

By: Hartnett

H.B. No. 2187

A BILL TO BE ENTITLED

AN ACT

relating to the development, management, and preservation of the water resources of the state.

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

SECTION 1. LEGISLATIVE FINDINGS. The legislature finds that:

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

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

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

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

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

SECTION 2. DESIGNATION OF UNIQUE RESERVOIR SITES. The

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (16) Nueces off-channel reservoir, to be located west
26 of Lake Corpus Christi in south central Live Oak County, to be
27 linked to Lake Corpus Christi by pipeline and operated as part of

1 the Choke Canyon-Lake Corpus Christi reservoir system;

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

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

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

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

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