

SENATE RESOLUTION NO. 144

BY SENATOR WHEAT

A RESOLUTION

To establish the Upper Pontchartrain Basin Task Force; to urge and request the Water Institute to conduct a comprehensive scientific assessment of the basin; to urge and request the governor and state agencies to suspend permitting for certain industrial activities pending completion of the assessment; to provide for exceptions; and to provide for related matters.

WHEREAS, the Upper Pontchartrain Basin, including Lake Pontchartrain, Lake Maurepas, their tributaries, wetlands, and cypress-tupelo swamps, represents one of Louisiana's most valuable and environmentally sensitive estuarine ecosystems, supporting fisheries, wildlife habitat, flood protection, navigation, recreation, and cultural heritage; and

WHEREAS, the basin serves as a natural buffer for surrounding parishes, including Livingston, Tangipahoa, St. John the Baptist, St. Tammany, and Orleans, by providing storm surge protection, water filtration, and critical ecological balance; and

WHEREAS, over many decades the basin has been subjected to significant environmental stressors, including large-scale cypress deforestation, saltwater intrusion, storm damage, shell dredging operations, oil and gas exploration, industrialization, urbanization, and municipal and household runoff; and

WHEREAS, numerous state and federal actions have previously recognized the environmental sensitivity of the basin, including litigation and environmental review relating to shell dredging operations, restrictions on oil and gas activity in portions of Lake Pontchartrain, prohibitions on shrimp trawling in Lake Maurepas, coastal restoration initiatives, levee and flood protection projects, and implementation of the Lake Maurepas Freshwater Diversion Project; and

WHEREAS, local governing authorities and residents throughout the region have expressed increasing concern regarding the cumulative environmental impacts associated with existing and proposed industrial activity in the basin; and

WHEREAS, proposals for additional large-scale industrial activity, including but not limited to energy generation facilities and associated infrastructure, raise significant

questions concerning long-term impacts on fisheries, wetlands, wildlife habitat, hydrology, water quality, storm resilience, and the overall ecological integrity of the basin; and

WHEREAS, the cumulative and interacting effects of multiple industrial activities may not be adequately evaluated through isolated project-by-project permitting decisions; and

WHEREAS, The Water Institute is an independent nonprofit research organization with expertise in coastal science, hydrology, watershed management, climate resilience, environmental monitoring, infrastructure, and flood risk management.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana hereby establishes the Upper Pontchartrain Basin Task Force, hereinafter referred to as the "task force", to receive the study and updates of the assessment conducted by the Water Institute as provided herein, review its findings, and make recommendations concerning the future protection, management, permitting, restoration, and sustainable use of the basin.

BE IT FURTHER RESOLVED that the task force shall be composed of the following members:

- (1) Two members of the Senate appointed by the president of the Senate.
- (2) Two members of the House of Representatives appointed by the speaker of the House of Representatives.
- (3) The secretary of the Louisiana Department of Environmental Quality, or his designee.
- (4) The secretary of the Louisiana Department of Energy and Natural Resources, or his designee.
- (5) The secretary of the Louisiana Department of Wildlife and Fisheries, or his designee.
- (6) The chairman of the Coastal Protection and Restoration Authority, or his designee.
- (7) The president and CEO of The Water Institute, or his designee.
- (8) The executive director of the Pontchartrain Conservancy, or his designee.
- (9) One representative from each of the following parishes appointed by their respective governing authority:

- (a) Jefferson Parish.
- (b) Livingston Parish.
- (c) Orleans Parish.
- (d) St. Charles Parish.
- (e) St. Tammany Parish.
- (f) Tangipohoa Parish.

BE IT FURTHER RESOLVED that the members of the task force shall serve without compensation, except per diem or expenses reimbursement to which they may be individually entitled as members of their constituent organizations.

BE IT FURTHER RESOLVED that a majority of the task force shall constitute a quorum for the transaction of business and all official actions of the task force shall require the affirmative vote of a majority of the members.

BE IT FURTHER RESOLVED the task force shall convene for its first meeting at the call of secretary of the Department of Conservation and Energy at which meeting the members shall elect a chairman and any other officer the task force may deem appropriate.

BE IT FURTHER RESOLVED that the Department of Conservation and Energy shall provide staff support to the task force and the task force may request additional support from the staff of the Senate Committee on Natural Resources.

BE IT FURTHER RESOLVED that the task force may meet as often as necessary and shall meet upon submission of updates and the final report of the assessment conducted by the Water Institute and shall submit recommendations on or before March 1, 2029, to the legislature and the governor concerning any statutory, regulatory, administrative, or funding actions necessary to protect the long-term sustainability of the Upper Pontchartrain Basin.

BE IT FURTHER RESOLVED that the task force shall terminate on the date of the submission of its recommendations or March 1, 2029, whichever occurs first.

BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request The Water Institute to conduct a comprehensive scientific assessment of the Upper Pontchartrain Basin in collaboration with and utilizing the expertise, data, monitoring resources, and institutional knowledge of the Pontchartrain Conservancy and Southeastern Louisiana University in the design and execution of the

assessment.

BE IT FURTHER RESOLVED that the Water Institute may collaborate with federal, state, and local agencies as appropriate to include but not be limited to the Coastal Protection and Restoration Authority, the Department of Environmental Quality, the Department of Conservation and Energy, the Department of Wildlife and Fisheries, the United States Environmental Protection Agency, the United States Army Corps of Engineers, and Louisiana State University.

BE IT FURTHER RESOLVED that the assessment shall examine, at a minimum, all of the following:

(1) The cumulative impacts of existing and proposed industrial activities within the basin.

(2) Hydrological and ecological thresholds of the basin.

(3) Risks to fisheries, wildlife, wetlands, water quality, benthic communities, and aquifers.

(4) The composition and potential disturbance of lake-bottom sediments, including contaminants and per- and polyfluoroalkyl substances.

(5) Risks associated with abandoned oil and gas wells and existing pipeline concentrations.

(6) Potential seismic and subsidence-related concerns.

(7) Impacts on coastal restoration, freshwater diversion, hurricane protection, flood mitigation, and resilience projects.

(8) The interaction of industrial activity with sea-level rise, saltwater intrusion, storm surge, and water runoff.

(9) Water sampling and aquatic species testing with consideration and integration of existing studies, sampling programs, and scientific data currently being conducted and compiled by Southeastern Louisiana University and Pontchartrain Conservancy.

(10) Emergency response and evacuation considerations.

(11) Economic resilience and property value impacts.

(12) Comparative environmental impacts associated with locating industrial activity within the basin versus alternative locations outside sensitive estuarine systems.

(13) The consequences of wind-energy infrastructure.

(14) The long-term sustainability of the basin under increased industrialization.

BE IT FURTHER RESOLVED that the assessment shall reference and build upon prior scientific evaluations of the Upper Pontchartrain Basin, including multidisciplinary studies conducted by the United States Geological Survey, and shall utilize the best available science and meaningful public and stakeholder input.

BE IT FURTHER RESOLVED that The Water Institute shall submit progress reports to the task force and the Senate of the Legislature of Louisiana not less than twice annually and shall submit a final report, including findings and recommendations, on or before July 1, 2028.

BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the governor, state agencies, and political subdivisions to suspend the approval or advancement of permits for new or expanded industrial activities within the Upper Pontchartrain Basin, for which a state or federal permits have been applied for or pending, or are anticipated but not yet finalized, until submission of the comprehensive scientific assessment to the task force and the public has an opportunity to review the findings.

BE IT FURTHER RESOLVED that this request regarding permits shall not apply to any of the following exceptions, provided such activities are not components of, or preparatory to, new or expanded industrial development:

(1) Flood control, hurricane protection, coastal restoration, resilience, sediment diversion, levee improvement, or hydrologic restoration projects.

(2) Repair, maintenance, replacement, or upgrade of existing utility and public infrastructure that does not materially expand industrial capacity or footprint.

(3) Nonindustrial residential, recreational, navigation, shoreline stabilization, or water-dependent structures and activities.

BE IT FURTHER RESOLVED that any activity claimed under these exceptions shall remain subject to review by the appropriate permitting authority to ensure that such activity is not a pretext for, nor materially supportive of, future industrial development within the basin.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the governor of Louisiana, The Water Institute, the Coastal Protection and Restoration Authority, the Department of Environmental Quality, the Department of Conservation and Energy, the Department of Wildlife and Fisheries, and Pontchartrain Conservancy.

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PRESIDENT OF THE SENATE