

By: Geren

H.B. No. 1681

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the preservation for development of sites of unique
3 value for regional water supply reservoirs and the preservation of
4 river and stream segments of unique ecological value.

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

6 SECTION 1. LEGISLATIVE FINDINGS. The legislature finds
7 that:

8 (1) the development of new water supplies to meet the
9 growing demand for water is necessary for the sound economic
10 development of this state and is of concern and importance to this
11 state;

12 (2) feasible sites for new reservoirs are identified
13 as having unique value in the 2006 regional water plans and the 2007
14 state water plan;

15 (3) most of the proposed reservoirs are also part of
16 recommended strategies for fulfilling identified needs in the 2007
17 state water plan that may occur as early as 2010 and 2020;

18 (4) it is necessary to preempt actions that could
19 circumvent the state's primacy over surface water in the state; and

20 (5) designation of these sites as unique reservoir
21 sites or river or stream segments of unique ecological value is
22 necessary for the sound economic development of this state, for the
23 protection of natural resources, and for the purpose of promoting
24 the public health, safety, and general welfare of this state.

1 SECTION 2. DESIGNATION OF UNIQUE RESERVOIR SITES. The
2 legislature, as authorized by Subsection (g), Section 16.051, Water
3 Code, designates the following sites as having unique value for the
4 construction of a dam and reservoir and further determines that the
5 sites are necessary to meet water supply needs:

6 (1) Lower Bois d'Arc reservoir, to be located on Bois
7 d'Arc Creek in Fannin County, upstream from the Caddo National
8 Grasslands Wildlife Management Area;

9 (2) Lake Ralph Hall reservoir, to be located on the
10 North Sulphur River in southeast Fannin County, north of the city of
11 Ladonia;

12 (3) Marvin Nichols reservoir, to be located on the
13 Sulphur River upstream from its confluence with White Oak Creek;
14 the dam will be located in Titus and Red River Counties and the
15 reservoir will also impound water in Franklin County;

16 (4) Lake Fastrill reservoir, to be located on the
17 Neches River in Anderson and Cherokee Counties, downstream from
18 Lake Palestine;

19 (5) Tehuacana Creek reservoir, to be located on
20 Tehuacana Creek in Freestone County, south of the Richland-Chambers
21 reservoir, with the two lakes to be connected by a channel;

22 (6) Bedias reservoir, to be located on both Bedias and
23 Caney Creeks in portions of Grimes, Madison, and Walker Counties;

24 (7) Brushy Creek reservoir, to be located near the
25 city of Marlin in central Falls County;

26 (8) Little River reservoir, to be located on the
27 Little River upstream from its confluence with the Brazos River in

1 Milam County;

2 (9) Little River off-channel reservoir, to be located
3 northwest of the city of Milano in Milam County, on Beaver Creek, a
4 tributary of the Little River;

5 (10) Texana Stage II reservoir, also known as Palmetto
6 Bend, to be located on the Lavaca River in Jackson County above the
7 confluence with the Navidad River and extending the existing dam
8 west across the Lavaca River;

9 (11) Goldthwaite channel dam reservoir, to be located
10 on the Colorado River west of the city of Goldthwaite and downstream
11 from the existing diversion structure;

12 (12) Wheeler Branch off-channel reservoir, to be
13 located on the Wheeler Branch tributary of the Paluxy River and
14 north of the city of Glen Rose in Somervell County;

15 (13) Cedar Ridge reservoir, to be located on the Clear
16 Fork of the Brazos River upstream from its confluence with Paint
17 Creek and in Throckmorton, Shackelford, and Haskell Counties;

18 (14) Lake 07 reservoir, to be located in southeastern
19 Lubbock County, to impound developed water resources discharged
20 into Yellowhouse Canyon as part of the Canyon Lakes System, also
21 known as the Jim Bertram Lake System;

22 (15) Lake 08 reservoir, to be located in southeastern
23 Lubbock County, to impound developed water resources discharged
24 into Yellowhouse Canyon as part of the Canyon Lakes System, also
25 known as the Jim Bertram Lake System;

26 (16) Nueces off-channel reservoir, to be located west
27 of Lake Corpus Christi in south central Live Oak County, to be

1 linked to Lake Corpus Christi by pipeline and operated as part of
2 the Choke Canyon-Lake Corpus Christi reservoir system;

3 (17) Ringgold reservoir, to be located on the Little
4 Wichita River in Clay County approximately one-half mile upstream
5 from its confluence with the Red River;

6 (18) Muenster reservoir, to be located on Brushy Elm
7 Creek in western Cooke County; and

8 (19) Brownsville Weir and reservoir, to be located on
9 the lower Rio Grande in Cameron County; the proposed project
10 consists of a weir structure across the channel of the river
11 approximately eight miles downstream from the city of Brownsville.

12 SECTION 3. DESIGNATION OF SITES OF UNIQUE ECOLOGICAL VALUE.
13 The legislature, as authorized by Section (f), Section 16.051,
14 Water Code, designates those river or stream segment sites
15 recommended in the 2007 state water plan as being of unique
16 ecological value.

17 SECTION 4. EFFECTIVE DATE. This Act takes effect
18 immediately if it receives a vote of two-thirds of all the members
19 elected to each house, as provided by Section 39, Article III, Texas
20 Constitution. If this Act does not receive the vote necessary for
21 immediate effect, this Act takes effect September 1, 2007.