

By: Representative Janus

To: Conservation and Water  
Resources

## HOUSE BILL NO. 1061

1 AN ACT TO AMEND SECTION 29-15-1, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE DEFINITION OF "MEAN HIGH WATER LINE" BY ALLOWING THE  
3 SECRETARY OF STATE'S DETERMINATION OF THE LINE TO BE CONCLUSIVE;  
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 29-15-1, Mississippi Code of 1972, is  
7 amended as follows:

8 29-15-1. (a) "Commission" means the Mississippi Commission  
9 on Marine Resources.

10 (b) "Local tidal datum" means the datum established for a  
11 specific tide station through the use of tidal observations made  
12 at that station.

13 (c) "Mean high water" means the arithmetic mean of all the  
14 high waters occurring in a particular nineteen-year tidal epoch  
15 period; or for a shorter period of time after corrections are  
16 applied to the short term observations to reduce these values to  
17 the equivalent nineteen-year value.

18 (d) "Mean high water line" means the intersection of the  
19 tidal datum plane of mean high water with the shore and where the  
20 line has been determined by the Official Map adopted by the  
21 Secretary of State, such line shall be conclusive as to the  
22 location of the Mean High Water Line.

23 (e) "Mean high water survey" means a survey of the  
24 intersection of the shoreline with the tidal datum plane of mean  
25 high water using local tidal datums and surveying methodologies  
26 approved by the commission. Methodologies shall include but not  
27 be limited to the "staking method," "the topographic method" and  
28 "tide coordinated aerial photography."



29           (f) "National map accuracy standards" means a set of  
30 guidelines published by the Office of Management and Budget of the  
31 United States to which maps produced by the United States  
32 government adhere.

33           (g) "Submerged lands" means lands which remain covered by  
34 waters, where the tides ebb and flow, at ordinary low tides.

35           (h) "Tidelands" means those lands which are daily covered  
36 and uncovered by water by the action of the tides, up to the mean  
37 line of the ordinary high tides.

38           **SECTION 2.** This act shall take effect and be in force from  
39 and after July 1, 2009.

