

BILL ANALYSIS

Senate Research Center

C.S.H.B. 2684
By: Kuempel (Armbrister)
State Affairs
5/10/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

The Texas Department of Transportation, in conjunction with other state agencies, has the primary responsibility of working with the United States Army Corps of Engineers (Corps) to maintain the Gulf Intracoastal Waterway (GIWW). The final cut on the GIWW through the state of Texas was made in the Laguna Madre in 1949. The Laguna Madre is a large body of shallow water separating Padre Island from the South Texas mainland. It covers 609 square miles of estuarine and coastal marine systems. The boundary of Padre Island National Seashore encompasses approximately 20,000 acres of the Laguna Madre. Dredging of the GIWW is necessary to remove sediment that fills the channel through natural causes.

The Texas Transportation Commission (commission) is authorized to acquire land for the placement of dredge spoils by gift, purchase, or condemnation of property. C.S.H.B. 2684 prohibits the commission from acquiring property, before September 1, 2005, for use as a disposal site for dredged material from the Laguna Madre if the property, on October 1, 1997, was subject to a habitat conservation plan and requires an interim study on placement and use options for dredged material from the GIWW.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.005, Transportation Code, by amending Subsection (b) and adding Subsection (d), as follows:

(b) Prohibits the Texas Transportation Commission from acquiring property, before September 1, 2003, for use as a disposal site for dredged material from the Laguna Madre if the property, on October 1, 1997, was subject to a habitat conservation plan.

(d) Defines "habitat conservation plan."

SECTION 2. Requires the House Committee on Land and Resource Management to conduct an interim study on placement and use options for dredged material from the Gulf Intracoastal Waterway, including certain specific placement and use options. Requires the House Committee on Land and Resource Management, not later than November 1, 2002, to report its findings and recommendations to the speaker of the house of representatives and the legislature. Provides that this section expires on November 2, 2002.

SECTION 3. Provides that, under certain conditions, Section 51.005(b)(3) expires September 1, 2003.

SECTION 4. Effective date: September 1, 2001.