

1 the construction of a new flood protection infrastructure in Southeast Louisiana, the
2 development of new understandings and scientific data regarding climatic changes and
3 sea-level rise, and the adoption of an integrated system-wide approach to coastal protection
4 and restoration in the Louisiana Comprehensive Master Plan for a Sustainable Coast; and

5 WHEREAS, water responds to geological, bathymetrical, and hydrological
6 boundaries rather than political boundaries or subdivisions; and

7 WHEREAS, scientific understandings of hydrology and systemic approaches to
8 water resource management, flood control, and hurricane protection do not align in all cases
9 with the current territorial jurisdictions of Louisiana's existing separate bodies that have
10 evolved over decades based on various different political and geographic parameters, which
11 may include, without limitation, levee districts, drainage districts, conservation districts, and
12 other water resources districts, except for those created by R.S. 38:330.1 et seq., which
13 currently administer the operations and maintenance of levees, flood protection and flood
14 control systems in Louisiana pursuant to Article VI, Sections 38 through 42 of the
15 Constitution of Louisiana and Title 38 of the Louisiana Revised Statutes of 1950; and

16 WHEREAS, flood control infrastructure must be constructed, operated, and
17 maintained with respect to basin hydrologic conditions and not political subdivisions; and

18 WHEREAS, future financial needs for the efficient and effective operation and
19 maintenance of existing and still-under-construction flood protection infrastructure systems
20 are not sustainable to the extent levee districts and other water resources management boards
21 in Louisiana are not properly aligned to represent the appropriate geological, bathymetrical,
22 and hydrological systems of Louisiana; and

23 WHEREAS, throughout the past century, more small scale authorities have been
24 charged with the taxing, operation and maintenance of flood protection, and water resource
25 infrastructure in Louisiana than in other states; and

26 WHEREAS, the opportunities and risks provided by Louisiana's extensive water
27 resources demand prudent, science-based, stewardship of that resource; and

28 WHEREAS, the management and regulation of water resources, the protection
29 features provided by hurricane and flood control infrastructure, and the regulatory tasks
30 required for the appropriate conservation, safety, and sustainability of the state's water

1 should be studied on a state-wide basis in order to improve the efficiency and effectiveness
2 of the management of this resource based on consistent, scientifically-based parameters that
3 are inclusive of the needs of communities and ecological habitats within whole hydrologic
4 basins to determine how to better manage water resources in a manner that both recognizes
5 the system-wide features and effects of water resources and corresponding infrastructures
6 within a hydrologic basin and minimizes adverse impacts between communities and habitats
7 in the same hydrologic basin.

8 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
9 authorize and direct the Coastal Protection and Restoration Authority and the Louisiana
10 Department of Transportation and Development to conduct a science-based study, in
11 consultation with existing levee districts, drainage districts, conservation districts, water
12 resources districts, and parish presidents, of the adequacy of the current alignment of all
13 Louisiana levee districts, drainage districts, conservation districts and other water resources
14 districts, except for those created by R.S. 38:330.1 et seq., which currently administer the
15 operations and maintenance of levees, flood protection and flood control systems in
16 Louisiana pursuant to Article VI, Sections 38 through 42 of the Constitution of Louisiana
17 and Title 38 of the Louisiana Revised Statutes of 1950, with respect to the hydrologic basins
18 of the state in order to improve and update the territorial jurisdictions for the various entities
19 responsible for flood protection, storm water management, drainage, and water resource
20 management and to efficiently and effectively meet the needs and safety of the Louisiana's
21 citizens for future decades.

22 BE IT FURTHER RESOLVED that the Department of Natural Resources, the
23 Department of Environmental Quality, the Department of Agriculture and Forestry, the
24 Department of Economic Development, the commissioner of administration, the Governor's
25 Advisory Commission on Coastal Protection, Restoration and Conservation, the
26 commissioner of insurance, the Governor's Office of Coastal Activities, the United States
27 Environmental Protection Agency; the United States Corps of Engineers, the United States
28 Geological Survey, existing levee districts, drainage boards, water resource agencies, and
29 parish governing authorities are each urged and requested to provide comments, cooperation,
30 assistance, and resources to the Coastal Protection and Restoration Authority and the

1 Department of Transportation and Development to aid their efforts in completing this
2 important task.

3 BE IT FURTHER RESOLVED that the study should:

4 1. Be based on the latest and most scientifically-reliable available data and
5 technology.

6 2. Propose appropriate boundary lines for updating the territorial jurisdiction of
7 levee districts, drainage districts, conservation districts and other water resources districts
8 based on the latest and most scientifically-reliable available data relating to watersheds and
9 the hydrologic basins of the state.

10 3. Provide an assessment of the existing and planned hurricane, flood protection and
11 drainage infrastructure within each updated district that clearly depicts which communities
12 are protected by that infrastructure given hydrologic conditions.

13 4. Provide an assessment of which communities are currently providing funding for
14 the operations and maintenance of associated flood protection and drainage infrastructure
15 and which communities are not.

16 5. Describe a taxing system to provide for the current and future operations and
17 maintenance needs of any proposed updated levee and drainage districts with respect to the
18 current levee and drainage millages in each community.

19 BE IT FURTHER RESOLVED that the Coastal Protection and Restoration Authority
20 and the Department of Transportation and Development shall submit their final draft of
21 proposed changes to Louisiana's levee districts, drainage districts, conservation districts and
22 other water resources districts by February 1, 2014, together with any specific proposals for
23 legislation.

24 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
25 Coastal Protection and Restoration Authority, Department of Transportation and
26 Development, Department of Natural Resources, Department of Environmental Quality,
27 Department of Agriculture and Forestry, Department of Economic Development,
28 commissioner of administration, Governor's Advisory Commission on Coastal Protection,
29 Restoration and Conservation, commissioner of insurance, Governor's Office of Coastal
30 Activities, United States Environmental Protection Agency, United States Corps of

1 Engineers, United States Geological Survey, existing levee districts, drainage boards, water
2 resource agencies, and parish governing authorities.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry Guillot.

DIGEST

Morrish

SCR No. 39

Directs the Coastal Protection and Restoration Authority and the Department of Transportation and Development to conduct a science-based study, in consultation with existing levee districts, drainage districts, conservation districts, water resources districts, and parish presidents, of the adequacy of the current alignment of all Louisiana levee districts, drainage districts, conservation districts and other water resources districts, except for those created by R.S. 38:330.1 et seq., which currently administer the operations and maintenance of levees, flood protection and flood control systems in Louisiana pursuant to Article VI, Sections 38 through 42 of the constitution and Title 38 of the LRS, with respect to the hydrologic basins of the state in order to improve and update the territorial jurisdictions for the various entities responsible for flood protection, storm water management, drainage, and water resource management and to efficiently and effectively meet the needs and safety of Louisiana's citizens for future decades.

Requests that the Department of Natural Resources, the Department of Environmental Quality, the Department of Agriculture and Forestry, the Department of Economic Development, the commissioner of administration, the Governor's Advisory Commission on Coastal Protection, Restoration and Conservation, the commissioner of insurance, the Governor's Office of Coastal Activities, the United States Environmental Protection Agency; the United States Corps of Engineers, the United States Geological Survey, existing levee districts, drainage boards, water resource agencies, and parish governing authorities are each urged and requested to provide comments, cooperation, assistance, and resources to the Coastal Protection and Restoration Authority and the Department of Transportation and Development to aid their efforts in completing this important task.

Provides that the study should:

1. Be based on the latest and most scientifically-reliable available data and technology.
2. Propose appropriate boundary lines for updating the territorial jurisdiction of levee districts, drainage districts, conservation districts and other water resources districts based on the latest and most scientifically-reliable available data relating to watersheds and the hydrologic basins of the state.
3. Provide an assessment of the existing and planned hurricane, flood protection and drainage infrastructure within each updated district that clearly depicts which communities are protected by that infrastructure given hydrologic conditions.
4. Provide an assessment of which communities are currently providing funding for the operations and maintenance of associated flood protection and drainage infrastructure and which communities are not.
5. Describe a taxing system to provide for the current and future operations and maintenance needs of any proposed updated levee and drainage districts with respect to the current levee and drainage millages in each community.

Requires that the Coastal Protection and Restoration Authority and the Department of

Transportation and Development shall submit a final draft of proposed changes to Louisiana's levee districts, drainage districts, conservation districts and other water resources districts by February 1, 2014, together with any specific proposals for legislation.