CHAPTER 2 — STATE GOVERNMENT FUNCTIONS

Part F. Natural Resources and the Environment

The natural resources of Louisiana include land, minerals, water, fish and wildlife, and the environment of the state. The Department of Natural Resources, the Department of Environmental Quality, the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission, the Coastal Protection and Restoration Authority and the Office of Coastal Protection and Restoration, and the Department of Agriculture and Forestry share responsibility for protecting, conserving, and managing these resources.

Department of Natural Resources (http://dnr.louisiana.gov/)

The Department of Natural Resources (DNR) is responsible for the conservation, management, and development of water, minerals, and other natural resources of the state. The department is headed by a secretary, appointed by the governor and confirmed by the Senate. The major components of the department are the office of the secretary, the office of management and finance, the office of conservation including the Commissioner of Conservation, the office of mineral resources and the State Mineral and Energy Board, and the office of coastal management.

Office of the Secretary

The secretary is appointed by the governor and is the chief administrative officer of the department. Additionally, the secretary is an ex officio member of the State Mineral and Energy Board.

The office of the secretary of the Department of Natural Resources includes a number of programs and agencies:

- Technology and Energy Research and Development Division

  The technology section maintains the Strategic Online Natural Resources Information System (SONRIS) which includes online oil and gas records and coastal documents, maps, and other data accessible via the internet. GIS information for over 200,000 wells located in Louisiana can be found at the SONRIS website, http://sonris.com/.

- Legal, Public Information, and Energy Sections

  The energy section administers the Home Energy Loan Program and assisted in creating the state's Commercial Building Code. Information about the Home Energy Loan Program and residential, commercial, institutional, and transportation energy savings programs and renewable energy programs can be found in the Energy Section. (http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=35&ngid=2)

Office of Conservation / Commissioner of Conservation

The office of conservation is headed by the commissioner of conservation who is appointed by the governor. The office is responsible for the regulation and conservation of the natural resources of the state not specifically within the jurisdiction of other offices. Its functions include the following:

- Conservation of oil and gas resources of the state.
- Promotion and encouragement of exploration, production, and refining efforts for oil and intrastate gas.
- Regulation of the construction and operation of intrastate pipeline systems, including pipeline safety.
- Implementation of emergency gas shortage allocation plans.
- Regulation of the minimum sales price of intrastate natural gas.
- Regulation of underground injection wells for hazardous and nonhazardous waste.
- Clean up of abandoned oil field waste sites. Over 200 orphaned oil field sites in the state are cleaned up each year under the Oil Field Site Restoration Program.
- Management of ground water resources.
- Removal of underwater structures.

Office of Mineral Resources / State Mineral and Energy Board

The State Mineral and Energy Board is an independent agency within the office. It has the responsibility to lease state land for the development and production of minerals, oil, and gas. The eleven-member board is composed of the governor, the secretary of the Department of Natural Resources, and nine members appointed by the governor for six-year terms.

The office of mineral resources functions as the staff for the State Mineral and Energy Board and is responsible for leasing state lands and water bottoms for the development and production of minerals, oil, and gas. The office exercises the option of the state to receive in kind the portion due to the state as mineral royalties produced from leased premises, and receives, administers, and controls royalties due in kind to the state

Office of Coastal Management

- Coastal Zone Management Program

  The office of coastal management regulates activities in the coastal zone through issuing coastal use permits, conducting coastal management research, monitoring uses of the coastal areas, and administering the Coastal Zone Management Program. The office may issue a programmatic general permit (PGP) which consolidates the permitting processes of federal and state agencies.

- Atchafalaya Basin Program

  The Atchafalaya Basin Program is also housed in the Office of Coastal Management. This program is responsible for the management and development of the Basin as a major natural resource of the state. The efforts of the program are directed through a Basin Master Plan that was developed through meetings of many stakeholders groups and public hearings and adopted by the Legislature. In addition, the legislature is presented each year with an annual plan for the Basin which indicates the intentions for that fiscal year. The master plan and the annual plans include water management projects and projects to increase accessibility to the Basin by a variety of user groups.

Coastal Protection and Restoration Authority / Office of Coastal Protection and Restoration (http://coastal.louisiana.gov/)

Coastal Protection and Restoration Authority

The Coastal Protection and Restoration Authority (CPRA) is a 19-member policy-making board which oversees the state's coastal protection and restoration efforts. Ten members of the authority represent state agencies; two members represent the Legislature; and the governor appoints the remaining seven members.

The CPRA establishes coastal protection and restoration priorities; allocates coastal protection and restoration funds; adopts policies for activities to preserve, restore, and protect the state's coastal areas; and reviews and approves activities conducted in the coastal areas by other state agencies.

Office of Coastal Protection and Restoration

The office of coastal protection and restoration (OCPR), administratively located within the Office of the Governor, serves as the lead state agency for administration and implementation of coastal matters. Functioning as staff for the Coastal Protection and Restoration Authority, the OCPR develops and implements the state's Coastal Protection and Restoration Master Plan and the annual plan for implementation of the master plan. In addition, the OCPR works with the local levee districts and local governing authorities to ensure a consolidated and coordinated program for coastal protection and restoration. The OCPR also works with federal agencies, other state agencies, and non-governmental stakeholders in ensuring a coordinated program for preservation and protection of the state's coastal area.

Wildlife and Fisheries (http://www.wlf.louisiana.gov/)

The authority over wildlife and aquatic life in the state is shared by the Louisiana Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries.

Louisiana Wildlife and Fisheries Commission

Constitutional Article XI, Section 7 vests "... control and supervision of wildlife of the state, including all aquatic life..." with the Wildlife and Fisheries Commission. The commission is composed of seven members appointed by the governor. Six members serve overlapping six-year terms and one member serves a term concurrent with the governor. No person may serve longer than six years. Three members are required to be electors in the coastal parishes and representatives of commercial fishing and fur industries. The remaining four members are

required to be electors from the state at large and representative other than commercial fishing and fur industries.

The commission meets on the first Thursday of each month. Hunting and fishing seasons, times, places, size limits, creel limits, and quotas are generally set by the commission.

Department of Wildlife and Fisheries

The Department of Wildlife and Fisheries (WLF) functions as staff for the Wildlife and Fisheries Commission. However, the department also has functions and responsibilities separate and apart from its role as staff for the commission. The department is statutorily vested with control and supervision over all the wildlife of the state, including fish and other aquatic life, and is given the authority to administer and enforce laws relating to the management, protection, conservation, and replenishment of wildlife, fish, and aquatic life. In addition, the department is responsible for the conservation and management of all renewable resources on properties owned and managed by the department. The department is divided into four separate offices: the executive office, the office of management and finance, the office of fisheries, and the office of wildlife.

- Executive Office

  The secretary serves as the chief administrative officer of the department. Included in the executive office are the legal staff, a planning staff, the education and information division, and the enforcement division. The Litter and Environmental Education program is also housed in the Secretary's office.

- Office of Management and Finance

  The office of management and finance provides the accounting, budgeting, procurement, personnel management, data processing, and general administrative services for the Department of Wildlife and Fisheries. In addition, the office of management and finance contains the licensing section of the department.

- Office of Fisheries

  The office of fisheries is responsible for the administration and operation of programs relating to state water bottoms and saltwater and freshwater fisheries, including the regulation of sport and commercial fishing, the oyster, shrimp, and marine fishing industries, the licensing of vessels engaged in the industry, and the collection of the severance tax on shrimp, oysters, sand, gravel, and fill materials severed from state water bottoms. The office fulfills its responsibilities through the marine fisheries division and the inland fisheries division.

  ### Marine Fisheries Division

  The management of the state's marine fisheries throughout coastal Louisiana is the marine fisheries division's primary responsibility. This is accomplished through multiple fisheries management program including programs for management of shrimp, crabs, finfish, and oysters, and also includes the Artificial Reef Program. The Marine Fisheries Divisions is also responsible for the oyster leasing program.

Inland Fisheries Division

The Inland Fisheries Division is responsible for freshwater fish management and research including management of public water bodies, fish stocking, and control of invasive aquatic species.

Seafood Promotion and Marketing Board

The Seafood Promotion and Marketing Board is also housed in the Office of Fisheries. The board is tasked with issues related to competition from imported seafood and other seafood sales and marketing issues. They are actively working to defend the reputation of Louisiana seafood in the aftermath of the BP oil spill and to mitigate the fear of tainted seafood from the Gulf of Mexico.

- Office of Wildlife

The office of wildlife is responsible for management of the animal populations of the state and their habitat. The office includes programs such as the deer management program, the waterfowl management program, the wild turkey program, the alligator management program, the reptile and amphibian program, the furbearer management program, including the Coastwide Nutria Control Program. The office also oversees mineral activity and coastal use permits on its properties.

The office of wildlife is responsible for the natural heritage program and the Louisiana Natural and Scenic Rivers System. Both of these programs are focused on retaining and preserving the unique natural areas of the state in an effort to preserve our history and culture.

- Department-Managed Lands

The office of wildlife manages over 1.4 million acres of land for wildlife and compatible public uses. These lands encompass most habitat types found in Louisiana. The vast majority of the lands managed by the department are open to public hunting as well as various forms of fishing, birdwatching, and nature study. Deeds of donation prohibit hunting on the wildlife refuges. The absence of hunting is the major distinction between management areas and refuges.

Wildlife Management Areas

Hunting regulations for wildlife management areas are generally more restrictive than the statewide regulations because of the intensity of use and the desire by the department to attempt to serve many different user groups in the state. However, as a rule, resident small game and migratory birds have season length and bag limits the same as outside. Differences are largely limited to shooting hours and the period of time allowed for hunting squirrels and rabbits with beagles. Deer seasons are considerably shorter inside the wildlife management areas than seasons outside the areas.

State Land Office (http://www.doa.louisiana.gov/slo/default.htm)

The State Land Office (SLO) in the division of administration is responsible for the identification, administration, and management of state public lands and water bottoms. It works with a broad range of clientele having varying degrees of interest in public lands, navigable water bottoms, and minerals. The primary goal of the office is to ensure the highest economic return and the maximum public utilization of our state public lands and water bottoms.

Emphasis is placed by the office on increasing revenue production through multiple utilization while ensuring continued public utilization of state public lands and water bottoms. Multiple utilization includes land and timber sales; surface and sub-surface leasing; the issuance of rights-of-way and surface and subsurface agreements; and water bottoms permitting.

The State Land Office is instrumental in the possible resolution of land and water access, i.e., whether or not such land or water is public or private. The State Land Office is attempts to identify all lands which are considered to be state lands (and therefore, accessible to the public). Information about which lands and water bottoms are public can be seen at their website: http://www.doa.louisiana.gov/SLO/Database.htm.

Records Section

This section of the office can trace its history to the original creation of the State Land Office in 1844, whose function was to sell state-owned lands and maintain the records, documents, and plats of said sales. The records and maps kept by the section provide the evidence of state ownership which is used to develop revenues from surface leasing and permitting for the State Land Office, and mineral leasing for the Department of Natural Resources.

Titles and Survey Section

Pursuant to the statutory responsibility of the commissioner of administration to make title determinations and boundary settlements, this section serves as technical consultant to do all necessary surveying and title work. This technical assistance is important in the evaluation of the state's title during the review of state mineral lease applications on behalf of the Department of Natural Resources, office of mineral resources. The evaluation not only assists the Department of Natural Resources in the preparation of the proper title description to be used in the lease contract, but also ensures the correctness of the description submitted in its bidding process. The section also acts as title consultant to the Office of the Attorney General, the State Mineral Board, the Department of Wildlife and Fisheries, and other agencies directly or indirectly involved with state public lands.

Land and Waterbottom Management Section

This section is responsible for the proprietary aspects of land management, excluding minerals. Its programs include land sales, right-of-way and surface leases, water bottom permits and leases, and timber management.

Department of Environmental Quality http://www.deq.louisiana.gov

The Department of Environmental Quality (DEQ) is the primary state agency responsible for regulating those activities of man which may adversely impact our environment. The authority

of the department derives from the power of the state to protect the health and welfare of her citizens. The constitutional public trust doctrine provides that "the natural resources of the state, including air and water, and the healthful, scenic, historic, and aesthetic quality of the environment shall be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people; and that the legislature shall enact laws to implement this policy." (Const. Art. IX, §1) This policy "does not establish environmental protection as an exclusive goal, but requires a balancing process in which environmental costs and benefits must be given full and careful consideration along with economic, social, and other factors." (Save Ourselves v. La. Environ. Cont. Com'n, 452 So.2d 1152 (La. 1984)).

DEQ exercises this authority through evaluation, constraint, and mitigation of environmental pollutants, and its operations include licensing, investigation and penalty, and clean-up activities. When violations of environmental laws and regulations are discovered, the department may: suspend or revoke permits, issue compliance and cease and desist orders, and impose substantial civil sanctions. Additionally, the courts may impose significant criminal penalties in many cases.

The Department of Environmental Quality oversees many environmental concerns including industrial pollution, hazardous wastes, radiation, solid wastes, landfills, and recycling. It shares administration of sewerage and medical waste issues with the Department of Health and Hospitals. In addition, it works with the Department of Public Safety and Corrections to ensure safety in the transportation of hazardous chemicals on highways and in the development and implementation of chemical accident action plans.

The sphere of environmental protection is dominated by federal law including The Clean Air Act, The Clean Water Act, and other major pieces of legislation that have been passed by Congress over the past 40 years or so. In most instances, federal law is administered by state agencies. In Louisiana, this means that the Department of Environmental Quality functions as kind of a branch office of the Environmental Protection Agency (EPA) issuing licenses, performing inspections, and citing violators all in the enforcement of federal law. One consequence of this is that the Legislature's authority over the activities of the department is often more limited than its authority over other state agencies.

Structurally, the department consists of the office of the secretary, responsible for legal services, criminal investigations, technical expertise, audits, communication and media relations, and special projects; an office of management and finance as is typical of Louisiana's executive branch departments; and two programmatic offices.

Office of Environmental Services

The office of environmental services contains two divisions, the permit division and the environmental assistance division. These divisions are responsible for all permits, licenses, and certifications; small business and customer assistance; outreach; a complaints hotline, and community and industry relations.

Office of Environmental Compliance

The surveillance division and the enforcement division are located in the office of environmental compliance. The duties of this office include ensuring compliance with the environmental laws and regulations of Louisiana by surveillance, inspection, responding to emergency situations, and resolving complaints. It is also responsible for taking action to ensure compliance.

Additionally, the secretary also delegates to the other offices the develop and implementation of environmental regulations, construct strategic plans, inventory and monitor emissions, and oversee the remediation of contamination.

Natural Resources Issues Facing the State

Hydraulic Fracturing (Fraking)

Fraking is a method of drilling for minerals, usually natural gas, by means of pumping under high pressure fluids, consisting mainly of water, deep into rock formations that break up the rock and release the desired minerals. The Haynesville shale is a major natural gas find in northwest Louisiana were hydraulic fracturing has been used extensively. Several issues surround the Haynesville shale find and any future such find. Mineral rights issues, including ownership of mineral rights, unitization, and the financing of unit wells, as well as safety and environmental concerns of the process have been direct issues spawned from fraking. Along with the economic benefit to an area, there are too concerns of drinking water contamination and disposal of the hydraulic waste. An indirect issue raised has been the state's ownership of surface water that is used in the process.

BP Oil Spill

On April 20, 2010, the Deepwater Horizon drilling platform in the Gulf of Mexico exploded, killing eleven workers and releasing crude oil and gas into the Gulf of Mexico waters. For nearly five months, BP tried many different techniques to stop the flow, nearly all of them unsuccessful until the well was finally capped and a relief well permanently "killed" the well. By then, an estimated 4.9 billion barrels of crude had been released into the gulf.

A plethora of issues stem from the disaster and the response to the disaster. Affecting the state's economy, the federal government's moratorium on deep water drilling permits in the gulf put thousands of direct and indirect jobs in jeopardy as drilling companies sought jobs in foreign waters. The seafood industry was hit on several fronts starting with a perceived taint in the world market of gulf seafood. Oyster beds suffered additional injury from reduced salinity levels by the opening of freshwater diversions on the Mississippi River in an attempt to keep the oncoming oil spill off shore. Finally, it is uncertain the long term effects of the disaster on species needed to maintain a viable fishery. Along with the taint on the seafood, Louisiana's tourism also suffered from the stigma of being coated with oil.

BP has made an $18 million commitment to fund safety sampling of water, soils, and animals in an effort to help re-establish seafood markets and to re-establish Louisiana seafood as a preferred brand. Little of that money has actually been transferred to the Louisiana Seafood Promotion and Marketing Board so those efforts are slow to begin. However, in October 2011, the departments of Wildlife and Fisheries, Agriculture and Forestry, Health and Hospitals, and Environmental Quality launched a website funded from those monies that will make public all of the seafood, water, and sediment safety testing information conducted since the 2010 BP Oil Spill under the Louisiana Seafood Safety Plan. The site, which allows users to scroll through all available samples or conduct specific searches by area, date or sample type, utilizes information from the four state departments listed above. The site is located at www.GulfSource.org.

In addition to the animals killed by direct contact with oil, the environmental impacts of the oil spill and the dispersant used in response on the gulf's ecology continue to be assessed. The

federal government is conducting the Natural Resource Damage Assessment (NRDA) to identify the extent of resource injuries, the best methods for restoring those resources, and the type and amount of restoration required. Complete information on the true impacts of the BP oil disaster will likely be many years in the making.

After a short time period of handling private claims directly, BP in an agreement with the White House set up a $20 billion fund to pay such claims and contracted with the Gulf Coast Claims Facility (GCCF) to evaluate and pay private claims. Many constituent issues arise concerning the efficiency and fairness of GCCF's claims process.

Coastal Preservation and Restoration

The state of Louisiana loses approximately twenty-five square miles of land each year in its coastal region. This loss of land is attributable to many different factors, such as erosion; canal, channel, and levee construction; subsidence; hurricanes; and development. Recent natural disasters such as Hurricanes Katrina and Rita and Gustav and Ivan in combination with man-made disasters such as the BP oil disaster have demonstrated just how important coastal preservation and restoration is for our state.

- ### Impact of Coastal Erosion

  The impact of this loss of land in Louisiana is broad-based and enormous. Loss of land will be felt by coastal communities not only because yards, roads, and fields will be disappearing, but also because the land and marsh offer storm protection and provide fish and wildlife habitat for the hunters and fishers of the state, both commercial and recreational. In addition, individuals and businesses will soon find the purchase of insurance to be nearly impossible. The fisheries industry in Louisiana has a direct value of approximately $1 billion a year. There is indirect value which can be added to that figure. Fish are obviously impacted by land and marsh loss. Wildlife also is dependent on the marshes and coastal areas of Louisiana for food and habitat. The coast provides wintering grounds for hundreds of thousands of waterfowl and is the location of the hunting that accompanies the presence of those waterfowl. In addition, Louisiana has a fairly large alligator industry which is dependent on the coastal marshes.

- ### Impact on Oil and Gas Industry

  The loss of land along our coast also has a tremendous impact on the oil and gas industry which is so important to our state. Since the industry developed at a time when there was much more land along our coastal regions than there is now, the oil and gas industry infrastructure was built to exist on land with no anticipation that the infrastructure would one day be floating on water. The loss of land exposes pipelines and platforms to wave action, to storm surge, and even to the possibility of being hit by marine traffic. And, the ports which service the oil and gas industry and the roads necessary to reach those ports are obviously at risk due to land loss. It will be difficult to continue to service the Gulf of Mexico oil and gas industry when there is no land on which to maintain port facilities and roads.

  When the hurricanes hit in 2005, the oil and gas industry in the Gulf of Mexico was shut in (not producing) for several months. The impact was felt nationwide.

  Another industry which will feel the impact of coastal loss in Louisiana is the shipping

industry. More than 400 million tons of commerce move through Louisiana waters each year. Barge traffic which traverses canals throughout the coast will definitely feel the impact of land loss. The oil and gas industry also uses those same canals to service its facilities and move its products. Two other areas where the loss will be felt are infrastructure (roads and highways) and recreation. The coastal region of Louisiana is of enormous importance to the state and to the industries which provide the state with its economic backbone.

- Agencies Working Together

  There are many different agencies, both state and federal, working together to develop and implement a coordinated plan to preserve and restore as much of our state's coastline as possible. The Office of Coastal Protection and Restoration was created to coordinate coastal activities among the various federal, state, and local agencies. The state Department of Wildlife and Fisheries, local levee districts in the coastal area, many researchers at LSU, UNO, ULL, Tulane, and Nicholls, the Department of Transportation and Development, the Department of Environmental Quality, and the Department of Agriculture and Forestry all play a role in coastal protection and restoration activities. In addition to the state agencies, several federal agencies are involved, including the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the U.S. Geological Survey and its Wetlands Research Center in Lafayette, the National Oceanographic and Atmospheric Administration, the U.S. Department of Agriculture, and the U.S. Environmental Protection Agency.

- Coastal Wetlands Planning, Protection and Restoration Act

  In 1989, the U.S. Congress enacted the Coastal Wetlands Planning, Protection and Restoration Act which included funding for a ten-year period of time. The act is commonly called either CWPPRA or the "Breaux Act." The funds are derived from a user fee on certain recreational outdoor equipment, and on small engines and fuel used in those small engines. There are two task forces which review and approve plans for expenditure of the funds. One is a state/federal task force and one is a task force composed entirely of state agency representatives. The state task force was originally called the Coastal Wetlands Planning and Restoration Authority (*R.S. 49:213.1 et seq.*). After the hurricanes, the responsibility of the authority was broadened to include coastal protection (such as, levees and broad-based regional flood control projects) and the name was changed to the Coastal Protection and Restoration Authority (CPRA). In 2008, programs from the Department of Natural Resources and the Department of Transportation and Development were combined into the staff for the CPRA in the Office of Coastal Protection and Restoration (OCPR).

- Future Efforts

  Prior to 2005, the state's coastal efforts were largely a series of small, individual projects located along the coast. Current and future efforts were beginning to be more along the lines of a coordinated effort to enter into complex projects with many different phases which have greater impact over a larger area of the coast. The impact of Hurricanes Katrina and Rita made it obvious to all involved how important coordination was and how essential it would be for us to look in a much broader manner.

  The Department of Natural Resources spent several years in the development of a coordinated plan for the coastal areas of the state. State, federal, and local public agencies and many private organizations and individuals were involved in the process of

development for this plan. It is called "Coast 2050: Toward a Sustainable Coastal Louisiana." This plan became the foundation for the development of the coordinated plans for coastal protection and restoration that are currently being pursued.

Objectives in the Coast 2050 Plan include:

- Barrier Island/shoreline protection.
- River diversions.
- Sediment introduction.
- Chenier plain restoration.
- Land bridge maintenance.
- Atchafalaya flow optimization.
- Hydrology and drainage improvements.

In addition to Coast 2050, using the talents and knowledge of the federal and state agencies and universities an effort was made prior to the 2005 to develop the Louisiana Coastwide Assessment which was presented to Congress in 2004. The LCA is a plan for conservation and restoration of Louisiana's coastal wetlands. The objectives outlined in the Coast 2050 plan are a major component of the blueprint for coastal stabilization and restoration in the next century. Funding for the LCA was included in the Water Resources Development Act (WRDA) which was recently passed by congress.

Also provided in that WRDA bill (the first passed by congress in nearly six years) is funding for a coordinated and comprehensive plan for coastal protection and restoration. The Coastal Protection and Restoration Authority developed the Comprehensive Master Plan for Coastal Protection and Restoration which was adopted by the Legislature during the 2007 Regular Session. In addition to the plans offered by the state, the U.S. Army Corps of Engineers is under instructions from congress to present their comprehensive and coordinated plan to prevent recurrences of the disasters that hit south Louisiana during hurricane season 2005. The state's coastal protection and restoration efforts have been focused each year by the Annual Plan presented to the legislature for their approval. In addition, the OCPR is currently revising the Master Plan which should be completed in the Spring of 2012 for presentation to the legislature.

Competition from Imported Foreign Seafood

Increasingly, seafood bought and sold in this country is imported from foreign countries where the food is aquaculturally raised rather than caught in the wild. The cost of the seafood is significantly lower than seafood caught and processed in Louisiana. The potential damage to our seafood industry is obvious. Although import tariffs which could control some of the importation are federal issues, this issue bears continued watching by the legislature.

Invasive Species Control and Management

An issue that is becoming of greater concern to the state of Louisiana is control of non-native invasive species. And, it is an issue that is also related to coastal restoration because it is an issue that must be recognized and incorporated into the planning for restoration efforts. The non-indigenous invasive species are so numerous that the country's and the state's eco-systems are being completely altered by the presence of the alien species. The battle with these species is estimated to cost the nation more than $137 billion each year to fund programs to control the spread of the nonnative species, to repair damage to our natural resources and to mitigate the impact on the nation's economy.

- Invasive Species in Louisiana

  Some of the invasive species that have found their way to Louisiana include the kudzu, water hyacinth, and salvinia. Many of the inland waterways are completely clogged with salvinia. Louisiana is also confronted with many other invasive species such as nutria, tallow trees, fire ants, Formosan termites, and zebra mussel.

Public / Private Access to Water Bodies

Access to water bodies is a long-term simmering issue. Louisiana Civil Code Article 450 states that ". . . Public things are owned by the state or its political subdivisions in their capacity as public persons" and "Public things that belong to the state are such as running waters, the waters and bottoms of natural navigable water bodies, the territorial sea, and the seashore." However, many canals have been dug along the coast for oil and gas purposes, and many of those canals have been dug through private property. The questions that arise from this situation are whether or not those are navigable waterbodies; whether the fish and wildlife found in those canals are covered by the constitutional provisions which give ". . . control and supervision of the wildlife of the state, including all aquatic life, . . ." to the Wildlife and Fisheries Commission (Constitution Art. IX, §7); and can public access to those canals be restricted? The State Land Office is attempting to identify all lands which are considered to be state lands (and therefore, accessible to the public). Their progress can be seen at the website: http://www.doa.louisiana.gov/SLO/Database.htm.