

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 13, 2005

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB785 by Fraser (Relating to the regulations of quarries; providing a civil penalty.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB785, As Introduced: an impact of \$0 through the biennium ending August 31, 2007.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	\$0
2007	\$0
2008	\$0
2009	\$0
2010	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/ (Loss) from <i>CLEAN AIR ACCOUNT</i> 151	Probable Savings/(Cost) from <i>CLEAN AIR ACCOUNT</i> 151	Change in Number of State Employees from FY 2005
2006	\$250,000	(\$250,000)	4.0
2007	\$250,000	(\$250,000)	4.0
2008	\$250,000	(\$250,000)	4.0
2009	\$250,000	(\$250,000)	4.0
2010	\$250,000	(\$250,000)	4.0

Fiscal Analysis

The bill would create a quarry permit program at the Texas Commission on Environmental Quality (TCEQ). Operators of quarries beginning operation on or after September 1, 2005 would be required to apply to the TCEQ for a permit. The bill would authorize a permit application fee of \$1,000.

The TCEQ would be required to review permit applications and send notice of the applications to the state senator, representative, county judge, and county commissioner who represents the area in which the quarry would be located. Quarry operators would be required to post a bond in the amount of \$1,000 for each acre of land affected by operations. Quarry operators would be required to complete reclamation of the permitted site no later than three years after the cessation of quarry operations.

Methodology

To perform technical review permit applications, site hydrology, groundwater and surface water, site reclamation, and financial assurance, as required by the bill, the TCEQ would need 4 additional FTEs and related costs. Assuming 250 permits per year, the permit fee established in the bill would generate \$250,000 in new revenues to the Clean Air Account No. 151. This estimate assumes that all costs associated with the program could be recovered through revenue from permit fees.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 582 Commission on Environmental Quality

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