

By: Schwertner

S.B. No. 2379

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the definition of the Edwards Aquifer for the purposes
3 of an aquifer storage and recovery project.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 27.051(i), Water Code, is amended to
6 read as follows:

7 (i) For purposes of this subsection, "Edwards Aquifer" has
8 the meaning assigned by Section 26.046(a), except that it includes
9 only that portion of Williamson County west of Interstate Highway
10 35, running north from its intersection with State Highway 130, to
11 the Williamson County Bell County line, and west of State Highway
12 130 running south from its intersection with Interstate Highway 35
13 to the Williamson County Travis County line. Except as otherwise
14 provided by this subsection, the commission may not authorize by
15 rule or permit an injection well that transects or terminates in the
16 Edwards Aquifer. The commission by rule may authorize:

17 (1) injection of groundwater withdrawn from the
18 Edwards Aquifer;

19 (2) injections of storm water, flood water, or
20 groundwater through improved sinkholes or caves located in karst
21 topographic areas; or

22 (3) injections of water made in accordance with
23 Section 1.44(e)(3), Chapter 626, Acts of the 73rd Legislature,
24 Regular Session, 1993.

1 SECTION 2. Section 27.0516(a)(1), Water Code, is amended to
2 read as follows:

3 (1) "Edwards Aquifer" means that portion of an arcuate
4 belt of porous, waterbearing limestones composed of the Edwards
5 Formation, Georgetown Formation, Comanche Peak Formation, Salmon
6 Peak Limestone, McKnight Formation, West Nueces Formation, Devil's
7 River Limestone, Person Formation, Kainer Formation, and Edwards
8 Group, together with the Upper Glen Rose Formation where scientific
9 studies have documented a hydrological connection to the overlying
10 Edwards Group trending from west to east to northeast through
11 Kinney, Uvalde, Medina, Bexar, Kendall, Comal, Hays, and Travis
12 Counties, and Williamson County west of Interstate Highway 35,
13 running north from its intersection with State Highway 130, to the
14 Williamson County Bell County line, and west of State Highway 130
15 running south from its intersection with Interstate Highway 35 to
16 the Williamson County Travis County line [~~Counties~~]. The permeable
17 aquifer units generally overlie the less-permeable Glen Rose
18 Formation to the south, overlie the less-permeable Comanche Peak
19 and Walnut Formations north of the Colorado River, and underlie the
20 less-permeable Del Rio Clay regionally.

21 SECTION 3. Not later than December 1, 2023, the commission
22 shall adopt or amend rules to implement the changes made by this
23 Act.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2023.