

BILL ANALYSIS

H.B. 1603
By: Bonnen
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Most of the inlets from the Gulf of Mexico to Texas bays and estuaries are navigational inlets constructed and maintained by the U.S. Army Corps of Engineers that are protected by artificial jetties and stone revetments. Where natural inlets occur, such as San Luis Pass, the location of the pass can be very dynamic and result in extraordinary erosion that may adversely affect private property such as houses and public infrastructure such as roads and bridges. This problem is more pronounced on the west side of a pass that is down drift with respect to the littoral current. Beach nourishment projects are not a feasible response to erosion due to the dynamic nature of such passes. In such areas, revetment-style coastal protection structures may be the only alternative to retreat and removal of structures and infrastructure. The line of vegetation is the line that separates the public beach easement from private use property. The line of vegetation does not have a fixed location and can shift as a result of erosion. Therefore what was once private property may become subject to a public beach easement or ultimately submerged land.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. *Amends Section 61.017, Natural Resources Code, by adding Subsection (e) as follows:*

Fixes the line of vegetation at the seaward side of a shore protection structure constructed at a natural inlet.

SECTION 2. *Amends Section 61.022, Natural Resources Code, by amending Subsection (a) and adding Subsection (a-1), as follows:*

Allows certain political subdivisions of the state, acting with the approval of the commissioner of the General Land Office, to construct a shore protection structure at a natural inlet from the Gulf of Mexico pursuant to design specifications and in a location that the commissioner may require.

SECTION 3. Effective Date.

EFFECTIVE DATE

Effective date is September 1, 2005 or immediately if approved by two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.