

By: Hegar

S.B. No. 1135

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of the General Land Office to undertake  
3 coastal erosion studies and projects in conjunction with qualified  
4 project partners.

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

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

8 (b) The studies and projects shall address:

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

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

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

18 (4) guidelines on grain size and toxicity level;

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

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

23 (7) the planting of vegetation as a means of  
24 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) [~~7~~ 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 by eminent domain of property  
17 necessary for the construction, reconstruction, maintenance,  
18 widening, or extension of an erosion response project under this  
19 subchapter;

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

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

26 (d) Except as provided by Subsections (b)(8) and (14)  
27 [~~12~~], this chapter does not authorize the construction or funding

1 of a hard structure on or landward of a public beach.

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

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

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