

2018 Regular Session

SENATE BILL NO. 490 (Substitute of Senate Bill No. 430 by Senator White)

BY SENATOR WHITE

WATER/WATERWAYS. Exempts the Comite River from certain provisions of the Louisiana Scenic Rivers Act for a set period of time. (8/1/18)

1 AN ACT

2 To enact R.S. 56:1855(P), relative to the Louisiana Scenic Rivers Act; to provide relative  
3 to natural and scenic rivers; to provide relative to prohibited uses; to provide relative  
4 to channelization, clearing and snagging, channel realignment, reservoir  
5 construction, or dredging operations in the Comite River; to provide certain terms,  
6 conditions, and requirements; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:1855(P) is hereby enacted to read as follows:

9 §1855. Exceptions

10 \* \* \*

11 **P.(1) Notwithstanding any other provision of the law to the contrary,**  
12 **beginning August 1, 2018, through August 1, 2021, no provision of this Part**  
13 **shall:**

14 **(a) Prohibit the channelization, clearing and snagging, channel**  
15 **realignment, reservoir construction, or dredging operations for drainage**  
16 **purposes in the Comite River.**

17 **(b) Require a permit pursuant to R.S. 56:1849 for the channelization,**

1           clearing and snagging, channel realignment, reservoir construction, or dredging  
 2           operations for drainage purposes in the Comite River.

3           (2) During the time period provided in Paragraph (P)(1) of this Section,  
 4           use of a motor vehicle or other wheeled or tracked vehicle on the Comite River  
 5           shall be prohibited, except for permitted uses, and direct crossings by  
 6           immediately adjacent landowners, lessees, or other persons who have written  
 7           permission from the landowner to access adjoining tracts of land, for  
 8           noncommercial activities in a manner that does not directly and significantly  
 9           degrade the ecological integrity of the stream. Written permission shall be in  
 10          the person's possession and include the landowner's contact information.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. W. Wiley.

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	DIGEST	
SB 490 Original	2018 Regular Session	White

Present law designates certain portions of rivers as natural and scenic rivers and provides certain protections for those rivers.

Present law prohibits the channelization, clearing and snagging, channel realignment, or reservoir construction in natural and scenic rivers, including the Comite River.

Proposed law provides that beginning Aug. 1, 2018, through Aug. 1, 2021, no provision of present law can prohibit the channelization, clearing and snagging, channel realignment, reservoir construction, or dredging operations for drainage purposes in the Comite River.

Present law allows for the evaluation and issuance of a permit for certain activities on natural and scenic rivers, including the Comite River.

Proposed law provides that no evaluation or permit will be required for the channelization, clearing and snagging, channel realignment, reservoir construction, or dredging operations for drainage purposes in the Comite River.

Proposed law provides that beginning Aug. 1, 2018, through Aug. 1, 2021, use of a motor vehicle or other wheeled or tracked vehicle on the Comite River shall be prohibited, except for permitted uses, and direct crossings by immediately adjacent landowners, lessees, or other persons who have written permission from the landowner to access adjoining tracts of land, for noncommercial activities in a manner that does not directly and significantly degrade the ecological integrity of the stream. Written permission must be in the person's possession and include the landowner's contact information.

Effective August 1, 2018.

(Adds R.S. 56:1855(P))