

2015 Regular Session

HOUSE BILL NO. 116

BY REPRESENTATIVE GISCLAIR

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COASTAL RESOURCES: Provides for certain properties in the coastal zone

1 AN ACT

2 To enact R.S. 49:214.34(A)(11) and R.S. 56:425(F), relative to coastal property; to provide
3 for the protection of residential property located on the shore; to provide for coastal
4 use permits; to exempt certain activities from coastal permit requirements; to provide
5 for leases of water bottoms adjacent to certain coastal property; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:214.34(A)(11) is hereby enacted to read as follows:

9 §214.34. Activities not requiring a coastal use permit

10 A. Whether or not the activity occurs within the geographical boundaries of
11 the coastal zone, the following activities shall not require a coastal use permit:

12 * * *

13 (11) Construction, maintenance, or repair of a bulkhead parallel to the shore
14 protecting residential property.

15 * * *

16 Section 2. R.S. 56:425(F) is hereby enacted to read as follows:

17 §425. Lease of water bottoms; stipulations; boundary disputes; buffer zone

18 * * *

19 F. No lease shall be granted within one hundred feet of a bulkhead protecting
20 residential property or from the shore of residential property. An existing lease

1 where no marketable oysters have been harvested within the area prohibited to be
2 leased by this Subsection for ten years immediately prior to the end of the term shall
3 be modified to comply with this Subsection upon renewal.

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)]

HB 116 Original

2015 Regular Session

Gisclair

Abstract: Provides for the protection of coastal residential property through the use of bulkheads and buffer zones for water bottom leases.

Present law establishes the coastal zone and provides for a management regime within that zone including issuance of coastal use permits for activities conducted within the coastal zone. Provides for activities for which a coastal use permit is not required.

Proposed law provides that construction, maintenance, or repair of a bulkhead parallel to the shore protecting residential property do not require a coastal use permit.

Present law authorizes the secretary of the Dept. of Wildlife and Fisheries to lease state owned water bottoms for the taking of oysters.

Proposed law creates a buffer zone from an oyster lease by prohibiting leases within 100 feet of a bulkhead protecting residential property or from the shore of residential property.

Proposed law requires the modification of an existing lease upon renewal to include the buffer zone where no marketable oysters have been harvested within 100 feet of the shore for 10 years immediately prior to the end of the term.

(Adds R.S. 49:214.34(A)(11) and R.S. 56:425(F))