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2001-0095

INTRODUCED BY: DEE ABADIE, COUNCILWOMAN, DISTRICT III
BARRY MINNICH, COUNCILMAN, DISTRICT VII

RESOLUTION NO. 4897

A resolution to request the support of the Congressional Delegation by requesting that the Federal Law regarding wetland mitigation be revised to allow local Governments to maintain and improve drainage infrastructures.

- WHEREAS, the Police Jury Association's Resolutions Committee adopted a resolution requesting that the Federal Law regarding wetland mitigation be revised at the recent Police Jury Association Convention held in Lafayette, Louisiana; and,
- WHEREAS, Parish Governments in Louisiana are responsible for cleaning and maintaining the natural drains and watersheds within their geographical, territorial jurisdictions; and,
- WHEREAS, it is extremely important to the citizens of Louisiana that Parish Governments respond to these drainage needs because of the serious flooding potential which would develop if the drainage works in a locality were not cleaned and maintained; and,
- WHEREAS, over the last several years, many Parishes have been hindered and in some instances even prevented from carrying out routine drainage projects, including simple cleaning projects because of a growing body of rules and regulations being imposed by the United States Government and particularly by the U. S. Corps of Engineers; and,
- WHEREAS, in the past, a Police Jury has been required to use local taxpayer dollars to mitigate for wetland habitat destruction as a result of the maintenance activity, causing work delays and costing thousands of dollars in public funds; and,
- WHEREAS, drainage maintenance and improvements are performed in the interest of protecting the public welfare and are done at the expense of the public, and using their tax dollars; and,
- WHEREAS, even in those instances where Parish Governments are able to engage in drainage activities, the rules and regulations imposed by the Corps of Engineers and other Federal Agencies often result in lengthy delays and thousands of additional costs; and,
- WHEREAS, the additional drainage project costs required by Corps rules and regulations must be borne by the citizens of Louisiana and the delays resulting from the regulations expose our citizens and landowners to loss of life and property should flooding situations develop.

NOW, THEREFORE BE IT RESOLVED THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, do hereby request the support of the Congressional Delegation by urging the United States Government, the United States Congress and the U. S. Corps of Engineers, to revise its laws, rules and/or regulations so as to enable local Governments in Louisiana to carry on their legal responsibilities to maintain their drainage works and natural drains under their geographical jurisdiction free from unnecessary interference so that the citizens of this State can be properly served.

BE IT FURTHER RESOLVED, that the Federal Law regarding wetland mitigation be revised to allow local Governments to maintain and improve drainage infrastructures without the necessity of using local taxpayer dollars for mitigation of wetland habitats lost as a result of such projects.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Police Jury Association of Louisiana and the Congressional Delegation.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: RAMCIANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK, MARINO, MINNICH

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 2nd day of April, 2001, to become effective five (5) days after publication in the Official Journal.

Wetland Mitigation

CHAIRMAN: Barry Minnich

SECRETARY: Barbara J. Jacob

DLVD/PARISH PRESIDENT: 04-03-01

APPROVED: DISAPPROVED:

PARISH PRESIDENT: Albert D. Lago

RETD/SECRETARY: 04-04-01

AT: mm RECD BY: ljj