

By: Representative Ellington

To: Conservation and
Water Resources;
Appropriations

HOUSE BILL NO. 1427

1 AN ACT TO PROVIDE FOR THE CREATION OF A BEACH EROSION AND
2 CHANNEL MAINTENANCE PROGRAM; TO EXPRESS THE FINDINGS OF THE
3 LEGISLATURE; TO REQUIRE THE DEVELOPMENT OF A BEACH EROSION AND
4 CHANNEL MAINTENANCE PLAN BY THE DEPARTMENT OF MARINE RESOURCES; TO
5 REQUIRE THE DEPARTMENT OF MARINE RESOURCES TO IDENTIFY AND PURSUE
6 FEDERAL FUNDING ALTERNATIVES AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. This act shall be known and may be cited as the
9 "Beach Erosion and Channel Maintenance Act of 1999."

10 SECTION 2. The Legislature finds that beach erosion poses a
11 threat to the economy, property and general welfare of the people
12 of the State of Mississippi. Channel maintenance is necessary to
13 preserve and enhance the economic stability and recreational
14 potential of the coastal regional. The Legislature declares it to
15 be a governmental responsibility to manage and protect
16 Mississippi's beaches to reduce erosion and to provide for proper
17 channel maintenance. The Legislature further declares that beach
18 erosion and channel maintenance projects are in the public
19 interest. Those projects should be funded to promote the use of
20 cost-efficient strategies, encourage coordination among federal,
21 state and local governments and the private sector, provide for
22 long-term solutions and minimize the impact of the environment to
23 the extent possible.

24 SECTION 3. (1) The Department of Marine Resources, referred
25 to in this act as "department," shall serve as the primary state
26 agency with regard to coordinating beach erosion and channel
27 maintenance activities along the Mississippi Gulf Coast.

28 (2) The department shall develop a comprehensive long-range

29 management plan for the preservation and restoration of the
30 Mississippi's eroding beaches and for channel maintenance
31 activities. The plan shall at a minimum:

32 (a) Identify areas in which shoreline erosion is
33 threatening the state's beaches and channels which are in need of
34 maintenance;

35 (b) Identify the causes of shoreline erosion, estimate
36 erosion rates, and project the long-term erosion potential for
37 identified beaches;

38 (c) Evaluate the impacts of near-shore development on
39 shoreline erosion and channel maintenance needs;

40 (d) Assess the short-term and long-term economic costs
41 and benefits of the state's beaches and channels;

42 (e) Recommend appropriate management measures for the
43 beaches threatened by shoreline erosion;

44 (f) Promote channel sand by-passing to replicate the
45 natural flow of sand; and

46 (g) Recommend beach erosion and channel maintenance
47 projects to the Legislature for funding which ensures the
48 geographic coordination and sequencing of prioritized projects
49 beginning with the area of Belle Fontaine Beach in Jackson County.

50 SECTION 4. The department shall identify federal funding
51 mechanisms which could be used to fund projects regarding beach
52 erosion and channel maintenance. The department shall coordinate
53 with local governments and other interest groups to maximize the
54 eligibility of projects for funding and to assist in the
55 preparation of appropriate financial assistance documentation.

56 SECTION 5. All new programs authorized under this House Bill
57 No. _____, 1999 Regular Session, shall be subject to the
58 availability of funds specifically appropriated by the Legislature
59 during the 1999 Regular Session and any subsequent session. It is
60 the intent of the Legislature that this act shall be codified but
61 that no section enacted by this House Bill No. _____, 1999 Regular

62 Session, shall take effect until the Legislature has funded any
63 new programs authorized under this act by line item appropriation,
64 and the line item appropriation is certified by the Legislative
65 Budget Office to the Secretary of State.

66 SECTION 6. This act shall take effect and be in force from
67 and after July 1, 1999.