

BILL ANALYSIS

C.S.H.B. 4408
By: Taylor
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Highland Bayou Diversionary Canal was excavated by the U.S. Army Corps of Engineers in the 1970s as a flood control relief channel for the Highland Bayou in Galveston County. Upon completion, the Corps of Engineers turned over maintenance of the channel to Galveston County. This property was sold to the state in the 1990s and the spoil disposal area was designated for use by the Corps of Engineers for disposing dredge spoil from the maintenance of the Gulf Intracoastal Waterway. Current interpretation by the Texas Department of Transportation has restricted use of the disposal area to the dredging of the Gulf Intracoastal Waterway, precluding Galveston County's use of the area when and if it should need to dredge the Highland Bayou Diversionary Canal for maintenance.

C.S.H.B. 4408 enables Galveston County to have dredged material from the Highland Bayou Diversionary Canal disposed of on Placement Area 58A of the Gulf Intracoastal Waterway, under a contract with the Texas Transportation Commission. The bill prohibits the commission from charging a fee for the disposal.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 4408 amends the Transportation Code to authorize the Texas Transportation Commission, on request by a political subdivision, to enter into a contract with a political subdivision to dispose of dredged material from the Highland Bayou Diversionary Canal on Placement Area 58 of the Gulf Coast Intracoastal Waterway. The bill prohibits the commission from charging a fee for such a disposal.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4408 authorizes the disposal of dredged material from the Highland Bayou Diversionary Canal on Placement Area 58A of the Gulf Coast Intracoastal Waterway, rather than Placement Area 58A as in the original.