AN ACT TO PROVIDE THAT LAND OR PROPERTY ACQUIRED FOR
ENVIRONMENTAL MITIGATION SHALL BE LOCATED IN THE SAME WATERSHED
WHERE THE LAND ENTITLED TO ENVIRONMENTAL PROTECTION IS LOCATED; TO
PROVIDE THAT, IN CASE OF DISAGREEMENT BETWEEN THE RELEVANT
PARTIES, THE APPROPRIATE STATE AGENCY, GOVERNMENTAL SUBDIVISION OR
THE UNITED STATES ARMY CORPS OF ENGINEERS SHALL MAKE THE FINAL
DETERMINATION OF THE LOCATION OF THE LAND OR PROPERTY ACQUIRED FOR
ENVIRONMENTAL MITIGATION; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) When any state, public or private land or
property is entitled to environmental protection under state or
federal law, and the land or property is obtained or taken and
used for a purpose which requires other land or property to be
acquired and substituted for the land or property entitled to
protection in order to mitigate damage to such land or property
and/or the environment, the substituted land or property shall be
located in the watershed in which the land or property entitled to
protection is found, to the greatest extent practicable. Such
substituted land or property shall be referred to as "the land or
property acquired for environmental mitigation."

(2) The entity responsible for obtaining the land or
property acquired for environmental mitigation shall coordinate
with the owner of the land or property entitled to environmental
protection, with the appropriate state agency or governmental
subdivision, or the United States Army Corps of Engineers, as the
case may be. In any case in which there is a disagreement among
the parties regarding the location of the land or property
acquired for environmental mitigation, the agency or other
governmental subdivision, or the United States Army Corps of
Engineers, as the case may be, shall make the final determination
of the location of the land or property acquired for environmental
mitigation.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2002.