

AN ACT

relating to the authority of the General Land Office to undertake coastal erosion studies and projects in conjunction with qualified project partners.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 33.603(b), (d), (f), and (h), Natural Resources Code, are amended to read as follows:

(b) The studies and projects shall address:

(1) assessment of the feasibility, cost, and financing of different methods of avoiding, slowing, or remedying coastal erosion;

(2) beneficial placement of dredged material where appropriate to replenish eroded public beach, bay shore, marsh, and dune areas;

(3) public beach, bay shore, and marsh nourishment or restoration projects using sediments other than material from navigational or other dredging projects;

(4) guidelines on grain size and toxicity level;

(5) the economic, natural resource, and other benefits of coastal erosion projects;

(6) the protection, revegetation, and restoration of dunes;

(7) the planting of vegetation as a means of inhibiting bay shore erosion and projects developing and

1 cultivating disease-resistant vegetation adapted to local  
2 conditions;

3 (8) the construction or retrofitting of dams, jetties,  
4 groins, and other impoundment structures, provided that the  
5 structures include sediment bypassing systems;

6 (9) estimating the quantity and quality of sediment  
7 trapped by reservoirs, navigation channels, and placement areas and  
8 identification of other sediment sources;

9 (10) the use of hard or soft structures on bay  
10 shorelines as a method of avoiding, slowing, or remedying erosion;

11 (11) storm damage mitigation, post-storm damage  
12 assessment, and debris removal;

13 (12) [~~and~~] removal and relocation of structures from  
14 public beaches, including the purchase of property located on a  
15 public beach;

16 (13) the acquisition of property necessary for the  
17 construction, reconstruction, maintenance, widening, or extension  
18 of an erosion response project under this subchapter;

19 (14) [~~(12)~~] structural shoreline protection projects  
20 that use innovative technologies designed or engineered to minimize  
21 beach scour; and

22 (15) [~~(13)~~] other studies or projects the  
23 commissioner considers necessary or appropriate to implement this  
24 subchapter.

25 (d) Except as provided by Subsections (b)(8) and (14)  
26 [~~(12)~~], this chapter does not authorize the construction or funding  
27 of a hard structure on or landward of a public beach.

1           (f) Notwithstanding Subsections (c) and (e), each biennium  
2 the commissioner may undertake at least one erosion response  
3 ~~[large-scale beach nourishment]~~ project ~~[on a public beach]~~ without  
4 requiring a qualified project partner to pay a portion of the shared  
5 project cost if the total cost of the projects that do not have a  
6 cost share requirement ~~[project]~~ does not exceed one-half  
7 ~~[one-third]~~ of the total amount appropriated to the land office for  
8 coastal erosion planning and response.

9           (h) Notwithstanding Subsection (e), the commissioner may  
10 determine the percentage of the shared project cost a qualified  
11 project partner must pay for a project undertaken pursuant to  
12 Subsection (b)(11), (12), or (13) ~~[for removal of debris or~~  
13 ~~structures, or relocation of structures from the public beach,~~  
14 ~~provided, however, that no money in the account may be used for a~~  
15 ~~project undertaken pursuant to Subsection (b)(11) to purchase real~~  
16 ~~property or reimburse a property owner for the purchase of real~~  
17 ~~property]~~.

18           SECTION 2. This Act takes effect September 1, 2009.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2387 was passed by the House on April 15, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2387 was passed by the Senate on May 19, 2009, by the following vote: Yeas 30, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor