

## **BILL ANALYSIS**

H.B. 2883  
By: Guillen  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Historically, the water policy dialogue in Texas has been approached from the demand side. Most of the questions are whether demand will exceed the supply. With this legislation, we draw attention to the relationship between the land and water and encourage land management that maximizes the impact of the rain that falls across this vast state. An express policy statement recognizing land stewardship as an effective and efficient water management strategy that should be part of the foundation of Texas water policy and legal framework. Improving the condition of the land directly affect the quality and quantity of water available in Texas, enhancing the effectiveness of all other water policy options.

Currently, there are land stewardship based, water enhancement projects already underway, that need legislative validation and authorization. This legislation will promote and support current efforts by providing a clearly worded policy statement in state law recognizing the benefits of land stewardship as a significant component of comprehensive water management policy. For example, current projects include the Leon River Restoration Project, the North Concho Initiative, and the Governor's Trinity River Initiative. These efforts are important because such voluntary land stewardship, by maximizing the catchment and water supply-enhancing power of the land, also optimizes other water management strategies' effectiveness.

Ground and surface water quantity, and quality, originate with rainfall and the complex processes by which it is incorporated into the land. When these processes are optimized by effective land stewardship efforts, Texas' millions of acres of open, rural land can significantly help "create" more water, reduce flooding, replenish aquifers, and release water more slowly and steadily into springs, streams, rivers, lakes and eventually our bays and estuaries.

Land stewardship initiatives include habitat and land management, wildlife conservation, and watershed protection. Specific land management strategies that help to increase surface water and groundwater supplies include reducing runoff, managing livestock grazing, controlling erosion, brush management, spring flow and creek-bank protection, and riverbed restoration.

Voluntary land stewardship allows policy-makers and water managers to consider water from the supply side - at its origins; not just from the water demand perspective. The only way Texas' water policy will be truly comprehensive is when supply -- where the first raindrop falls on the land -- is emphasized in policy with the same degree of enthusiasm as demand

A land stewardship perspective, on the other hand, would focus attention on optimizing the supply side of the supply/demand equation. Improving the condition of the land directly affects the quality and quantity of water available in Texas, enhancing the effectiveness of all other water policy options.

H.B. 2883 sets forth legislative policy statements regarding the value of land stewardship.

### **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 Section 1.003, Water Code, to add the voluntary stewardship of public and private lands to benefit the water in the state, as defined by Section 26.001.

SECTION 2. Subchapter A, Chapter 1, Water Code, is amended by adding Section 1.004 as follows:

Sec. 1.004. FINDINGS AND POLICY REGARDING LAND STEWARDSHIP.

(a) The legislature find that voluntary land stewardship enhances the efficiency and effectiveness of the state's watersheds by helping to increase surface water and groundwater supplies, resulting in a benefit to the natural resources of this state and to the general public. It is therefore the policy of this state to encourage voluntary land stewardship as a significant water management tool by providing assistance to landowners to conduct those activities.

(b) "Land stewardship," as used in this code, is the voluntary practice of managing land to conserve or enhance suitable landscapes and the ecosystem values of the land. Land stewardship includes land and habitat management, wildlife conservation, and watershed protection. Land stewardship practices include runoff reduction, prescribed burning, managed grazing, brush management, erosion management, reseeding with native plant species, riparian management and restoration, and spring and creek-bank protection, all of which benefit the water resources of this state.

SECTION 3. Subsection (b), Section 11.0235, Water Code, is amended to provide that the legislature encourages voluntary water and land stewardship to benefit the water in the state, as defined by Section 26.001.

SECTION 4. Effective Date: September 1, 2007.

## **EFFECTIVE DATE**

September 1, 2007.