

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

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1 Committee/Subcommittee hearing bill: Agriculture & Natural  
2 Resources Subcommittee

3 Representative Aloupis offered the following:

4  
5 **Amendment**

6 Remove lines 62-100 and insert:

7 1. The assessment must take into account potential  
8 relative local sea level rise and increased storm risk during  
9 the expected life of the coastal structure or 50 years,  
10 whichever is less; and, to the extent possible, account for the  
11 contribution of sea level rise versus land subsidence to the  
12 relative local sea level rise.

13 2. The assessment must provide scientific and engineering  
14 evidence of the risk to the coastal structure and methods used  
15 to mitigate, adapt to, or reduce this risk.

Amendment No.

16 3. The assessment must use and consider available  
17 scientific research and generally accepted industry practices.

18 4. The assessment must provide the mean average annual  
19 chance of substantial flood damage over the expected life of the  
20 coastal structure or 50 years, whichever is less.

21 5. The assessment must analyze potential public safety and  
22 environmental impacts resulting from damage to the coastal  
23 structure including, but not limited to, leakage of pollutants,  
24 electrocution and explosion hazards, and hazards resulting from  
25 floating or flying structural debris.

26 (c) Provide alternatives for the coastal structure's  
27 design and siting, and how such alternatives would impact the  
28 risks specified in subparagraph (b)5. as well as the risk and  
29 cost associated with maintaining, repairing, and constructing  
30 the coastal structure.

31  
32 If multiple coastal structures are to be built concurrently  
33 within one project, a state-financed constructor may conduct and  
34 submit one SLIP study for the entire project for publication by  
35 the department.

36 (4) If a state-financed constructor commences construction  
37 of a coastal structure but has not complied with the SLIP study  
38 requirement under subsection (2), the department may institute a  
39 civil action in a court of competent jurisdiction to:

Amendment No.

40        (a) Seek injunctive relief to cease further construction  
41 of the coastal structure or enforce compliance with this section  
42 or with rules adopted by the department pursuant to this  
43 section.

44        (b) If the coastal structure has been completed or has  
45 been substantially completed, seek recovery of all or a portion  
46 of state funds expended on the coastal structure.

47        (5) This section may not be construed to create a cause of  
48 action for damages or otherwise permit the imposition of  
49 penalties by a public entity for failing to implement what is  
50 discussed in the SLIP study.