

LOUISIANA COASTAL LAW

LCL 96, APRIL 2015



BILLS PASSED IN THE 2014 REGULAR LEGISLATIVE SESSION OF THE LOUISIANA LEGISLATURE AFFECTING COASTAL RESOURCE USE AND CONSERVATION

BY DAVID HOARD AND ANNA GRAND

Fish, Fisheries, Oysters

ACT 14

HB 440

Representatives Harrison, Berthelot, Billiot, Wesley Bishop, Brown, Cox, Dove, Gisclair, Reynolds, Schexnayder, Thierry, Whitney and Patrick Williams

(Amends R.S. 56:499(B) and (C)). Size adjustment for skimmer and butterfly nets. Limits the size of a double skimmer to an opening of no larger than 72 ft. in circumference for each net and a lead line no greater than 33 ft. Retains the prohibition against tying single skimmer nets to exceed the size limitation of double skimmer nets. Repeals the prohibition against the mounting of a skimmer net or butterfly net more than 24 in. from the side of the vessel. Prohibits the use of a double skimmer where the horizontal net frame extends more than 20 ft. from the gunwale of the vessel. Use of sweeper devices, leads, extensions, wings, or other attachments in conjunction with or attached to skimmer nets is now allowed; use of these items is still prohibited in conjunction with butterfly nets.

ACT 208

HB 913

Representatives Leopold and Garofalo

(Adds R.S. 36:610(B)(12) and R.S. 56:301.10). Creates the Louisiana Finfish Task Force within the Department

of Wildlife and Fisheries. The Finfish Task Force shall represent the interests of the finfish industry in federal and state judicial, administrative and legislative proceedings. Lists the members who will be appointed to compose the task force. Lays out bylaws and governance procedures under which the task force will operate. Establishes rules on compensation and reimbursement of appointees. Describes the responsibilities and duties of the task force.

ACT 217

HB 1046

Representatives Leopold, Billiot, Garofalo and Harrison

(Amends R.S. 3:4631(B) and (C) and R.S. 56:433(A) and (E) and 440). Provides for standards, packaging and labeling of marketable oysters. Requires that all shell stock oysters to be sold are market size and wholesome (harvested from non-polluted beds). Requires all shucked oysters to be labeled and packaged as required

CONTENTS

Bills Passed in the 2014 Regular Legislative Session of the Louisiana Legislature Affecting Coastal Resource Use and Conservation.....	1
Not Dead Yet: Levee Lawsuit Status Update - Spring 2015	11
Vermilion Bay: Harbor of Refuge Project Update.....	14
Announcements.....	16

under the National Shellfish Sanitation Program and the National Institute of Standards and Technology. Further requires that all licensed oyster captains, harvesters, and certified wholesale/retail dealers of shell stock and shucked oyster products verify that oysters being sold are in compliance with these standards. All persons must now comply with the minimum size of oysters harvested from reefs – three inches from hinge to mouth. Makes technical changes to the statute(s).

ACT 219

HB 1056

Representative Lambert

(Amends R.S. 3:556.6(A) and (B) and 556.14(A) and (H); repeals R.S. 3:556.3(D), 556.7, and 556.14(B), (C), (E), (F), and (G)). Makes permanent the assessment of fees on artificial crawfish bait (one quarter of one cent per pound) and bags used to package live crawfish by weight (one cent per bag holding less than 25 pounds and 2 cents per bag holding 25 pounds or more). These fees are to be paid by the purchaser of the bait or bags. Also makes permanent the fee on crawfish tail meat sold in the state (one cent per pound). This fee is to be paid by the producer or distributor of the meat and collected at the first point of sale.

ACT 286

SB 154

Senator Long

(Amends R.S. 56:327(A)(2) and 412(A)(4) and (6); repeals R.S. 56:327.1). Reduces restrictions on importation/sale of fish raised in aquaculture. Allows any properly licensed individual (instead of just wholesalers and retailers) to import, sell, or purchase fish raised in aquaculture. Buyers and handlers of game fish being imported under the domesticated aquatic organisms license for consumption no longer need to provide notice of impending arrival to the secretary. Persons engaged in the business of aquaculture are exempted from the notification provisions of R.S. 56:327(A)(2). Increases the maximum size limit for rock bass, white bass, yellow bass, crappie, and bream fingerlings from three to six inches and removes the maximum size limit for spotted or striped bass when imported according to R.S. 56:412(A)(6).

ACT 287

SB 170

Senator Long

(Amends R.S. 56:20(A) and (B)). Increases restrictions on release and transportation of animals and fish. Prohibits the in-state release of any pen-raised or wild animal, fowl, or fish from within or without the state except upon permission of the secretary of the Department of Wildlife and Fisheries. Previously, only the release of pen-raised turkey or pheasant from within or without the state was prohibited (as well as any wild animal, fowl, or fish from without the state). Adds fish to the list of animals (any animal or fowl) prohibited from being transported for restocking purposes.

ACT 336

HB 523

Representative Lambert

(Adds R.S. 56:325(B)(4)). Increases possession limit of certain species of fish. Authorizes a possession limit of three times the daily take limit for largemouth bass and spotted bass taken south of Highway 90 in the saltwater areas of the state. The fisherman must show a landing receipt from a public boat launch south of Highway 90 that demonstrates that the fisherman was actively on the water or at a remote camp two days or more. Requires the fish to be kept in separate bags for each species of fish and each date taken and requires that the bags are marked with the date the fish were taken, the species and the number of fish contained in the bag, and the name and license number of the person who took the fish. Provides that the fish be in the possession of only the person who took the fish. Provides that the increased possession limit be null and void and of no effect beginning July 1, 2016, and thereafter.

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ACT 389

SB 369

Senator Walsworth

(Amends R.S. 56:325(B)(3) and (C). Repeals Section 197(B)). The possession limit for crappie caught in the Toledo Bend Reservoir on a recreational license shall be 100. The commission may amend by rule the size limits, daily take limits, possession limits, seasons and times set by law. However, the commission shall not amend the rule as it applies to Lake D'Arbonne unless the department has first conducted sampling, and collects and analyzes data on the fisheries resource in Lake D'Arbonne and the data shows that the fisheries resource is being negatively affected.

ACT 539

HB 1154

Representative Gisclair

(Amends R.S. 56:332(K)). Increases number of escape rings on crab traps and increases the size of escape rings. Increases required number of escape rings on outside walls of crab traps from two to three with at least two in the upper chamber of the trap. Increases minimum diameter of escape rings from 2 and 5/16ths inches to 2 and 3/8ths inches. Exemptions from this subsection no longer apply to crab traps that are placed in Lake Pontchartrain. Effective November 15, 2017, and applicable to license year 2017 and thereafter.

ACT 540

HB 1160

Representative Garofalo

(Amends R.S. 56:305.6). Requires the Wildlife and Fisheries Commission to establish a program to enhance professionalism in the commercial crab industry. Requires the program to include education in the proper fishing techniques necessary for the health and sustainability of the species; proper techniques for the best capture and presentation of the crabs for marketability; proper instructions regarding the placement, tending, and maintenance of crab traps to reduce potential conflicts with other user groups; and authorizes the program to include an apprenticeship program that shall be established no later than November 15, 2014. Provides that beginning Nov. 15, 2014, and applicable to license year 2015 and thereafter, no person can be issued a commercial crab trap

gear license unless that person qualifies under one or both of the following provisions: (1) The person possessed a valid commercial crab trap gear license during any two license years between 2011 and 2014; (2) The person has enrolled in and completed the program to increase and elevate professionalism in the commercial crab industry established pursuant to the provisions of this Section.

Act 553

HB 416

Representatives Lambert and Guinn

(Amends R.S. 56:638.1-638.5). The Wildlife and Fisheries Commission responsibility is expanded from saltwater finfish conservation and management to include conservation, management, and sustainability programs for all fisheries in the state, including saltwater and freshwater.

ACT 577

SB 344

Senator Allain and Representative Stuart Bishop

(Adds R.S. 56:317). Creates the Louisiana Catch and Cook Program within the Department of Wildlife and Fisheries. Authorizes restaurants to receive and prepare any fish legally taken by a licensed recreational fisherman for consumption by that recreational fisherman or any person in his party. Authorizes the secretary to promulgate rules and regulations for the program. Requires that such rules must include identification of the fisherman, identification of fish, date and location of the catch, and signage in the restaurant indicating that fish not intended for consumption by the general public are being prepared in the restaurant. Requires the department to issue permits for restaurants that wish to participate in the program. Prohibits any fee for the application process or permit. Provides that the permit may be suspended or revoked by the department for any violation of the rules and regulations of the program.

ACT 804

HB 1082

Representatives Stuart Bishop and Reynolds

(Amends R.S. 56:302.1(C)(1)(c); adds R.S. 56:10(B)(1)(g)). Provides that \$7.50 for each saltwater recreational fishing license sold shall be deposited into the Saltwater Fish Research and Conservation Fund. Provides that the revenues deposited into the fund

be used by the office of fisheries of the Department of Wildlife and Fisheries for data collection and management of recreational saltwater fisheries species.

Hunting

ACT 56

HB 344

Representatives Armes and Henry Burns

(Adds R.S. 56:104(B)(3) and 302.2(D)). Provides that any resident of Louisiana who is the surviving spouse of a member of the U.S. Armed Forces, the Louisiana Army National Guard, or the Louisiana Air National Guard who was killed in action shall be issued all hunting licenses and permits for a total fee of \$2.50 per year and recreational and saltwater fishing licenses for a total fee of \$2.50 per year.

ACT 222

HB 1072

Representatives Montoucet, Armes, Billiot, Stuart Bishop, Chaney, Dove, Foil, Garofalo, Gisclair, Guinn, Harrison, Ortego, Schexnayder and Senator John Smith

(Adds R.S. 56:643(C)). Provides for the issuance of a retired military hunting and fishing license to a person who is a retired member of the United States Armed Forces, the Louisiana Army National Guard, or the Louisiana Air National Guard and was either born in Louisiana or is a bona fide Louisiana resident. The fee for the license is \$5 and it would be in lieu of basic hunting, big game, bow, primitive firearms, and waterfowl licenses, turkey hunting stamps, WMA hunting permits, and the basic and saltwater fishing licenses. The license also authorizes the use of a crossbow or a bow that is drawn, held, and released by mechanical means. Allows magnified scopes to be used with crossbows.

ACT 229

HB 186

Representatives Henry, Henry Burns, Carmody, Cox, Foil and Thompson

(Amends R.S. 56:116.1(B)(3); adds R.S. 56:116.6; repeals R.S. 56:116.1(D)(3)). Removes prohibition against hunting game birds and wild quadrupeds with a firearm fitted with a sound suppressor. Retains other restrictions on hunting with sound suppressors. Authorization to

use a sound suppressor will be evidenced by payment and possession of the required federal tax stamp issued by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Any person who has been convicted of a class four or greater hunting violation for a period of five years after the date of such conviction shall not use a sound suppressor pursuant to the new provision.

ACT 295

SB 251

Senator Ward

(Amends R.S. 56:116.2). Prohibits the trade, barter, exchange or attempt to sell, purchase, trade, barter, or exchange any game quadruped, or any part or portion thereof, wild bird, or the plumage, aigrettes, skin, or body thereof, except as provided in R.S. 56:171 through 181. Allows the sale, purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter, or exchange of tails and hides of legally taken squirrels and legally taken deer to licensed fur buyers and licensed fur dealers, provided that the sale of any such tails or hides is made within 10 days of the close of the squirrel or deer hunting season. Exempts deer antlers or any unclaimed specimen left in the possession of a taxidermist from the requirement of a Department of Wildlife and Fisheries report, provided that the taxidermist meets the requirements of R.S. 9:192.

ACT 378

SB 212

Senators Ward, Alario, Allain, Brown, Chabert, Claitor, Cortez, Crowe, Dorsey-Colomb, Gallot, Guillory, Johns, LaFleur, Long, Mills, Morrish, Murray, Nevers, Peacock, Perry, Gary Smith, John Smith, Thompson, Walsworth and White

(Amends R.S. 56:116.1(B)(3); adds R.S. 56:116.6; repeals R.S. 56:116.1(D)(3)). Allows the use of a sound suppressor to hunt all wild quadrupeds, which includes outlaw quadrupeds, nutria, and beaver, so long as that person is authorized to possess a firearm sound suppressor, as evidenced by payment and possession of the required federal stamp issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives. Maintains prohibition against such use for persons convicted of hunting violations.

ACT 429

HB 1071

Representative Chaney

(Amends R.S. 56:8(16)). For the purposes of the purchase of a license for hunting or recreational fishing activities where such license does not authorize any commercial activity, reduces the time required to qualify as a bona fide resident from twelve months to six months. Retains law that any person, corporation, or other legal entity, which possesses a resident license from any other state or country, shall not qualify for a resident license in Louisiana.

ACT 477

SB 662

Senator Erdey

(Amends R.S. 56:116.1(B)(1)). Amended to provide that no person shall take game birds or wild quadrupeds while riding or standing in or upon a moving land vehicle or aircraft.

ACT 592

SB 681

Senator Morrish

(Amends R.S. 56:112). Maintains general provisions on game birds or wild quadruped nuisances but allows the Department of Wildlife and Fisheries to promulgate rules and regulations to permit the taking and disposal of outlaw quadrupeds and outlaw birds by aircraft when such quadrupeds and birds become destructive of private or public property and become a nuisance. Further provides that the rules will prohibit the sale of the animal or any part of the animal. Any person authorized to take any outlaw quadruped or outlaw bird will be exempt from obtaining any other permits or licenses for the taking of such animals.

ACT 678

HB 1284

Representative Thompson (primary)

(Amends R.S. 56:116(D)). Establishes a special open deer hunting season on private property for Louisiana residents who are honorably discharged veterans of the U.S. Armed Forces. Provides that the season shall be a weekend prior to the opening weekend of the regular gun season in all of the applicable zones and shall run concurrently with the youth hunt. Requires the veteran to

hold and be in possession of a basic hunting license and a big game license and be able to provide proof satisfactory to the department of such honorable discharge. The special open deer hunting season shall not be applicable to any state-owned or federally-owned or managed property.

Water, Waterways, Drainage**ACT 241**

HB 419

Representative Montoucet

(Adds R.S. 38:215.1). Provides that no landowner shall refuse to grant access to any natural or artificial public drainage area by a local governing authority, drainage district, or other public entity charged with maintaining the public drainage. Provides that in any action in a court of competent jurisdiction where the court is required to determine the right of access to the public drainage, the prevailing party shall be entitled to an award of court costs and attorney fees incurred by the prevailing party. Defines "public drainage" as any existing natural or artificial drainage ditch, drain, culvert, canal, creek, bayou, or small river.

ACT 285

SB 141

Senator Long

(Amends R.S. 30:961(E)). Extends application and termination dates for cooperative endeavor agreements to withdraw running surface water from December 31, 2014, to December 31, 2016.

ACT 294

SB 246

Senator Morrish

(Amends R.S. 56:495(A)(3) and (4); adds R.S. 56:495(A)(4.1) and (4.2) and (E)). Changes the line dividing inside and outside shrimp waters of the state to conform to the existing coastline as a result of changes caused by coastal erosion and subsidence. Allows the Wildlife and Fisheries Commission to amend by rule the line of demarcation in accordance with the Administrative Procedure Act.

ACT 394

SB 462

Senator Adley

(Adds R.S. 30:4(N)). Creates the Cross-Unit Well Study Commission within the Department of Natural Resources. Prohibits the commissioner of conservation from authorizing or issuing any permit that allows the drilling of any well located closer than 330 feet of the property boundary of a drilling unit or lease.

ACT 510

HB 311

Representative St. Germain

(Amends R.S. 41:1217(A)). Allows state leases on state land located within the Atchafalaya Basin to be extended at the discretion of the lessor for 10-year periods without the requirement that the lessee make improvements to the land.

ACT 556

HB 782

Representative Thompson

(Amends R.S. 30:961(B) and R.S. 56:10.1(B); adds R.S. 30:691(J) and (K)). Requires that entities who remove water from water bodies, determined by the Department of Wildlife and Fisheries to be negatively impacted by invasive aquatic vegetation, to reimburse the state at fair market value with no consideration for economic development or other considerations as provided in previous law. Fair market value for purposes of this provision shall be at a rate of fifteen cents per thousand gallons, and shall not include the economic development, employment, and increased tax revenues created by activities associated with the withdrawal of running surface water. Further provides that revenues deposited into the fund from the use of water from bodies with aquatic weed should preferably be used in the treatment of aquatic weed on those bodies of water from which the revenue was generated.

ACT 861

SB 425

Senators Cortez, Broome, Dorsey-Colomb, Johns, Mills, Thompson and Representative Ortego

(Adds R.S. 33:42 and R.S. 40:4.15). Applies to any political subdivision of a parish with a population greater

than 200,000 but less than 230,000 at the time of the last federal census. Provides that a private water supply or sewer system provider serving the residents of a political subdivision as defined in the this law shall comply with all applicable health standards set forth in law and regulation, including standards relative to chlorination and iron and manganese control. In addition to any other penalty or liability authorized by law that may be imposed upon a private water supply or sewer system provider who fails to meet applicable health standards, a political subdivision may by ordinance adopt a remediation charge to be imposed in accordance with such conditions and in such an amount as the political subdivision may determine. The remediation charge shall be utilized by the political subdivision solely to ensure that the services provided by the private water supply or sewer system provider are in compliance with law and regulation, and that the health and safety of residents of the political subdivision are protected against harm. Provides that in order to protect public health and safety, a private water or sewer system provider who, within a consecutive twelve month period, is penalized by the state or political subdivision at least two separate times due to failure to comply with applicable laws and regulations concerning health standards shall forfeit such system to the political subdivision in addition to any other penalty. The Department of Health and Hospitals shall provide technical assistance with iron and manganese issues to privately owned public water supplies to pursue possible solutions and assist affected populations. Privately owned public water supply providers that have on-site filtration systems are required to use those systems. Failure to maintain and use those systems subjects the provider to a fine by the Department of Health and Hospitals of \$1,000 per day until the system is maintained and utilized. However, this provision does not apply to any privately owned public water supplies or sewer system provider that on January 1, 2014, conducted operations in three or fewer parishes.

Minerals, Oil & Gas**ACT 48**

HB 297

Representative Dove

(Amends R.S. 30:127(F)). Adds electronic funds transfer to that list of acceptable methods of payment for deposits on mineral lease bids.

ACT 473

SB 570

Senator Long

(Adds R.S. 31:149(I)). Provides that when land is acquired as part of an economic development project pursuant to a certain cooperative endeavor agreement, as evidenced in a certification by the secretary of the Department of Economic Development, attached to the instrument by which land is acquired, and a mineral right otherwise subject to the prescription of nonuse is reserved, prescription of nonuse shall be for 20 years from the date of acquisition.

ACT 691

SB 209

Senator Ward

(Amends R.S. 30:4(M)(6)(b); adds R.S. 30:4(M)(6)(c)). Authorizes the Department of Natural Resources, office of conservation, to adopt rules for reimbursement to displaced property owners. Amends permit requirements for drilling, operating, and plugging solution mining injection wells to include provisions for reimbursement to any person who owns noncommercial residential immovable property within an area under mandatory or forced evacuation pursuant to the Louisiana Homeland Security and Emergency Assistance Act for a period of more than 180 days. The offer for reimbursement shall be calculated based on the estimated value of the property prior to the time of incident resulting in the declaration of the disaster or emergency. Reimbursement shall be made to the property owner within 30 days after notice by property owner to permittee indicating acceptance of the offer and showing proof of continuous ownership prior to and during the evacuation.

ACT 766

SB 585

Senator Mills

(Adds R.S. 30:4(N)). Requires the commissioner of conservation to promulgate rules for public hearings before issuing permits to drill, expand, operate, convert, or alter a solution-mined cavern in Iberia parish. Provides that no permit will be issued until a public hearing is held no earlier than August 15, 2015, on the application for the permit. Requires public notice on three separate days within a period of 30 days prior to the public hearing,

with at least five days between each publication, both in the official state journal and in the official journal of the parish where the well is to be located. At least 30 days before the hearing on the permit to expand or convert an existing solution-mined cavern, a report including a baseline analysis of the groundwater and salt content in the area must be submitted, as well as a plan for monitoring groundwater levels and saltwater content for the duration of the drilling activity. The applicant must also submit a geologic analysis by a qualified third-party geologist as well as the results of an analysis of testing attempting to determine sources and composition of foaming or bubbling appearing in Lake Peigneur. No permit shall be issued before January 31, 2016.

Coast**ACT 387**

SB 305

Senator Chabert

(Adds R.S. 49:214.6.8; repeals R.S. 38:331). Repeals and reforms the Coastal Louisiana Levee Consortium. Provides that the Coastal Louisiana Levee Consortium be an advisory commission for the Coastal Protection and Restoration Authority Board. It shall be a public body and subject to open meetings and public record laws. Includes lists of responsibilities of the consortium and parishes that will contribute to the consortium's membership. Provides for payment and reimbursement of consortium members.

ACT 527

HB 850

Representative Dove

(Adds R.S. 49:214.5.2(G)). Authorizes the Coastal Protection and Restoration Authority upon approval by the board to enter into a contract for the study, investigation, and cleanup of, or response to, hazardous substances located in an integrated coastal protection program project. This contract may be with any entity that has an existing contract with the U.S. Army Corps of Engineers, subject to certain restrictions. Requires the board determine that the Corps of Engineers entered into the contract with its contractor through a public bid process, get at least two estimates for the work from other contractors qualified to conduct such work, get an estimate for the needed work from the Corps of Engineers

contractor, and determine that contracting directly with the Corps of Engineers contractor is economical, feasible, and in the best interest of the health, safety, and welfare of the citizens of the State of Louisiana.

ACT 544

SB 469

Senators Allain and Adley

(Adds R.S. 49:214.36(O)). Adjusts procedures for coastal zone management violations. Includes adjustments to: who may bring actions, service of notice of violations and resulting consequences, the depositing of funds collected pursuant to enforcement actions taken. Prohibits state and local governmental entities from having or pursuing any cause of action arising under R.S. 49:214.21 et seq. (Louisiana Coastal Zone Management Program), 33 U.S.C. 1344 (permits for dredged or fill material), and 33 U.S.C. 408 (taking possession of, use of, or injury to harbor or river improvements) in the coastal zone or arising from or related to any use or activity within the coastal zone, regardless of the date such use or activity occurred. All funds related to permits under the above regulations (including any violations, enforcements, or damages), received by the state or local governments, shall be used for coastal protection, which includes coastal restoration, hurricane protection, and improving the resiliency of the coastal area. Allows individual and state or local governments to enforce contractual rights or administrative remedies authorized by law for issues related to the permits mentioned above. Also, “nothing in this Section shall alter the rights of any governmental entity, except a local or regional flood protection authority, for claims related to sixteenth section school lands or claims for damage to property owned or leased by such governmental entity.”

Boards, Commissions, Districts

ACT 207

HB 905

Representatives Anders, Henry Burns and Cox

(Amends R.S. 38:3087.112 and 3087.114(A)). Changes the location of the Black River Lake Recreation and Water Conservation District and the composition of the board. Provides that the district is comprised of all of Concordia Parish, specifically including precincts 4-6, 5-3, 5-4, 5-5, 5-6, and 5-7. Reduces the number of board commissioners

from six to three and specifies that each appointee must reside in or own property in the district. Further provides that two members must be appointed by the legislative delegation representing Concordia Parish, instead of the governing authority, and one member must be appointed by the governing authority of Concordia Parish, instead of the governing authority of Catahoula Parish.

ACT 303

SB 342

Senators Donahue, Crowe and Nevers and Representatives Tim Burns, Cromer, Hollis, Pearson, Ritchie and Simon

(Amends R.S. 38:291(V) and 330.2(A)(1)(a); adds R.S. 38:329.6; repeals R.S. 38: 330.1(B)(1)(a)(iv)). Renames the St. Tammany Levee district and creates a governance board. Renames district as the St. Tammany Levee, Drainage, and Conservation District. Provides for appointments of members and board duties.

ACT 471

SB 528

Senator Crowe

(Amends R.S. 34:3493(A)(1), 3495(A), (C), (D), (F), and (G); adds R.S. 34:3499.1). Provides for alterations to Louisiana International Deep Water Gulf Transfer Terminal Authority (LIGTT). Changes the coordinates that establish jurisdiction for LIGTT. Makes changes to governance procedures.

ACT 485

SB 261

Senators Johns, Morrish and John Smith and Representatives Danahay, Franklin, Geymann, Guinn, Kleckley and Hill

(Amends R.S. 34:202(A)). Retains and reorganizes the Lake Charles Harbor and Terminal district board of commissioners. Provides for appointment of members and filling of vacancies. Provides for member terms of service.

ACT 505

HB 133

Representative Anders and Senator Thompson

(Amends R.S. 34:1861(A) and (B)). Expands the Vidalia Port Commission to cover all of Concordia Parish. Changes the commission's residency requirement from the town of Vidalia to the parish of Concordia

and the commission shall now be composed of seven members instead of five. Changes the term of successor appointments from six- to four-year terms. Grants the commission powers within the entire parish of Concordia.

ACT 795

HB 793

Representative St. Germain

(Amends R.S. 38:3074(A), (B)(3), (4), and (5), (C), and (D)(intro. para.); adds R.S. 38:3073(14); repeals R.S. 38:3074(D)(1)-(9) and Act No. 177 of the 2013 Regular Session). Provides for the membership of the board of commissioners of the Capital Area Groundwater Conservation District. Adds the director of the Department of Public Works of the city of Baton Rouge, or his designee, as a member, as well as the secretary of the Department of Environmental Quality, or his designee. Provides for changes in the composition of the board. Makes changes to appointments and the filling of vacancies. The board of commissioners shall now be sixteen instead of fifteen members.

Miscellaneous

ACT 109

SB 93

Senator Thompson

(Amends R.S. 3:4303). Requires the Department of Agriculture and Forestry (instead of the Louisiana Forestry Commission) to retain all receipts from the sale of seedlings at commission nurseries. Requires that receipts from the sale of seedlings only be expended in the development and operation of the department's nurseries for scientific forestry research and experimentation for land acquisition and the general operations of the department nurseries.

ACT 110

SB 119

Senator Thompson

(Amends R.S. 3:3103(A) and (B), 3105, and 3108(B)). Expands current law to require any owner or lessee of farms or preserves (instead of only owners or lessees of breeding farms or propagating preserves) engaged in owning, raising, selling, or harvesting imported exotic deer and antelope, elk, farm-raised white tail deer and

other exotic Cervidae, for any purpose, to apply to the commissioner for a license. Removes the current fencing height requirement and authorizes the commissioner to adopt rules regarding fencing requirements for owners or breeders of imported exotic deer, elk, and antelope. Authorizes the commissioner to raise the civil penalty up to \$1,000 per violation (up from \$100).

ACT 168

HB 397

Representative Gisclair

(Amends R.S. 49:214.25(F)). Prohibits dredging sand pits and excavating within 300 feet of Highway 1 south of the town of Golden Meadow in Lafourche Parish, unless such excavating is associated with a drainage project for which a coastal use permit has been issued. Provides that any excavation project associated with a pipeline project shall be refilled once the project is complete.

ACT 400

SB 667

Senators Adley and Johns

(Amends R.S. 30:29(B)(6), (H), and (I) and C.C.P. Art. 1563(A)(2); adds R.S. 30:29(C)(2)(c) and (M)). Provides for changes to the statutes regarding remediation of oilfield sites and exploration and production sites. If a defendant is dismissed with prejudice, they are entitled to recover attorney fees and costs from the party who asserted the claim. There is a rebuttable presumption that the remedial plan approved by the department is the most feasible plan to remediate the environmental damage for which responsibility is admitted. Defines contamination as the introduction or presence of substances or contaminants into a useable groundwater aquifer, an underground source of drinking water or soil in such quantities as to render them unsuitable for their reasonably intended purposes. Lists what damages may be awarded under the new provision.

ACT 574

SB 91

Senator Brown

(Amends R.S. 39:112(C)(2); adds R.S. 39:112(C)(1)(d)). Adds fourth exception to the deadline for submission of capital outlay budget requests. Requests may be accepted after the deadline if the project is located in a designated disaster area, there is an imminent public need for the

project because of a national or state declared disaster and the project has been approved by the Joint Legislative Committee on Capital Outlay, which approval may occur after the first day of February each year and which project may have a total project cost of one million dollars or more. Defines “designated disaster area,” “disaster,” and “public need” for purposes of the exception.

ACT 575

SB 112

Senator Thompson

(Amends R.S. 38:2251(C)(3) and R.S. 39:1595(C)(3)). Provides that, in order to qualify as a Louisiana product, meat and meat products must have originated in Louisiana and have traceability documentation (as opposed to having had to be alive at the time they entered the processing plant).

ACT 726

SB 650

Senator Walsworth

(Adds R.S. 30:2060.1). Authorizes the Department of Environmental Quality to establish standards of performance for measuring carbon dioxide emissions from existing fossil fuel-fired electric generating units. Provides criteria for the standards of performance. The department can set adjusting standards of performance on fossil fuel-fired electric generating units and further determine if state standards are to be less stringent or allow for longer compliance schedules than those provided for in applicable federal rules or guidelines.

ACT 799

HB 920

Senator St. Germain

(Adds R.S. 30:2373(G)). Authorizes the Department of Public Safety and Corrections to enter into settlements of civil penalty assessments that allow the respondent to perform beneficial emergency planning, preparedness, and response projects or provide for the payment of a cash penalty to the state, or both, for violations of the Right-to-Know Law. Provides that such settlements shall be considered a civil penalty for tax purposes. Defines a “beneficial emergency planning, preparedness, and response project” as a project that the respondent is not otherwise legally required to perform but which the respondent agrees to undertake as a component of

a settlement of a civil penalty assessment and provides assistance to a responsible state or local emergency planning, preparedness, or response entity. Projects shall enable such entity to further fulfill its obligations to collect information to assess the dangers of hazardous materials present in a response situation, to develop emergency plans or procedures, to train emergency response personnel, and to better respond to emergency situations. Beneficial emergency planning, preparedness, and response projects may include providing computers and software, communication systems, chemical emission detection and inactivation equipment, and hazardous materials equipment and training.



NOT DEAD YET: LEVEE LAWSUIT STATUS UPDATE – SPRING 2015

BY CASEY PICKELL

In July of 2013, the state board that oversees flood protections for southeast Louisiana filed a monumental lawsuit against nearly 100 oil and gas companies.¹ The Southeast Louisiana Flood Protection Authority – East (“SLFPA-E”), sought to recover for decades of damage caused to Louisiana’s wetlands by navigation canals dredged by the companies. The SLFPA-E complaint asserts that these dredging operations have damaged Louisiana’s coastal wetlands, thereby weakening the buffering effects the wetlands once provided for the region.² While nearly every company that has operated in the marshes of Louisiana since the 1970’s has obtained state permits requiring restoration “as near as practicable to their original condition” of any canals dredged, most oil companies have never filled in the canals, and the state has failed to enforce the permits.³ Since the levee board cannot enforce the permits itself, it filed a civil damages lawsuit against every company it could find that dredged canals in the gulf instead. SLFPA-E sought monetary compensation for the portion of the damage done to the wetlands by the industry to help it with expenses it says it now needs to protect its jurisdiction from future floods. Once in court on the merits, the case was expected to be a “battle of the experts” to rival them all.

However, since it was first filed, the suit has been put through a gauntlet of legal and political maneuvering that put its survival in jeopardy long before it could have reached the merits. After being filed in Orleans Civil District Court in July of 2013, the case was removed to federal court, where an attempt to remand the case back to state court failed in June 2014.⁴ While this was happening, the SLFPA-E was undergoing political pressure from Louisiana Governor Bobby Jindal and others to drop the lawsuit. Governor Jindal’s administration put forth the argument that the SLFPA-E overstepped its authority in bringing the lawsuit and characterized the suit as a money grab on behalf of overzealous plaintiff’s lawyers.⁵ Early on, the Jindal administration threatened to intervene by claiming that SLFPA-E needed permission from the state Attorney General *and* the Governor before it is allowed to hire special counsel.⁶ The SLFPA-E argued that since it is not a traditional state agency, but an independent political subdivision,

it is purpose-built to be shielded from control by the Governor in this manner.⁷ This argument proved tenable enough to prevent the Governor from pursuing this route further; however, the political maneuvering continued.

While it may be true that the SLFPA-E was created in a way that it does not need the Governor’s permission to retain outside counsel, the Governor does retain the power to appoint new members to the board, albeit indirectly.⁸ In the past year, the Jindal administration has been successful in appointing four new members to the board that were vetted on the basis that given the opportunity, they would vote to retract the lawsuit.⁹ However, the four-member swing is still not enough to obtain the five-vote majority required for the board to internally retract the suit. The effort to turn the board from the inside was further foiled when pro-suit board member and coastal researcher Paul Kemp was re-nominated to a “technical seat” on the board, a seat that state law does not provide a way for the Governor to reject.¹⁰ While this hurdle to the lawsuit appears to be stymied for the time being, the Louisiana Legislature has also taken a stab at killing the suit.

In March of 2014, the battle over the board’s lawsuit moved to the Louisiana Legislature, which soon became inundated with lobbying efforts to produce a bill that would kill the lawsuit before the courts could adjudicate it.¹¹ At first, more than a dozen bills to kill the lawsuit failed to pass, generally due to state constitutional concerns. Eventually however, a seemingly failed bill originally proposed in the Senate Judiciary Committee to kill the suit, became reassigned to the Senate Natural Resources Committee, where its text hastily replaced the text of a different bill that was about to be called to vote.¹² The resulting bill, now known as Act 544, made its way out of the Natural Resources committee, where it was later passed by floor vote in both houses.

Act 544 purported to retroactively kill the lawsuit by providing that “no state or local governmental entity shall have, nor may pursue, any right or cause of action arising from any activity subject to [federal or state permitting] in the coastal area...

regardless of the date such use or activity occurred.”¹³ Recently however, the Act’s ability to accomplish its intended function has been called into question.

While no one disputes Act 544’s intention was to kill the SLFPA-E lawsuit, attorneys for the levee board first argue it does not apply to their suit because it only manages to prohibit “state or local government agencies” – neither of which, they say, covers the SLFPA-E, a “political subdivision.”¹⁴ Second, they assert that Act 544 violates the “separation of powers” clause of the Constitution of Louisiana by usurping the judiciary’s power to determine whether or not the levee board has standing to sue.¹⁵ Third, due to the last minute shift in how the bill made it through committee, the board argues that it also violated constitutional requirements for public notice because the final version was read publically only two times before it was passed – when the state constitution requires three.¹⁶ Fourth, the board alleges that the Act violates Louisiana’s “public trust” doctrine¹⁷ because the levee board was created to protect the environment, and a clause in the state constitution, supported by the Louisiana Supreme Court, protects such actions.¹⁸

In early October 2014, attorneys for the levee board made these arguments in a case pending in Louisiana state court originally brought by the Louisiana Oil and Gas Association (“LOGA”) concerning other issues with the suit.¹⁹ In her final ruling, Judge Janice Clark sided with the levee board, finding that not only did Act 544 fail to apply due to the structural uniqueness of the levee board, it was also an unconstitutional overreach by the Legislature. Specifically, she determined the levee board was neither “fish nor fowl...an entity with its own particular powers, infused with powers parishes typically don’t have.”²⁰ Regarding the constitutional issues, Judge Clark found that the law violated the state constitution’s “separation of powers” clause because it represented an attempt by the legislature to tell the courts how to interpret state law concerning the status of the levee board as a legal entity. Second, regarding the “public trust doctrine,” she found the law unconstitutionally barred local governmental bodies from suing over coastal environmental damages they have the duty to protect. Finally, Judge Clark found the legislative maneuvering used to pass the law to be “repugnant” to public notice requirements mandated by the Louisiana Constitution.

That ruling was only a small victory for the levee board, as the state case was a separate lawsuit and not binding on the case that actually triggered all the judicial turmoil in first place. That particular suit lay in the U.S. District Court for the Eastern District of Louisiana under Judge Nannette Jolivet Brown, who heard the same constitutional arguments concerning Act 544 in mid-November 2014, but chose not to issue a ruling on that issue. Lawyers representing the levee board initially stated that they fully expected the federal case to be put on hold while a decision regarding Judge Clark’s state case was litigated through the Louisiana Supreme Court.²¹ However, in a sudden turn of events, Judge Brown handed down a ruling dismissing the federal case on February 13, 2015.

Ruling on the energy companies’ motion to dismiss, Judge Brown concluded that the levee authority did not have a strong enough interest as a third party to federal and state permits granted to the companies to legally justify a financial claim against the companies. The judge issued a 49-page opinion setting forth her reasoning for ruling against the several arguments made by the levee authority.²² The judge first found that the companies were not negligent under the three federal laws cited by the authority. While Judge Brown agreed that the companies were obligated to abide by the coastal erosion requirements of the federal Rivers and Harbors Act, Clean Water Act, and Coastal Zone Management Act, she found that the SLFPA-E failed to demonstrate why it should be the beneficiary of any of those laws, as opposed to the federal or state government.²³

Judge Brown also dispensed with the SLFPA-E’s main state law argument under the “natural servitude of drain” articles that govern the flow of water over property. The SLFPA-E argued that the provisions applied to the increased storm surge threat posed by the companies’ destruction of the wetlands that served as a buffer between its levees and the Gulf. However, Judge Brown found no compelling guidance in the civil code or case law in support of the SLFPA-E’s reading of the articles, instead finding that the law has only previously been used to protect downstream landowners from problems caused by upstream users. In other words, with the SPLFPA-E levees being on higher ground, its argument was running counter to previous uses of the claim.²⁴

After receiving the verdict, the lead attorney for the SLFPA-E stated that he planned to file an appeal in the U.S. Fifth Circuit Court of Appeals as soon as possible and was “confident” that the higher court would reverse Judge Brown.²⁵ In fact, the contract between the SLFPA-E and its lawyers may force it to appeal to avoid triggering a clause requiring the SLFPA-E to pay the law firm’s expenses and hourly fees if it cancels the suit prior to a “final court decision.” On March 2, 2015 three members of the board in opposition to the suit called for special hearing to vote up or down on continuing on with an appeal.²⁶ With the legal issues and law firm contract clause in mind, the board voted 5-4 to continue with the appeal.

With an appeal to the Fifth Circuit and possibly to U.S. Supreme Court still to come, the suit is not dead yet. That said, the somewhat surprising dismissal by Judge Brown certainly leaves the case on life support, and its lawyers will certainly have their hands full in their effort to keep the suit alive.



Endnotes:

¹ Petition for Damages and Injunctive Relief, *Board of Commissioners of the Southeast Louisiana Flood Protection Authority v. Tennessee Gas Pipeline Co.*, No. 13-6911, p. 9 (La. Dist. Ct., Orleans Parish, July 24, 2013).

² See Edward B. Barbier, Ioannis Y. Georgiou, Brian Enchelmeier, & Denise J. Reed, *The Value of Wetlands in Protecting Southeast Louisiana from Hurricane Storm Surges*, PLOS ONE (Mar. 11, 2013), <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0058715>.

³ See Petition for Damages, *supra*, note 1.

⁴ See Mark Schleifstein, *Environmental Lawsuit Against 92 Energy Companies Belongs in Federal Court, Judge Says*, NEW ORLEANS TIMES-PICAYUNE, June 28, 2014, http://www.nola.com/environment/index.ssf/2014/06/federal_judge_rules_east_bank.html#incart_river. For a more detailed account of the jurisdiction issues, please see: <http://sites.law.lsu.edu/jelrblog/2013/10/23/louisiana-levee-litigation-brings-the-legal-significance-of-wetland-loss-to-light/>.

⁵ Jeff Adelson, Jindal looks for ways to intervene in levee lawsuit, THE ADVOCATE, August 13, 2013, available at: <http://theadvocate.com/news/6658581-123/jindal-looks-for-ways-to>

⁶ *Id.*

⁷ *Id.*

⁸ See, Jeff Adelson, *Levee Board appointments may let Jindal interfere with suit*, *supra*, note 5. The laws governing the board call for a combination of commissioners from different disciplines and geographic areas, with the Governor having more sway over the nomination of “at-large” seats than “technical” seats. Therefore, though the Governor has no direct authority to control who the Board’s nominating committee will recommend for either seat type,

he signs off on who they select for “at-large” seats. “Technical” seats on the other hand, bypass the Governor’s influence.

⁹ *Id.*

¹⁰ Associated Press, *Levee board re-nominates lawsuit supporter*, THE WASHINGTON TIMES, September 26, 2014, available at: <http://www.washingtontimes.com/news/2014/sep/26/levee-board-re-nominates-lawsuit-supporter/?page=all>.

¹¹ Nathaniel Rich, *The Most Ambitious Environmental Lawsuit Ever*, THE NEW YORK TIMES MAGAZINE, October 3, 2014, available at: http://www.nytimes.com/interactive/2014/10/02/magazine/mag-oil-lawsuit.html?_r=0.

¹² *Id.*

¹³ S.B. 469, 2014 Regular Session, (La. 2014).

¹⁴ Mark Schlieffstein, *Judge rules new state law doesn’t stop levee authority from suing oil companies*, NOLA.COM/THE TIMES-PICAYUNE, October 6, 2014, available at: http://www.nola.com/environment/index.ssf/2014/10/state_judge_rules_law_prohibit.html.

¹⁵ *Id.*

¹⁶ Louisiana State Constitution of 1974, Article III, Section 2(b) (4)(a)

¹⁷ “Public Trust Doctrine” is a general legal principal that certain natural resources are preserved for public use, and the government is required maintain such resources for the public’s reasonable use.

¹⁸ See, *Save Ourselves, Inc. v. Louisiana Envtl. Control Comm’n*, 452 So. 2d 1152, 1154 (La. 1984).

¹⁹ The case before Judge Clark was originally brought outside the merits of the case by Louisiana Oil and Gas Association concerning Attorney General Buddy Caldwell’s ability to approve the board’s outside counsel suit in the first place. However, before she issued her final ruling on that issue, the issues concerning the act were added, which Judge Clark agreed to hear.

²⁰ Jeff Adelson, *Court to weigh whether state can block suit already in progress*, THE ADVOCATE, October 10, 2014, available at: <http://theadvocate.com/news/neworleans/10458872-148/baton-rouge-judge-new-law>.

²¹ Mark Schleifstein, *Gov. Bobby Jindal asks state Supreme Court to uphold law banning wetlands damage suit against oil companies*, NOLA.COM/THE TIMES-PICAYUNE, January 9, 2015, available at: http://www.nola.com/environment/index.ssf/2015/01/gov_jindal_asks_state_supreme.html

²² Order, *Board of Commissioners of the Southeast Louisiana Flood Protection Authority v. Tennessee Gas Pipeline Co.*, No. 13-5410, (E.D. La. filed February 13, 2015).

²³ *Id.* at 22-31.

²⁴ *Id.* at 35-45.

²⁵ Mark Schleifstein, *Wetlands damage lawsuit appeal debated at east bank levee authority meeting*, NOLA.COM/THE TIMES-PICAYUNE, February 19, 2015, available at: http://www.nola.com/environment/index.ssf/2015/02/controversial_wetlands_damage.html#incart_related_stories.

²⁶ Mark Schlieffstein, *Appeal of wetlands damage suit against energy companies will continue*, NOLA.COM/TIMES PICAYUNE, March 2, 2015, available at: http://www.nola.com/environment/index.ssf/2015/03/continue_the_appeal_of_wetland.html.

VERMILION BAY: HARBOR OF REFUGE PROJECT UPDATE

BY LAUREN LAND

The Problem with Hurricanes and Commercial Fishing Vessels

A commercial fishing vessel is defined as a vessel with a commercial fishing license (either state or federal) whose purpose is harvesting a seafood commodity from Louisiana saltwater areas and selling that product in Louisiana. Commercial fishing vessels range in size from smaller crab boats to large, offshore shrimp boats. While Hurricane Rita was heading toward southwest Louisiana in September of 2005, the commercial fishing fleet in Intracoastal City was unsure of where to go. Some vessels traveled up the Vermilion River, tied to trees along the bank and lashed two or three boats together for stability. A large number of shrimpers stayed on their boats during the event to “ride out the storm” at local shrimp docks. With engines at full throttle, most were able to hold position and keep the vessel in place, even during the height of the storm. Captains who left their vessels and evacuated came back after the storm to find their boats stranded on land. Eighteen shrimp boats were stranded. One vessel still lies on its side more than 30 feet from the water’s edge.

In the Vermilion Bay region of coastal Louisiana, no plan exists for commercial fishermen to seek protection from storm damage and to prevent their vessels from becoming water-borne debris during a storm. Methods of tying to old oak trees on the banks of the Vermilion River or tying to other boats creates stress on the lines. As a result, storm tides can carry fishing vessels onto private property, and when the tides recede, the boats stay grounded on private property. In the aftermath of Hurricane Rita, the U.S. Federal Emergency Management Agency (FEMA), the U.S. Coast Guard and the U.S. Navy contracted with salvage companies to refloat stranded boats that were still seaworthy or dispose of those that were not. That process took years and millions of dollars to accomplish. The total cost for vessel and debris removal for Katrina and Rita was approximately \$294 million (FEMA Debris Subject Matter Expert, pers. comm). In 2014, the question still remains, where is there a suitable place along the Vermilion River for commercial fishing boats to seek harbor of refuge during storms? Such locations are needed to prevent vessel

damage and vessel groundings, which create obstacles for hurricane response and recovery.

Seeking Solutions: The “Safe Harbor” Master Plan Project

To begin to address the issue of mooring locations for commercial fishing vessels, the Port of Delcambre, in conjunction with Louisiana Sea Grant, received funding through FEMA’s 2012 Community Resilience Innovation Challenge, which targeted projects intended to increase community resilience around the nation. The project team proposed to create a safe harbor master plan by quantifying how many vessels need safe harbor spaces, evaluating local waterway capacity to accommodate vessels in the short term, and producing maps of suggested locations to install moorings and pilings in the long term.

The team quickly learned that “safe harbor” is a misnomer because no place is ever safe from hazardous events on the water. “Harbor of refuge” is a more appropriate term. The harbor of refuge project contributes to community resilience because it seeks to organize a plan for vessels to moor during a storm, ensuring that those vessels sustain little damage and remain operational. The advantages of providing storm anchorage to the commercial fishing fleet are obvious. Of primary concern is the safety and wellbeing of the fishermen themselves and the protection of their vessels. In addition, a harbor of refuge plan will protect employment and commerce in the region. When fishing vessels sustain damage during a storm, the effect ripples downstream by impacting small businesses through fishermen, seafood processors, wholesale distributors, and restaurants. Loose vessels also create destructive barriers on roadways and bridges, disrupting total commerce. A harbor of refuge plan will minimize damage to equipment and disruption to employment, thereby increasing community resilience.

Progress of the Project

Louisiana Sea Grant is working with local and state stakeholders to discuss potential solutions to install emergency moorings for fishing vessels. In partnership

with the Port of Delcambre, Sea Grant published a document to quantify the costs and benefits of harbor of refuge and to earn a place for it in the parish hazard mitigation plan updates for Iberia and Vermilion parishes. The Harbor of Refuge project involves many team members and many stakeholders. Sea Grant Extension agents Mark Shirley, Thu Bui, and Thomas Hymel have been integral in gathering information from commercial fishermen and in facilitating conversations with local partners (i.e., Vermilion area Port districts, Offices of Emergency Preparedness, State Parks, etc.). On the state level, Lauren Land and Jim Wilkins have held meetings with GOHSEP, Office of State Lands, Office of State Parks, DNR, and LDWF. The Permits Division at DNR has been particularly helpful in explaining the steps of the Coastal Use Permit application process and what pieces need to fall in place to install infrastructure for harbor of refuge.

Sites that have been suggested for Vermilion Bay harbors of refuge include stretches of the Vermilion River adjacent to Palmetto Island State Park and space along the Delcambre Canal, just south of the new Bayou Carlin Cove. Anticipated milestones in the near future include developing a harbor of refuge “shopping list” with drawings and renderings of mooring infrastructure and cost estimates of installation.

WAVE Smartphone App

To expand on the harbor of refuge effort, Louisiana Sea Grant currently leads a team of LSU researchers to develop a smartphone app for commercial fishermen. With funding through LSU’s Coastal Sustainability Studio, partners include LSU’s Center for Computation and Technology, the Southern Climate Impacts Planning Program, and the Stephenson Disaster Management Institute. The smartphone app, WAVE: Waterway Information for Vessels, will bring currently existing data into one viewing platform to provide information for commercial fishermen that will enhance their storm preparedness practices and fishery awareness. Datasets include NOAA navigational charts, observed and predicted storm tide data, historical storm surge simulations, and fishery-related data from LDWF. While initially focused on Vermilion Bay, the app is being developed with scalability for the entire coast. The project team is entering the beta-test phase and expects the app to be available in app stores in summer 2015.



ANNOUNCEMENTS

2015 Climate Community of Practice in the Gulf of Mexico

The 6th Annual Meeting of the Climate Community of Practice in the Gulf of Mexico is being held May 19-21, 2015, in St. Pete Beach, Florida. Registration is now open. The fee includes all program materials, several meals, and an evening reception. The draft agenda, hotel and transportation information, and details about the associated Climate Education Workshop can be found at this website: <http://masgc.org/climate-outreach-community-of-practice/annual-meeting-2015>. Hope to see you there!

Congratulations Graduates!

The Louisiana Sea Grant Law & Policy Program would like to congratulate three of their legal interns on their upcoming graduation: Charmaine Borne, Anna Grand, and Casey Pickell. All three students will be graduating from the Paul M. Hebert Law Center at LSU. We wish you all the best in your future careers!

LCL E-mail Update Service

The Louisiana Sea Grant Law & Policy Program disseminates an e-mail/web-based update to our biannual newsletter four times a year. These updates cover environmental law news relevant to the LCL's audience, summaries of recently introduced environmental legislation and regulations and recent court decisions. To subscribe to the LCL E-mail Update Service, send an e-mail to mtrosc2@tigers.lsu.edu.

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