

BILL ANALYSIS

Senate Research Center
79R4430 RMB-F

S.B. 517
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S/C on Agriculture & Coastal Resources
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

There are emerging technologies and alternatives to combating coastal erosion, but the current law does not allow for the expenditure of Coastal Erosion Planning and Response Act (CEPRA) funds on any hard structure, such as geotextile tube, seawall, or revetment, for use in a coastal erosion demonstration. Current law gives preference to "soft" methods and currently all types of erosion control other than beach nourishment are considered hard structures.

As proposed, S.B. 517 provides more flexibility for the use of CEPRA funding and broadens the scope of potential demonstration projects. The state funding of the shared project costs for such demonstration projects could not exceed ten percent of the total amount of CEPRA funding in a biennium.

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 33.603, Natural Resources Code, by amending Subsections (b) and (d) and adding Subsection (g), as follows:

(b) Requires the [coastal erosion] studies and projects to address the use of hard or soft structures on bay shorelines as a method of avoiding, slowing, or remedying erosion and to address structural shoreline protection projects that use innovative technologies designed or engineered to minimize beach scour. Deletes the requirement that the studies and projects address the use of hard structures on bay shorelines, giving preference to "soft" methods of avoiding, slowing, or remedying erosion in lieu of erecting hard or rigid shorefront structures. Makes nonsubstantive changes and redesignates existing Subdivision (12) as Subdivision (13).

(d) Makes an exception, as provided by Subsections (b)(8) (construction or retrofitting of dams and other impoundment structures that include sediment bypassing systems) and (12) (structural shoreline protection projects that use innovative technologies) to the provision that this chapter does not authorize the construction or funding of a hard structure on or landward of a public beach. Makes a nonsubstantive change.

(g) Authorizes the commissioner of the General Land Office, notwithstanding Subsection (d), each biennium to undertake or provide funding for one or more erosion response demonstration projects if the state's portion of the shared project cost does not exceed one-tenth of the total amount appropriated to the General Land Office for coastal erosion planning and response.

SECTION 2. Effective date: September 1, 2005.