

SENATE CONCURRENT RESOLUTION NO. 56

BY SENATOR HEWITT AND REPRESENTATIVES BOURRIAQUE AND GAROFALO

A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority and the Department of Wildlife and Fisheries to cooperate in developing projects and programs to rehabilitate the productivity of the oyster resource, promote the viability of the oyster industry in Louisiana, assist the oyster industry with responding to a changing coast, and address competing uses for coastal water bottoms, including integrated coastal protection.

WHEREAS, the state, through the Coastal Protection and Restoration Authority (CPRA), implements integrated coastal protection to reduce if not eliminate the catastrophic rate of coastal land loss, as a high-priority public policy of the state, as authorized and required by La. Const. Art. IX, §1 and R.S. 49:214.1, et seq., including water bottoms that are or may be leased by the Louisiana Department of Wildlife and Fisheries (LDWF) for oyster production; and

WHEREAS, the state, through the LDWF, is charged with the protection, conservation, and replenishment of Louisiana's renewable, aquatic natural resources, including support of the Louisiana oyster industry and development of the oyster resource, and as authorized by R.S. 56:421 et seq., leases its water bottoms to private oyster fishermen for oyster production; and

WHEREAS, pursuant to R.S. 49:214.1, the legislature declared that it is the policy of the state to achieve a proper balance between development and conservation and to encourage the use of coastal resources; and

WHEREAS, Louisiana's oyster resource is one of the largest and most valuable oyster resources in the nation, maintaining a dominant force in the Gulf-wide and national marketplace, and the legislature concurs that there is a public and economic interest in providing for the continued existence of the oyster industry of this state and preserving and

enhancing the oyster resource in this state; and

WHEREAS, Governor John Bel Edwards has made pursuing initiatives that will ensure a sustainable oyster industry one of his second term coastal priorities; and

WHEREAS, the 2017 Comprehensive Master Plan for a Sustainable Coast identifies projects designed to build and maintain land, reduce flood risk to our citizens and communities, and provide habitats to support ecosystems that will assist in providing for the continued existence of Louisiana's economically important seafood industry and preserving and enhancing the seafood resources that support it, including oysters; and

WHEREAS, oyster production on the public oyster areas of Louisiana is at an all-time low and responsible rehabilitation of this valuable economic and ecological resource is needed; and

WHEREAS, it is important to identify options that could be viable in their attempts to assist the oyster industry in responding to a changing coast and conditions; and

WHEREAS, physical space to work in the coastal zone is also at a premium with multiple users oftentimes vying for the same water bottom, and this can sometimes create direct special conflicts between CPRA projects and existing oyster leases; and

WHEREAS, the legislature seeks to support and protect, to the maximum extent practicable, the oyster leaseholders in the enjoyment of their rights to cultivate leased water bottoms and also identify areas where production is absent; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission and LDWF have recently taken important steps to assist the oyster industry in future advancement by implementing the oyster lease moratorium lifting process and by undesignating nearly forty thousand water bottom acres of public oyster seed grounds to be allowed for future oyster leasing; and

WHEREAS, LDWF and CPRA have a long history of working together to ensure continued sustainability of the oyster industry and to identify, avoid, and mitigate conflicts with integrated coastal protection projects; and

WHEREAS, LDWF and CPRA are currently working together to develop a Louisiana Oyster Management and Rehabilitation Strategic Plan to guide the Louisiana public oyster resource and oyster industry to a more productive future and to set forth a path

for recovery and maintenance of Louisiana's oyster resources, for promotion and maintenance of a thriving oyster resource and industry in Louisiana, and for assistance with industry adaptation and development, while reducing conflicts in the coastal zone; and

WHEREAS, LDWF and CPRA's work has already identified potential projects, programs, and funding that can assist with implementing a Louisiana oyster management and rehabilitation strategic plan and support sustainability of the oyster industry through direct and indirect means; and

WHEREAS, it is the desire of the legislature that LDWF and CPRA continue to work together for the benefit of the Louisiana oyster industry in order to promote and maintain the sustainability of a thriving Louisiana oyster resource and industry while also fully implementing the plan to eliminate the catastrophic rate of coastal land loss, as a high-priority public policy of the state.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Coastal Protection and Restoration Authority and the Louisiana Department of Wildlife and Fisheries continue to work together to:

(1) Develop a Louisiana Oyster Management and Rehabilitation Strategic Plan that will guide the Louisiana public oyster resource and oyster industry to a more productive future and provide a path for recovery and maintenance of Louisiana's oyster resources, for promotion and maintenance of a thriving oyster resource and industry in Louisiana, and for assistance with industry sustainability and development, while reducing conflicts in the coastal zone.

(2) Develop initiatives to be utilized to rehabilitate, where practicable, the productivity of the public oyster areas in Louisiana, assist the oyster industry in evolving to a changing coast, and address competing uses for coastal water bottoms while also fully implementing the coastal master plan to eliminate the catastrophic rate of coastal land loss, as a high-priority public policy of the state.

(3) Identify funding sources to implement programs and projects to promote and maintain a thriving oyster resource and industry in Louisiana and also maintain a balance with other coastal uses and needs in order to allow for the most efficient utilization of coastal areas.

(4) Prioritize, sequence, and select restoration projects to benefit the coastal and oyster resources, including developing additional information on restoration approaches and techniques, potential project concepts, and monitoring needs, including but not limited to the following projects and programs: (a) cultch planting, (b) hatchery-raised oyster planting, (c) private oyster lease rehabilitation (POLR) program, and (d) off-bottom oyster aquaculture.

(5) Study actual and potential impacts to oysters and the oyster industry in Louisiana resulting from natural processes, coastal erosion, implementation of integrated coastal protection projects, and other outside competing interests, in order to develop strategies to address such impacts and identify options that could be viable in assisting the oyster industry response to a changing coast.

(6) Develop overall strategies to promote and maintain the sustainability of a thriving Louisiana oyster resource and industry while also balancing the needs of the state of Louisiana to reduce, if not eliminate, the catastrophic rate of coastal land loss, as a high-priority public policy of the state.

(7) Coordinate all such efforts, planning, programs, and projects with oyster resource and industry stakeholders, including the Oyster Task Force.

(8) Finalize a Louisiana Oyster Management and Rehabilitation Strategic Plan by December 2020 and deliver copies of the final Strategic Plan to the President of the Senate, the Speaker of the House of Representatives, the Senate Natural Resources Committee, the House Natural Resources and Environment Committee, the Coastal Protection and Restoration Board, the Louisiana Wildlife and Fisheries Commission, and the Oyster Task Force.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the governor, the chairman of the Coastal Protection and Restoration Authority Board, the executive director of the Coastal Protection and Restoration Authority, the secretary of the Department of Wildlife and Fisheries, and the Louisiana Oyster Task Force.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES