



Proposed law retains present law by requiring 25% be deposited in local government mitigation banks. Proposed law further provides that when no local government mitigation bank exists, the funds are deposited into a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Proposed law requires the funds be used for projects consistent with present law and within or for the benefit of areas within the geographic borders of that parish.

Proposed law changes the 25% deposit from the Wetlands Conservation and Restoration Fund to the Coastal Protection and Restoration Fund to be used to match funding for projects selected by local governing authorities and that are approved in the coastal master plan. Proposed law requires the Coastal Protection and Restoration Authority to promulgate rules and regulations in accordance with the APA that provide for submission and approval of projects for match funding.

Present law provides that 100% of monies collected by the secretary from enforcement actions for uses of local concerns be deposited in local government mitigation banks. Present law provides for a pro rata division in cases involving two or more local governments. Present law provides for the monies deposited in the Wetlands Conservation and Restoration Fund to be used only for mitigation projects within the geographic borders of that local government in the event there is no local government mitigation bank.

Proposed law expands monies subject to present law from monies collect by the secretary to monies collected by the secretary, the attorney general, an appropriate district attorney, or a local government with an approved program.

Proposed law changes the deposit in the event no local government mitigation bank exists, from the Wetlands Conservation and Restoration Fund to a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Proposed law requires the funds be used for projects consistent with present law and within or for the benefit of areas within the geographic borders of that parish.

Effective August 1, 2021.

(Amends R.S. 49:214.36(E), (J), and (O)(2))