

1 WHEREAS, ninety-nine percent of the businesses of Livingston Parish were
2 affected negatively by the 2016 flood; and

3 WHEREAS, sixteen elementary, junior high, and high school campuses were
4 affected negatively by the 2016 flood; and

5 WHEREAS, this time the damage to Livingston Parish totaled at eight hundred
6 million dollars; and

7 WHEREAS, Louisiana is regularly impacted by flooding throughout the state, and
8 extreme water events have increased in both frequency and magnitude; and

9 WHEREAS, flooding after a rain event is not only related to the amount and
10 intensity of rainfall received, but is also closely tied to land use, as well as policy and
11 infrastructure decisions; and

12 WHEREAS, the median walls erected along Interstate 12 in Livingston Parish
13 contributed to the risk of flooding in some areas by impairing the natural flow of water
14 accumulating along the Interstate 12 corridor; and

15 WHEREAS, nothing has been done to increase the natural flow of water that could
16 potentially accumulate as a result of the existing median wall along the Interstate 12
17 corridor; and

18 WHEREAS, multiple programs designed to mitigate and reduce flood risk are
19 managed by different state agencies, local entities, and political subdivisions; and

20 WHEREAS, currently flood plains are impacted by actions and decisions made by
21 a wide variety of people, laws, and regulatory bodies, including private landowners,
22 municipalities, parish leaders, zoning laws, building codes, statewide regulations, and
23 federal requirements. Existing practices across varying levels of government do not
24 currently provide for the flood plain management that is necessary to properly address
25 drainage issues as land is developed, including in the Amite River Basin; and

26 WHEREAS, the increasing frequency and extent of flood events demands
27 heightened levels of coordination, information sharing, and response among state agencies
28 and other stakeholders in order to more closely align resources and programs designed to
29 protect communities from flooding and manage flood plains and watersheds effectively;
30 and

1 WHEREAS, the state of Louisiana is committed to increasing community and
2 regional resilience to flooding by managing, mitigating, and adapting to future flood risk;
3 and

4 WHEREAS, the widespread disaster caused by the Great Flood of 2016 revealed
5 how susceptible Louisiana's landscape is to flooding, particularly in Livingston Parish
6 within the Amite River Basin; and

7 WHEREAS, the greatest impact of the Great Flood of 2016 was within the Amite
8 River Basin located primarily in Livingston Parish and as such it is imperative to move
9 forward with management of the Amite River Basin before the next flood event; and

10 WHEREAS, Livingston Parish's recovery from the Great Flood of 2016 is a result
11 of the resilience and determination of its citizens; and

12 WHEREAS, a study of the management of the Amite River Basin would assist in
13 the development of an overall scheme of management for all of the watershed identified in
14 Louisiana by the Louisiana Watershed Initiative; and

15 WHEREAS, nothing in this House Concurrent Resolution is intended nor may be
16 construed to impact any pending litigation in any way; and

17 WHEREAS, this Resolution, the required report, and all documentation,
18 consideration, and discussion in relation thereto shall not be produced, introduced, or
19 mentioned in any pending litigation; and

20 WHEREAS, the study would also assure that management of the Amite River Basin
21 moves forward in an accelerated manner such that flood mitigation grant funds resulting
22 from the Great Flood of 2016 could be used to implement projects in the watershed
23 expeditiously and ahead of the next flood event in an effort to protect the safety and welfare
24 of the citizens living and working in the Amite River Basin.

25 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
26 direct the Department of Transportation and Development to coordinate a comprehensive
27 assessment and study relative to managing, mitigating, and adapting future flood risks in
28 Livingston Parish specifically as it relates to the median walls erected along the Interstate
29 12 corridor.

1 BE IT FURTHER RESOLVED that this comprehensive assessment and study on
2 managing, mitigating, and adapting to flood risks in Livingston Parish shall include input
3 from the following:

- 4 (1) The Coastal Protection and Restoration Authority.
- 5 (2) The Louisiana Water Resources Research Institute.
- 6 (3) The Council on Watershed Management.
- 7 (4) The Louisiana Office of Community Development.
- 8 (5) The United States Army Corps of Engineers.
- 9 (6) State and local political subdivisions in Livingston Parish.
- 10 (7) Any additional stakeholders deemed relevant by the Department of
11 Transportation and Development.

12 BE IT FURTHER RESOLVED that the department's study shall additionally
13 accomplish the following:

14 (1) Provide an assessment of the historical, existing and planned hurricane storm
15 damage reduction, flood protection and drainage infrastructure and projects within
16 Livingston Parish that clearly depicts which communities are protected by that
17 infrastructure given hydrologic conditions.

18 (2) Provide an assessment of which communities are currently providing
19 funding for the operations and maintenance of associated flood protection and drainage
20 infrastructure in Livingston Parish and which communities are not.

21 (3) Develop overall strategies to promote and maintain the management of the
22 Amite River Basin within Livingston Parish.

23 (4) Develop engineering solutions to improve natural water flow along the
24 Interstate 12 corridor with existing median walls which may additionally or alternatively
25 include engineering solutions to retrofit existing median walls to improve the natural water
26 flow along the Interstate 12 corridor.

27 BE IT FURTHER RESOLVED that the study shall also include the following:

28 (1) A review of the history of flood events in the Amite River Basin.

29 (2) Use of the latest and most scientifically-reliable available data and
30 technology.

1 (3) Projection of costs associated with the recommended solutions.

2 BE IT FURTHER RESOLVED that the Department of Transportation and
3 Development shall submit an update on the progress made with respect to the study to the
4 legislature no later than sixty days prior to the 2022 Regular Session.

5 BE IT FURTHER RESOLVED that the Department of Transportation and
6 Development shall submit a report of its study and recommendations for any statutory, rule,
7 regulation, or policy changes relative to management of the Amite River Basin to the
8 legislature no later than sixty days prior to the 2023 Regular Session and deliver copies of
9 the report to the president of the Senate, the speaker of the House of Representatives, the
10 Senate Natural Resources Committee, the Senate Transportation, Highways and Public
11 Works Committee, the House Natural Resources and Environment Committee, the House
12 Transportation, Highways and Public Works Committee, the Louisiana Office of
13 Community Development, the Council on Watershed Management, the Coastal Protection
14 and Restoration Authority, and the secretary of the Department of Transportation and
15 Development.

16 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
17 Department of Transportation and Development.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 82 Reengrossed

2021 Regular Session

Mincey

Directs the Dept. of Transportation and Development (DOTD) to study drainage issues in Livingston Parish occurring as a result of I-12 median walls. Prohibits any contents of this Resolution to be used as evidence or impact any pending litigation. Requires the DOTD submit an update on its findings no later than 60 days prior to the 2022 Regular Session. Requires the DOTD submit to the president of the Senate, the speaker of the House of Representatives, the Senate and House natural resources committees, the Senate and House transportation committees, the La. office of community development, the Council on Watershed Management, and the Coastal Protection and Restoration Authority a report of its findings no later than 60 days prior to the 2023 Regular Session.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Correct the number of schools cited as affected by the 2016 flood from 18 to 16.

2. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Add a provision that specifies nothing in the Resolution is intended nor may be construed to impact any pending litigation.
2. Prohibit the use of evidence obtained from this Resolution, required reports, and any documentation, consideration, and discussion in any pending litigation.
3. Require the Dept. of Transportation and Development to submit an update on the progress of the study to the legislature no later than 60 days prior to the 2022 Regular Session.
4. Change the deadline for the Dept. of Transportation and Development to submit a report of its findings from the 2022 Regular Session to the 2023 Regular Session.