

By: Senator(s) Cuevas (By Request)

To: Local and Private

SENATE BILL NO. 3181

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HANCOCK
2 COUNTY TO DESIGNATE A WATERFRONT ECONOMIC DEVELOPMENT AREA; TO
3 DECLARE THAT THE USE OF SUCH AREA FOR WATERFRONT ECONOMIC
4 DEVELOPMENT WOULD SERVE A HIGHER PUBLIC INTEREST CONSISTENT WITH
5 SECTION 49-27-3, MISSISSIPPI CODE OF 1972 AND THE USE OF PUBLIC
6 TRUST TIDELANDS; TO DECLARE THAT CERTAIN USES ARE ALLOWABLE IN THE
7 AREA DESIGNATED IN ADDITION TO THE COASTAL WETLANDS USE PLAN; TO
8 PROVIDE FOR FOSTERING THE ECONOMIC DEVELOPMENT IN AND ADJACENT TO
9 THE AREA; AND FOR RELATED PURPOSES. BE IT ENACTED BY THE
10 LEGISLATURE OF THE STATE OF MISSISSIPPI:

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12 SECTION 1. The Board of Supervisors of Hancock County may
13 designate all or part of the following area of tidelands belonging
14 to the State of Mississippi as a waterfront economic development
15 area; an area extending seventy hundred fifty (750) yards from the
16 shoreline along South Beach Boulevard between Sand Bayou and Bayou
17 Caddy, and within three thousand (3,000) feet of the intersection
18 of Lakeshore Road and South Beach Boulevard.

19 SECTION 2. It is hereby declared that the use of any area
20 designated under Section 1 for waterfront economic development
21 will serve a higher public interest in accordance with the
22 purposes of this act and with the public policy of the state as
23 set forth in Section 49-27-3, Mississippi Code of 1972, and the
24 public trust doctrine.

25 SECTION 3. In addition to those uses currently authorized by
26 the Coastal Wetlands Use Plan in Section 2, Part IV of Chapter 8
27 of the Mississippi Coastal Program promulgated by the Mississippi
28 Commission on Marine Resources, the following shall be allowable
29 uses in any area designate under Section 1; commercial fishing and
30 recreational marinas; ice plants; boat repair facilities for

31 commercial fishing and recreational use; cruise vessels as defined
32 in Section 27-109-1, Mississippi Code of 1972; the construction of
33 piers, docks, dolphins, bulkheads, wharfs, launching ramps, hoists
34 or cranes, other similar structures necessary for the uses
35 described above; as well as dredging and filling necessary to
36 accommodate those uses. The additional uses described above shall
37 become allowable in the waterfront economic development area upon
38 delivery to the Mississippi Commission on Marine Resources of a
39 certified copy of the resolution or order by which the Board of
40 Supervisors of Hancock County designates such an area.

41 SECTION 4. To foster economic development in and adjacent to
42 the designated waterfront economic development area, the Hancock
43 County Board of Supervisors, acting directly or through any public
44 agency in the county, may formulate or contract for planning and
45 feasibility studies, may encourage and solicit proposals for
46 developments, may apply for and receive grants from state and
47 federal sources for planning and construction activities to
48 promote the economic development of the area, and may expend funds
49 as otherwise provided by law in support of such activities.

50 SECTION 5. Notwithstanding any provisions of law to the
51 contrary, the Hancock County Board of Supervisors, or any private
52 person may apply for an secure leases from the Secretary of State
53 in any area designated under Section 1, in accordance with the
54 procedures and terms established by the Secretary of State for
55 tidelands leases.

56 SECTION 6. Utilization of any tidelands in the area
57 designated under Section 1 shall be in such a manner so as not to
58 obstruct any existing navigation channel. Title to the tidelands
59 shall remain vested in the State of Mississippi.

60 SECTION 7. This act shall take effect and be in force from
61 and after its passage.