

AN ACT

relating to studies or projects concerning coastal erosion that may be undertaken by the General Land Office in conjunction with qualified project partners.

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

SECTION 1. Section 33.603, Natural Resources Code, is amended by amending Subsections (b) and (d) and adding Subsections (g) and (h) 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

1 inhibiting bay shore erosion and projects developing and
2 cultivating disease-resistant vegetation adapted to local
3 conditions;

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

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

10 (10) the use of hard or soft structures on bay
11 shorelines as a method [~~giving preference to "soft" methods~~] of
12 avoiding, slowing, or remedying erosion [~~in lieu of erecting hard~~
13 ~~or rigid shorefront structures~~];

14 (11) storm damage mitigation, post-storm damage
15 assessment, [~~and~~] debris removal, and removal and relocation of
16 structures from public beaches; [~~and~~]

17 (12) structural shoreline protection projects that
18 use innovative technologies designed or engineered to minimize
19 beach scour; and

20 (13) other studies or projects the commissioner
21 considers necessary or appropriate to implement this subchapter.

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

25 (g) Notwithstanding Subsection (d), each biennium the
26 commissioner may undertake or provide funding for one or more
27 erosion response demonstration projects if the state's portion of

1 the shared project cost does not exceed one-tenth of the total
2 amount appropriated to the land office for coastal erosion planning
3 and response.

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

12 SECTION 2. This Act takes effect September 1, 2005.

David Dewhurst
President of the Senate

Jim Cindrich
Speaker of the House

I hereby certify that S.B. No. 517 passed the Senate on April 20, 2005, by the following vote: Yeas 31, Nays 0. _____

Patricia Spaw
Secretary of the Senate

I hereby certify that S.B. No. 517 passed the House on May 19, 2005, by a non-record vote. _____

Robert Haney
Chief Clerk of the House

Approved:

17 JUNE '05

Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:24 AM '05

JUN 17 2005

Roger Williams
Secretary of State