

By: Wentworth

S.B. No. 1698

A BILL TO BE ENTITLED

AN ACT

relating to goals for and certification of groundwater management plans.

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

SECTION 1. Section 36.1071(a), Water Code, is amended to read as follows:

(a) Following notice and hearing, the district shall, in coordination with surface water management entities on a regional basis, develop a comprehensive management plan which contains a management goal describing the desired future condition for the aquifer in quantified terms and which addresses the following management goals, as applicable:

- (1) providing the most efficient use of groundwater;
- (2) controlling and preventing waste of groundwater;
- (3) controlling and preventing subsidence;
- (4) addressing conjunctive surface water management issues;
- (5) addressing natural resource issues;
- (6) addressing drought conditions; and
- (7) addressing conservation.

SECTION 2. Section 36.1072, Water Code, is amended by amending Subsection (b) and adding Subsections (h), (i), and (j) to read as follows:

(b) Within 150 [~~60~~] days of receipt of a management plan

1 adopted under Section 36.1071, the executive administrator shall
2 certify a management plan if the plan is administratively complete
3 and if the review committee has made the findings required by
4 Subsection (i). A management plan is administratively complete
5 when it contains the information required to be submitted under
6 Section 36.1071. The executive administrator may determine that
7 conditions justify waiver of the requirements under Section
8 36.1071(e)(4) or justify certification of the management plan
9 without the findings required by Subsection (i).

10 (h) The executive administrator shall organize a review
11 committee to make recommendations regarding management plans
12 submitted to the executive administrator for certification. The
13 review committee shall be composed of:

14 (1) the executive administrator or the executive
15 administrator's designee;

16 (2) the executive director or the executive director's
17 designee;

18 (3) the executive director of the Parks and Wildlife
19 Department or that executive director's designee; and

20 (4) a person experienced in the operation of
21 groundwater conservation districts selected by the executive
22 administrator.

23 (i) The review committee established under Subsection (h)
24 shall recommend that the executive administrator certify a
25 management plan only if the committee finds that:

26 (1) the groundwater conservation district has
27 adequate resources to implement the management plan;

1 (2) the management plan's goals are consistent with
2 recognized issues of concern relating to groundwater management in
3 the district; and

4 (3) the management plan's goals, management
5 objectives, and performance standards are either:

6 (A) adequate to maintain current groundwater
7 conditions in the district if those conditions are at or near
8 natural conditions; or

9 (B) designed to improve the management and
10 conservation of groundwater resources where depletion of those
11 resources has been documented.

12 (j) The board may reimburse the person selected to serve on
13 the review committee under Subsection (h)(4) for the reasonable
14 costs incurred for travel, lodging, and meals in serving on the
15 review committee.

16 SECTION 3. (a) This Act takes effect immediately if it
17 receives a vote of two-thirds of all the members elected to each
18 house, as provided by Section 39, Article III, Texas Constitution.
19 If this Act does not receive the vote necessary for immediate
20 effect, this Act takes effect September 1, 2003.

21 (b) The changes in law made by this Act apply only to a
22 management plan submitted under Section 36.1071, Water Code, on or
23 after the effective date of this Act.