

SUBJECT: Allowing partial approval of certain beach access and use plans

COMMITTEE: Land & Resource Management — committee substitute recommended

VOTE: 5 ayes — Burns, Rogers, C. Bell, K. Bell, Reynolds
1 nay — Ortega
3 absent — Buckley, Schofield, Sherman

WITNESSES: For — Sally Bakko, City of Galveston (*Registered, but did not testify*: Rob Parsons, American Planning Association - Texas Chapter; Wendy Herman, The City of Corpus Christi)

Against — Ellis Pickett, Surfrider Foundation (*Registered, but did not testify*: Cyrus Reed, Lone Star Chapter Sierra Club; Adrian Shelley, Public Citizen; Carl Jacob; Jacob (Jake) Moore)

On — David Land, Texas General Land Office (*Registered, but did not testify*: Shawn Hall Lecuona, The Voice of Justice and of Consanguinity)

BACKGROUND: Some have suggested that the City of Galveston should have more flexibility to adopt applicable rules and requirements to address the management and use of a public beach.

DIGEST: CSHB 3859 would allow the General Land Office (GLO) commissioner to partially approve a local government’s proposed beach access and use plan.

The provisions would apply only to a local government located wholly or partly in a county with a population between 350,000 and 370,000 bordering the Gulf of Mexico and adjacent to a county with a population of 4.5 million or more.

If the GLO commissioner partially approved the plan, the local government could submit subsequent amendments to the commissioner

only for the portions of the plan that were partially approved. Amendments would have to be certified consistent with statutes and rules related to public beach access and dunes.

The commissioner would send the unapproved portions back to the local government with a statement of specific objections, reasons for denial, and suggested modifications. The local government would have to revise and resubmit the approved portions.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.