

Regular Session, 2008

ACT No. 503

HOUSE BILL NO. 1112

BY REPRESENTATIVES GARY SMITH, BILLIOT, DIXON, AND GISCLAIR

1 AN ACT

2 To amend and reenact R.S. 38:100(introductory paragraph), 101, and 103(B), relative to the
3 Westwego to Harvey Canal hurricane protection project; to provide for the extension
4 of the West Bank and vicinity hurricane protection project; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:100(introductory paragraph), 101, and 103(B) are hereby
8 amended and reenacted to read as follows:

9 §100. Object and purpose

10 It is the object and purpose of this Chapter to provide for participation by the
11 state of Louisiana in the Westwego to Harvey Canal hurricane protection project, for
12 modifications of the Westwego to Harvey Canal hurricane protection project to
13 include the Lake Cataouatche area, ~~and for the East of Harvey Canal hurricane~~
14 ~~protection project, and for any other future project modifications or additions within~~
15 the parishes of Jefferson, Orleans, Plaquemines, and St. Charles. It is further the
16 object of this Chapter to designate the Louisiana Department of Transportation and
17 Development as the nonfederal sponsor for the construction of the projects and to
18 furnish the United States such assurances and cooperation as may be required by the
19 Congress of the United States that the department will:

20 * * *

21 §101. West Bank Hurricane Protection Projects

22 A. For the purpose established in this Chapter and in the act of designation
23 dated May 5, 1993, promulgated by the governor pursuant to R.S. 38:81, designating
24 the Department of Transportation and Development as the nonfederal sponsor for the

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 construction of the Westwego to Harvey Canal hurricane protection project, for
 2 modifications of the Westwego to Harvey Canal hurricane protection project to
 3 include the Lake Cataouatche area, ~~and for~~ the East of Harvey Canal hurricane
 4 protection project, and for any other future project modifications or additions within
 5 the parishes of Jefferson, Orleans, Plaquemines, and St. Charles, the secretary of the
 6 department is authorized to negotiate and contract with the United States of America
 7 to provide such assurances and cooperation as is necessary for the purposes
 8 authorized in this Chapter, including the negotiation and contract ~~of a modification~~
 9 for any future modifications to the current local cooperation agreement between the
 10 West Jefferson Levee District and the Department of the Army for the Westwego to
 11 Harvey Canal hurricane protection project. The secretary is authorized to contract
 12 for the construction of these projects, including any future project modifications or
 13 additions, and for the financing of the nonfederal share of the construction cost by
 14 the United States to be repaid by the state, with interest over a thirty-year period.

15 B. The secretary is authorized to proceed and cooperate in the planning,
 16 engineering, design, and construction of the Westwego to Harvey Canal hurricane
 17 protection project, for modifications of the Westwego to Harvey Canal hurricane
 18 protection project to include the Lake Cataouatche area, ~~and for~~ the East of Harvey
 19 Canal hurricane protection project, and for any other future project modifications or
 20 additions within the parishes of Jefferson, Orleans, Plaquemines, and St. Charles;
 21 ~~to-wit~~ to wit, providing the highest level of hurricane protection, consisting of levees,
 22 floodwall, floodgates, and related structures, as may be economically justified for
 23 those portions of Jefferson, Orleans, ~~and~~ Plaquemines, and St. Charles ~~Parishes~~
 24 parishes located on the west bank of the Mississippi River generally between the ~~St.~~
 25 ~~Charles Parish line~~ easternmost guide levee of the Davis Pond Freshwater Diversion
 26 Project in St. Charles Parish and the community of Oakville, Louisiana, in
 27 Plaquemines Parish.

28 C. Upon completion of the construction of the hurricane protection projects,
 29 the responsibility for maintenance and operation of the hurricane protection system
 30 shall be assumed by the West Jefferson Levee District, the Orleans ~~Parish~~ Levee

