

By: Moffatt

To: Ports and Marine
Resources;
Appropriations

SENATE BILL NO. 2117

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; TO REQUIRE THE DEPARTMENT OF MARINE
7 RESOURCES TO ENTER INTO AGREEMENTS REGARDING THE COST OF
8 ACQUISITION AND MAINTENANCE OF DREDGING EQUIPMENT AND TO ASSURE
9 THE COSTS FOR OPERATIONAL EXPENSES; AND FOR RELATED PURPOSES.

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

11 SECTION 1. This act shall be known and may be cited as the
12 "Beach Erosion and Channel Maintenance Act of 2000."

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

25 long-term solutions and minimize the impact of the environment to
26 the extent possible.

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

31 (2) The department shall develop a comprehensive long-range
32 management plan for the preservation and restoration of the
33 Mississippi's eroding beaches and for channel maintenance
34 activities. The plan shall at a minimum:

35 (a) Identify areas in which shoreline erosion is
36 threatening the state's beaches and channels which are in need of
37 maintenance;

38 (b) Identify the causes of shoreline erosion, estimate
39 erosion rates, and project the long-term erosion potential for
40 identified beaches;

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

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

45 (e) Recommend appropriate management measures for the
46 beaches threatened by shoreline erosion;

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

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

53 SECTION 4. The department shall identify federal or other
54 available funding mechanisms which could be used to fund projects
55 regarding beach erosion and channel maintenance. The department

56 shall coordinate with local governments and other interest groups
57 to maximize the eligibility of projects for funding and to assist
58 in the preparation of appropriate financial assistance
59 documentation. The department may apply for, receive and expend
60 federal, state, local and any other public or private funds for
61 beach erosion and channel maintenance.

62 SECTION 5. (1) The department may purchase any equipment,
63 including dredges, to implement the beach erosion and channel
64 maintenance program.

65 (2) Before purchasing any dredging equipment for use in the
66 beach erosion and channel maintenance program, the department
67 shall enter into a written agreement with each state agency,
68 political subdivision of the state, any agency of a political
69 subdivision and any other entity which may use the dredging
70 equipment to provide for the payment of that agency's,
71 subdivision's or entity's share of the cost of the acquisition and
72 regular maintenance of the dredging equipment.

73 (3) Any state agency, political subdivision of the state,
74 any agency of a political subdivision or any other entity using
75 any equipment or other services of the beach erosion and channel
76 maintenance program shall pay the department for operational
77 expenses for use of the equipment or provision of the services.
78 In determining the cost to be assessed for the equipment or
79 services, the department shall consider the operational costs,
80 including personnel costs, supplies, and other reasonable direct
81 and indirect costs of providing the equipment or services.

82 SECTION 6. This act shall take effect and be in force from
83 and after July 1, 2000.