other Constitutional Amendments relating to coastal protection were approved September 30, 2006**

- On September 30, 2006 the 1st four Constitutional Amendments submitted in a statewide election were directly related to coastal protection issues. Constitutional Amendment #1 (the OCS dedication) and Constitutional Amendment #3 (levee district reform) have been already discussed above.
- Constitutional Amendment # 2-Act 854 of 2006 Regular Session (SB 229 by Senator Jay Dardenne and co-author by Senator Reggie Dupre) dedicates 20% of the remaining tobacco settlement for purposes of coastal protection if the State securitizes the remaining balance of the settlement.
- Constitutional Amendment #4-Act 853 of the 2006 Regular Session (SB 27 by Senator Reggie Dupre) provided that the compensation for expropriation (Eminent Domain) shall be the fair market value standard rather than the "full extend of the loss". This Constitutional Amendment along with a prior Amendment passed in 2003, now allows the State of Louisiana to follow the same standard as the Federal Government and the other forty-nine states for Eminent Domain issues when private property is needed for coastal restoration and hurricane protection projects. Without these two Constitutional Amendments, the land rights needed for coastal projects would be too expensive.

**9. OCS Revenue Sharing Bill Passed**

Gulf of Mexico Energy Security Act (also known as the OCS Federal Sharing Bill)

After many years of discussion Congress passed, in December 2006, the Federal Revenue Sharing Bill which

allows for federal revenue sharing out of OCS revenues on new leases in the Gulf of Mexico.

It is widely believed that the Louisiana Constitutional Amendment dedicating all its OCS revenue to coastal protection issues was a major contributing factor to the passage of this Congressional Act. In fact, President Bush mentioned the State's Constitutional dedication of OCS revenues in a speech in October, 2006 that Louisiana deserves their fair share of this revenue because of this dedication.

U.S. Senator Mary Landrieu was the leading Congressional proponent in getting these OCS Federal Revenues. This issue was her top legislative priority since being elected to the U.S. Senate in 1996.

#### **10. Completion and Legislative Approval of States Comprehensive Master Plan and 1<sup>st</sup> Annual Plan for Coastal Protection**

- SCR 11 & SCR 12 of the 2007 Regular Session by Senator Reggie Dupre

The Coastal Protection & Restoration Authority submitted the Comprehensive Master Plan and the 1st Annual Plan to the Louisiana Legislature for approval during the 2007 Regular Session.

Both the Comprehensive Master and Annual Plan received unanimous Legislative approval.

#### **11. Approval of Coastal Impact Assistance Program (CIAP) Plan**

- In the spring of 2005 (prior to Hurricanes Katrina and Rita) Congress approved the Coastal Impact Assistance Program (CIAP) providing \$1 billion for several gulf states. Louisiana's share was in excess of \$500 million, of which 65% is dedicated to the State and 35% to coastal parishes based upon a formula of population, miles of shoreline, and proximity to offshore drilling. Louisiana under the leadership of DNR was the first CIAP plan approved by the Federal Government.

**12. Approval of \$200 Million State Surplus Funding for Coastal Restoration and Protection for 2007-2008 fiscal year.**

- Act 203 of the 2007 Regular Session (HB765 by Representative John Alario)

**13. Creation of the Louisiana Coastal Protection and Restoration Financing Corporation**

- Act 249 of the 2007 Regular Session (SB 53 by Senator Reggie Dupre)

After Congress passed the OCS Federal Revenue Sharing Bill, the Louisiana Legislature created the Louisiana Coastal Protection and Restoration Financing Corporation as a legal entity to be able to securitize future OCS Federal revenue for coastal protection projects.

- In June 2008, Louisiana Governor Bobby Jindal appointed all members to this commission and they are currently considering options for securitization of the OCS revenue.

**14. Approval of \$300 Million State Surplus Funding for Coastal Restoration and Protection for 2008-2009 fiscal year.**

- Act 7 of 2008 2<sup>nd</sup> Ext. Session (HB 46 by Representative Jim Fannin)

Upon the recommendation of Louisiana Governor Bobby Jindal, the Legislature approved an additional \$300 million of surplus funding for coastal restoration and hurricane protection projects. In less than one year, the Louisiana Legislature approved an unprecedented 1/2 billion dollars for coastal restoration and hurricane protection projects.

**15. Legislative approval of the 2<sup>nd</sup> Annual Coastal Protection Plan.**

SCR 24 of the 2008 Regular Session by Senator Reggie Dupre.

For the 2<sup>nd</sup> year in a row, the Legislature unanimously approved the 2<sup>nd</sup> Annual Coastal Protection Plan for 2008-09 fiscal year submitted by the CPRA.

**16. Legislative Updates for the Coastal Protection & Restoration authority**

## **(CPRA)**

- Act 545 of the 2008 Regular Session (SB 367 by Senator Reggie Dupre)

Louisiana Governor Jindal's administration recommended updates to the CPRA legislation including:

- Establishing a narrowly drafted definition of what infrastructure projects would be eligible for OCS revenue pursuant to Constitutional Amendment #1 from September 30, 2006.

Limiting these coastal infrastructure projects to no more than 10% of OCS revenues. This limitation assures that at least 90% of OCS revenues will go towards coastal restoration and hurricane protection projects.

Allowing statutory changes for the implementation of the Master Plan. Rather than creating a whole new bureaucracy, the CPRA and the Governor's office will assign DNR and DOTD employees to the integrated implementation team. Further, DEQ and WL&F will also be part of the team.

## **17. Congressional Passing of the Water Resources & Development Act (WRDA) of 2007**

Congress overrode a Presidential veto to pass the 2007 WRDA bill which provides authorization of over \$14 billion for coastal protection for the State of Louisiana. This is the first Federal approved authorization of comprehensive restoration for coastal Louisiana.

## **18. Disaster Relief**

Congressional Emergency Supplemental Funding  
Since Hurricanes Katrina and Rita, Congress has appropriated approximately \$18 billion for immediate hurricane protection efforts for Southeast Louisiana.