

## **BILL ANALYSIS**

C.S.H.B. 3513  
By: Luna  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

This bill creates the Corpus Christi Aquifer Storage and Recovery District in Nueces, Kleberg, and San Patricio Counties, to develop and protect municipal aquifer storage areas created by the City of Corpus Christi.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Subtitle H, Title 6, Special District Local Laws Code, by adding Chapter 8811, which creates the Corpus Christi Aquifer Storage and Recovery District. The purpose of the district is to develop and protect municipal aquifer storage aquifers created by the City of Corpus Christi. A confirmation election is not required to create the district. Initial boundaries of the district are coextensive with the boundaries of the City of Corpus Christi. Unless otherwise specified in the bill, Chapter 36, Water Code, applies to the district. CSHB 3513 does not preclude the creation of a groundwater conservation district in San Patricio County, however, a San Patricio groundwater district may not limit the Corpus Christi Aquifer Storage and Recovery District from recovering water in a municipal aquifer. To the extent the boundaries of the two districts overlap, the districts have joint and coextensive power and authority. In that situation, the Corpus Christi Aquifer Storage and Recovery District and land in the district are exempt from taxes and fees imposed by the San Patricio groundwater district.

CSHB 3513 also establishes the Board of Directors with five members serving staggered four-year terms. The board is appointed by the Corpus Christi City Council. The board may appoint a director to serve the remainder of a term for a vacant seat. The board must elect officers annually, and officers must be confirmed by the Corpus Christi City Council.

The Board may develop and implement aquifer storage and recovery projects, but the Corpus Christi Aquifer Storage and Recovery District is prevented from removing more water from an aquifer storage area in San Patricio County than the Corpus Christi district has in municipal storage. The Corpus Christi Aquifer Storage and Recovery District may not impose a tax or issue bonds, nor exercise the power of eminent domain.

SECTION 2. States that all required public notices of filing have been completed, and that the governor has submitted notice to the Texas Commission on Environmental Quality.

### **EFFECTIVE DATE**

CSHB 3513 takes effect immediately if it receives a 2/3rds vote in both chambers, otherwise it takes effect Sept. 1, 2005.

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute modified the original by providing specifically that the Corpus Christi Aquifer Storage and Recovery District may not exercise the power of eminent domain and eliminating a provision allowing the district to assess well fees.