HLS 20RS-380 ORIGINAL

2020 Regular Session

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HOUSE CONCURRENT RESOLUTION NO. 32

BY REPRESENTATIVE DEVILLIER

COASTAL RESOURCES: Urges and requests certain officials and local governments to dismiss coastal lawsuits

A CONCURRENT RESOLUTION

2	To urge and request the local officials in Cameron Parish, Jefferson Parish, Plaquemines
3	Parish, St. Bernard Parish, St. John the Baptist Parish, Vermilion Parish, and the city
4	of New Orleans to dismiss the forty-three coastal lawsuits that have been filed
5	against over two-hundred large and small oil and natural gas companies in Louisiana.
6	WHEREAS, for nearly a century, the safe, responsible production of oil and natural
7	gas in Louisiana has helped fuel our state's economy and our nation's energy independence;
8	and
9	WHEREAS, today, the development of Louisiana's vast oil and natural gas resources
10	supports over two-hundred sixty thousand high-paying jobs and contributes more than two
11	billion dollars in annual state revenues; and
12	WHEREAS, Louisiana oil and natural gas companies also generated more than
13	two-hundred thirty million dollars in direct funding for coastal restoration and hurricane
14	protection projects over the last five years; and
15	WHEREAS, since the Coastal Zone Management Act (CZMA) was enacted by the
16	Louisiana Legislature, the state of Louisiana has issued more than thirty thousand coastal
17	use permits to authorize and encourage the safe and responsible development of oil and
18	natural gas resources throughout Louisiana's working coast; and
19	WHEREAS, from 1980 through 2013, local governing bodies collected millions of
20	dollars in tax revenues generated by these production activities and never sought to assert
21	enforcement authority over these operations, which are clearly defined in R.S. 49:214.25(A)

1	as "uses of state concern" that fall exclusively under the jurisdiction of state government
2	agencies; and
3	WHEREAS, since 2013, Cameron Parish, Jefferson Parish, Plaquemines Parish, St.
4	Bernard Parish, St. John the Baptist Parish, Vermilion Parish (Coastal Parishes), and the city
5	of New Orleans have contracted with private legal counsel to improperly bring
6	unprecedented enforcement actions against the oil and natural gas industry; and
7	WHEREAS, actions such as these, taken by private legal counsel on behalf of local
8	governments, are inconsistent with the original intent of the Louisiana Legislature when the
9	CZMA was enacted; and
10	WHEREAS, the state alone is vested with the authority to issue and regulate coastal
11	use permits concerning uses of state concern, as defined by R.S. 49:214.25(A)(1), and the
12	state has the sole authority to bring enforcement over these permits under CZMA; and
13	WHEREAS, local governments are limited in their ability to bring enforcement
14	actions under CZMA as it relates to issues of local concern as defined by R.S.
15	49:214.25(A)(2); and
16	WHEREAS, since the inception of the CZMA, over forty years ago, local
17	government entities have never sought to assert such inappropriate widespread action over
18	state issued coastal use permits in a manner that violates the original intent of the CZMA;
19	and
20	WHEREAS, over six years of litigation has provided no benefit for Louisiana's
21	precious coastline; and
22	WHEREAS, these divisive and unproductive lawsuits consume limited judicial
23	resources and put our state at a competitive disadvantage when it comes to attracting jobs
24	and investment; and
25	WHEREAS, while the coastal zone lawsuits have failed to produce anything more
26	than attorney's fees and detrimental impacts to our state's economic health, Louisiana oil and
27	natural gas companies have generated more than two hundred thirty million dollars in direct
28	funding for coastal restoration and hurricane protection projects; and

1 WHEREAS, the safe and responsible development of Louisiana's vast oil and natural 2 gas resources supports over two-hundred sixty thousand high-paying jobs and contributes 3 more than two billion dollars in annual state revenues; and 4 WHEREAS, the production of oil and natural gas is essential to the economy and 5 well being of Louisiana and the United States, and addressing the critical energy and 6 environmental needs of the state and the country requires cooperation instead of 7 unproductive legal attacks. 8 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 9 urge and request the local officials in Cameron Parish, Jefferson Parish, Plaquemines Parish, 10 St. Bernard Parish, St. John the Baptist Parish, Vermilion Parish, and the city of New 11 Orleans to dismiss the coastal zone lawsuits, pursuant to La. Civil Code Procedure Article 12 1671. 13 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the 14 parish president, district attorney, and council or police jury of Cameron Parish, Jefferson 15 Parish, Plaquemines Parish, St. Bernard Parish, St. John the Baptist Parish, Vermilion Parish, and to the mayor, district attorney, and city council of the city of New Orleans. 16

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)]

HCR 32 Original

2020 Regular Session

DeVillier

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