

Suspending limitations on conference committee
jurisdiction, H.B. No. 3459 (Eiland/L. Taylor)

By: Eiland

H.R. No. 3007

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 83rd Legislature, Regular Session, 2013, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 3459 (access to and
6 protection of certain coastal areas) to consider and take action on
7 the following matter:

8 House Rule 13, Section 9(a)(4), is suspended to permit the
9 committee to add text on a matter which is not included in either
10 the house or senate version of the bill by adding the following new
11 SECTIONS to the bill:

12 SECTION 7. The legislature finds that:

13 (1) the Galveston-Houston region and the region's
14 economic and strategic infrastructure are at risk due to exposure
15 to potential catastrophic storm surge;

16 (2) to protect the Galveston-Houston region's five
17 million residents and the region's economic and strategic
18 infrastructure, various federal, state, and local entities, led by
19 Texas A&M University at Galveston, are studying and developing
20 conceptual designs for a coastal barrier to protect the region from
21 hurricane-induced storm surge;

22 (3) as currently envisioned, a project referred to as
23 the "Ike Dike" would extend the protection afforded by the
24 Galveston Seawall along the rest of Galveston Island and along the

1 Bolivar Peninsula by creating a 17-foot-high revetment (sand
2 covered dune with hardened cores) near the beach or by raising
3 coastal highways;

4 (4) the addition of floodgates at Bolivar Roads, at
5 the entrance to the Houston, Texas City, and Galveston Ship
6 Channels, and at San Luis Pass would complete a coastal spine that
7 would provide a barrier against all gulf surges into Galveston Bay;

8 (5) a research team is being led by Texas A&M
9 University at Galveston through its Center for Texas Beaches and
10 Shores using strong partnerships with the U.S. Department of
11 Homeland Security Coastal Hazards Center of Excellence at Jackson
12 State University, the Netherlands' Delft University of Technology's
13 Department of Hydraulic Engineering, and the University of Houston
14 C. T. Bauer College of Business's Institute for Regional
15 Forecasting;

16 (6) the General Land Office is a sponsor of and
17 nonfederal partner for a United States Army Corps of Engineers
18 study of the upper Texas coast to develop a list of specific
19 recommended projects that may become eligible for federal
20 appropriations;

21 (7) the United States Army Corps of Engineers study,
22 which encompasses Brazoria, Galveston, Harris, Chambers,
23 Jefferson, and Orange Counties, includes the coastal barrier/"Ike
24 Dike" concept; and

25 (8) as a result of the studies and recommendations
26 described by this section, the legislature may need to enact or
27 amend state law to accommodate the building of a coastal barrier to

1 protect the region from hurricane-induced storm surge.

2 SECTION 8. (a) The legislature shall establish a joint
3 interim committee to conduct a study of:

4 (1) the effectiveness of the implementation of the
5 changes in law made by this Act to Chapter 61, Natural Resources
6 Code; and

7 (2) the feasibility and desirability of:

8 (A) creating and maintaining a coastal barrier
9 system in this state that includes a series of gates and barriers to
10 prevent storm surge damage to gulf beaches or coastal ports,
11 industry, or property; and

12 (B) authorizing coastal property owners to grant
13 easements to governmental entities to construct and maintain
14 stabilized dunes in connection with or separately from the system.

15 (b) The committee is composed of:

16 (1) the members of the standing committee of the
17 senate that has primary jurisdiction over natural resources;

18 (2) the members of the standing committee of the house
19 of representatives that has primary jurisdiction over land and
20 resource management;

21 (3) two members of the senate appointed by the
22 lieutenant governor, each of whom represents a district in a county
23 that borders the Gulf of Mexico; and

24 (4) two members of the house of representatives
25 appointed by the speaker of the house of representatives, each of
26 whom represents a district in a county that borders the Gulf of
27 Mexico.

1 (c) The lieutenant governor and the speaker of the house of
2 representatives shall jointly designate a chair or, alternatively,
3 designate two co-chairs from among the committee membership.

4 (d) The committee may adopt rules necessary to carry out the
5 committee's duties under this section.

6 (e) Not later than December 1, 2014, the committee shall
7 report to the governor and the legislature the findings of the study
8 and any recommendations developed by the committee under this
9 section.

10 Explanation: This addition is necessary to provide for a
11 study determining the effectiveness of the implementation of the
12 changes in law made by the bill to Chapter 61, Natural Resources
13 Code, and determining the feasibility and desirability of certain
14 coastal protection measures.