

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 21, 2003

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB3129 by Capelo (Relating to reductions in water releases to maintain beneficial inflows to bays and estuaries.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would provide reductions in water releases ordered by the state to maintain beneficial inflows to bays and estuaries. The bill provides that each acre-foot of freshwater inflows released into the upper portion of bay and estuary system that serves as the primary nursery for estuarine-dependent species shall be credited against two acre-feet of freshwater required to be released into the estuary as a whole. The bill also requires the Texas Commission on Environmental Quality (TCEQ) to reduce the target amount of freshwater inflows during drought by a percentage equal to the proportionate decrease in average annual rainfall over the preceding five years.

The TCEQ would need to develop and implement a policy for determining target releases to bays and estuaries in accordance with the required reductions in releases. Staff would need to design a protocol for determining the average annual rainfall and proportionate decrease in rainfall to comply with the bill's drought provisions. It is expected that the agency could absorb any additional costs associated with these activities.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: JK, CL, KG, TL