

SENATE RESOLUTION NO. 154

BY SENATOR MILLS

A RESOLUTION

To urge and request the Department of Natural Resources to study potential solutions that may mitigate spoil banks.

WHEREAS, Louisiana's lower Atchafalaya Basin has been adversely impacted by spoil banks that block natural water flows; and

WHEREAS, historically, when constructing pipelines, operators have been allowed to discard their spoil as permitted or required by landowners, or required by the state of Louisiana, thus creating spoil banks; and

WHEREAS, spoil banks shut off the natural flow of water that restricts the carrying capacity of the flood way and damages water quality; and

WHEREAS, the Department of Natural Resources, office of conservation, division of pipeline safety regulates the maintenance of intrastate pipelines.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the Department of Natural Resources to study potential solutions that may mitigate spoil banks created on the lower Atchafalaya Basin affecting the natural water flows and fishing activities, including but not limited to the following:

- (1) Whether any spoil banks are adversely affecting fishing activities.
- (2) Whether the spoil should be placed into the water bottom or removed off site to an approved location such that there be no remaining spoil bank.
- (3) Whether the pipeline should be removed at the end of its useful life.
- (4) Whether any construction, maintenance, or any other work should be permitted between the East Atchafalaya Basin Protection Levee and West Atchafalaya Basin Protection Levee.
- (5) Whether permits for new pipelines should be granted to companies that are out-of-compliance with prior issued permits, until such time as those previously-issued permits are brought back into compliance.

BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the Department of Natural Resources to request the following entities to participate in this study:

- (1) The United States Army Corps of Engineers.
- (2) The Coastal Protection and Restoration Authority.
- (3) The Atchafalaya Basin Research and Promotion Board.
- (4) The Sierra Club Delta Chapter.
- (5) The Louisiana Crawfish Producers Association West.
- (6) The Atchafalaya Basinkeeper.
- (7) The Louisiana Landowners Association.
- (8) The Louisiana Mid-Continent Oil and Gas Association.
- (9) The Department of Wildlife and Fisheries.
- (10) The Louisiana Association of Business and Industry.
- (11) The Department of Natural Resources, office of conservation, division of pipeline safety.
- (12) The office of state lands.
- (13) The Department of Justice, natural resources division.
- (14) The Louisiana Oil and Gas Association.
- (15) A crawfish wholesale buyer located on the east side of the Atchafalaya Basin.

BE IT FURTHER RESOLVED that the department shall make recommendations to the Senate Committee on Natural Resources no later than February 1, 2018.

BE IT FURTHER RESOLVED that the department shall provide a report to the Senate Committee on Natural Resources no later than February 1, 2018, that includes the number and location of spoil banks between the East Atchafalaya Basin Protection Levee and West Atchafalaya Basin Protection Levee, the name of the pipeline company associated with the spoil bank, and the approximate date the pipeline was constructed.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Natural Resources.