

1-1 By: Bonnen, Lucio III, Leibowitz (Senate Sponsor - Hegar) H.B. No. 2387
1-2 (In the Senate - Received from the House April 16, 2009;
1-3 April 16, 2009, read first time and referred to Committee on
1-4 Natural Resources; April 22, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; April 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authority of the General Land Office to undertake
1-9 coastal erosion studies and projects in conjunction with qualified
1-10 project partners.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Sections 33.603(b), (d), (f), and (h), Natural
1-13 Resources Code, are amended to read as follows:

1-14 (b) The studies and projects shall address:

1-15 (1) assessment of the feasibility, cost, and financing
1-16 of different methods of avoiding, slowing, or remedying coastal
1-17 erosion;

1-18 (2) beneficial placement of dredged material where
1-19 appropriate to replenish eroded public beach, bay shore, marsh, and
1-20 dune areas;

1-21 (3) public beach, bay shore, and marsh nourishment or
1-22 restoration projects using sediments other than material from
1-23 navigational or other dredging projects;

1-24 (4) guidelines on grain size and toxicity level;

1-25 (5) the economic, natural resource, and other benefits
1-26 of coastal erosion projects;

1-27 (6) the protection, revegetation, and restoration of
1-28 dunes;

1-29 (7) the planting of vegetation as a means of
1-30 inhibiting bay shore erosion and projects developing and
1-31 cultivating disease-resistant vegetation adapted to local
1-32 conditions;

1-33 (8) the construction or retrofitting of dams, jetties,
1-34 groins, and other impoundment structures, provided that the
1-35 structures include sediment bypassing systems;

1-36 (9) estimating the quantity and quality of sediment
1-37 trapped by reservoirs, navigation channels, and placement areas and
1-38 identification of other sediment sources;

1-39 (10) the use of hard or soft structures on bay
1-40 shorelines as a method of avoiding, slowing, or remedying erosion;

1-41 (11) storm damage mitigation, post-storm damage
1-42 assessment, and debris removal;

1-43 (12) [~~7~~, and] removal and relocation of structures from
1-44 public beaches, including the purchase of property located on a
1-45 public beach;

1-46 (13) the acquisition of property necessary for the
1-47 construction, reconstruction, maintenance, widening, or extension
1-48 of an erosion response project under this subchapter;

1-49 (14) [~~(12)~~] structural shoreline protection projects
1-50 that use innovative technologies designed or engineered to minimize
1-51 beach scour; and

1-52 (15) [~~(13)~~] other studies or projects the
1-53 commissioner considers necessary or appropriate to implement this
1-54 subchapter.

1-55 (d) Except as provided by Subsections (b)(8) and (14)
1-56 [~~(12)~~], this chapter does not authorize the construction or funding
1-57 of a hard structure on or landward of a public beach.

1-58 (f) Notwithstanding Subsections (c) and (e), each biennium
1-59 the commissioner may undertake at least one erosion response
1-60 [~~large-scale beach nourishment~~] project [~~on a public beach~~] without
1-61 requiring a qualified project partner to pay a portion of the shared
1-62 project cost if the total cost of the projects that do not have a
1-63 cost share requirement [project] does not exceed one-half
1-64 [~~one-third~~] of the total amount appropriated to the land office for

2-1 coastal erosion planning and response.

2-2 (h) Notwithstanding Subsection (e), the commissioner may
2-3 determine the percentage of the shared project cost a qualified
2-4 project partner must pay for a project undertaken pursuant to
2-5 Subsection (b)(11), (12), or (13) [~~for removal of debris or~~
2-6 ~~structures, or relocation of structures from the public beach,~~
2-7 ~~provided, however, that no money in the account may be used for a~~
2-8 ~~project undertaken pursuant to Subsection (b)(11) to purchase real~~
2-9 ~~property or reimburse a property owner for the purchase of real~~
2-10 ~~property].~~

2-11 SECTION 2. This Act takes effect September 1, 2009.

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