

Announcement of a Routine Program Change to incorporate the St. John the Baptist Parish Local Coastal Management Program into the Louisiana Coastal Resources Program

Special Public Notice
January 26, 2018

In accordance with the regulations of the Federal Coastal Zone Management Act (15 CFR 923.80-84), the Louisiana Coastal Resources Program (LCRP), which is administered by the Louisiana Department of Natural Resources' Office of Coastal Management (OCM), is submitting the St. John the Baptist Parish Local Coastal Management Program to the National Oceanic and Atmospheric Administration's Office for Coastal Management (NOAA/OCM) for review and inclusion as a Routine Program Change (RPC) of the LCRP.

Background: Louisiana Parish Local Coastal Management Programs:

The federally approved Louisiana Coastal Zone comprises all or part of the following twenty one Louisiana parishes: Ascension, Assumption, Calcasieu, Cameron, Iberia, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. James, St. John the Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne and Vermilion.

Eleven of these twenty one Louisiana Parishes have developed Local Coastal Management Programs (LCMP) under the Louisiana State and Local Coastal Resources Management Act of 1978, (Act 361, La. R.S. 49:214.21 et. seq.) The eleven parishes that have developed LCMP are: Calcasieu, Cameron, Lafourche, Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. Tammany and Terrebonne.

Once an LCMP has received federal and state approval, the parish becomes the permitting authority for coastal uses of local concern defined as "those uses which directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program" (RS. 49:214.25.A.2). The development and approval of a parish LCMP can also allow for increased local government participation in broader coastal issues and programs such as Louisiana's diverse coastal protection and restoration efforts. An approved program also provides localized expertise and a more convenient local contact to assist citizen with regulatory permits and other coastal issues. St. John the Baptist Parish has developed a LCMP that has been approved for incorporation into the LCRP by Louisiana Department of Natural Resources Secretary, Thomas F. Harris.

Background: Routine Program Change

The federal Coastal Zone Management Act (CZMA) was passed by the United States congress in 1972. The CZMA provided that states could develop coastal programs subject to federal approval and oversight. In response to the CZMA, Louisiana enacted the State and Local Coastal Resources Management Act (SLCRMA) of 1978 and the state developed the LCRP pursuant to SLCRMA. The LCRP received federal approval in 1980 and the LCRP has received federal assistance grants since that time. In order for the LCRP to continue to remain consistent to its federal approval it must abide by the CZMA and its regulations.

The requirement at (15 CFR 923.80-84) of the federal CZMA regulations is that any changes in a state program must be reviewed by NOAA/OCM to determine if the change meets approval criteria. There are two types of program changes recognized - amendments and routine program changes. Amendments are defined under (15 CFR Part 923, Subpart H §923.80(d)), as substantial changes on one or more of the five program areas identified in subparts B through F of Part 923. These five program areas are: 1) uses subject to management; 2) special management areas; 3) boundaries; 4) authorities and organization; or 5) coordination, public involvement, and national interest. A routine program change (RPC) is a further detailing of a state's program that does not result in a substantial change to any one or more of the five specified program areas.

Reasoning for Proposed RPC Determination

Louisiana contends that the St. John the Baptist Parish LCMP approval constitutes an RPC rather than an amendment to the LCRP because it does not substantially change any of the five program approval areas listed in 15 CFR Part 923, Subpart H, §923.80(d). The approval of the St. John the Baptist Parish LCMP would bring the number of state and federally approved LCMPs from eleven to twelve. The St. John the Baptist Parish LCMP

operates within the pre-established statutory parameters of the LCRP and makes no new substantive changes to 1) uses subject to management; 2) special management areas; 3) boundaries; 4) authorities and organization; or 5) coordination, public involvement, and national interest. Therefore, Louisiana asserts that the addition of the St. John the Baptist Parish LCMP into the LCRP should be considered a further detailing of the LCRP and approved as a RPC.

Conclusion

In accordance with 15 CFR 923.80-84, the July 1996 Final Program Change Guidance and the Addendum to the Office of Ocean and Coastal Resource Management's July 1996 Program Change Guidance of November 2013, the State of Louisiana asserts that the addition of the St. John the Baptist Parish LCMP into the LCRP should be considered further detailing the LCRP and approved as a RPC.

An electronic copy of the St. John the Baptist Parish LCMP Programmatic Document is available on the web at: http://sjbparish.com/zoning_general.php?id=1736 .

Additionally, hard copies of the St. John the Baptist Parish LCMP Programmatic Document are available for review at the following locations:

- 1) Louisiana Department of Natural Resources, Office of Coastal Management at 617 North Third Street, Baton Rouge, LA;
- 2) the Office of the Parish President Natalie Robottom (1801 W. Airline Hwy., LaPlace, LA 70068);
- 3) the Office of the Planning and Zoning Director, Alexandra Gelpi Carter and Zoning Regulatory Administrator/Floodplain Manager, Evelyn Campo (102 E. Airline Hwy., LaPlace, LA 70068);
- 4) on display at the LaPlace Main Library – 2920 Hwy. 51, LaPlace, LA 70068, and the Edgard Library – 2979 LA Hwy. 18, Edgard, LA 70049), and
- 5) at the State Library at 701 N 4th St, Baton Rouge, LA 70802.

Comments on the RPC

Louisiana Department of Natural Resources Office of Coastal Management proposed RPC request to incorporate the addition of the St. John the Baptist Parish LCMP in to the LCRP will be submitted to NOAA/OCM on **January 26, 2018**. NOAA will review the proposed RPC request and make a final determination pursuant to 15 CFR §923.84(b)(3).

Any comments concerning whether this action should be considered as a RPC should be submitted in writing to NOAA/OCM by **February 14, 2018, within three weeks from this request's submission to NOAA at the following address:**

**Joelle Gore
Chief, Stewardship Division
Office for Coastal Management
1305 East-West Highway
SSMC 4, Room 10622
Silver Spring, Maryland 20910**

If you have any questions or concerns about commenting on the RPC please direct them to me at the number below or by email, thank you,

Jon A. Truxillo
Coastal Resources Scientist IV
Louisiana Department of Natural Resources
Office of Coastal Management
225.342.3394
jon.truxillo@la.gov