

By: Puente

H.B. No. 3776

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of the Texas Water Development Board to  
3 approve the regional water plan for Region L and include the plan in  
4 the state water plan.

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

6 SECTION 1. (a) Notwithstanding Section 16.053(i), Water  
7 Code, and except as otherwise provided by this Act, the Texas Water  
8 Development Board may approve and include in the state water plan  
9 for the five-year period beginning January 5, 2007, the regional  
10 water plan that was submitted to the board by the Region L regional  
11 water planning group.

12 (b) The Texas Water Development Board may approve the  
13 regional water plan for Region L only if the board:

14 (1) strikes Sections 4C.7, 4C.8, and 4C.32 from the  
15 plan as submitted to the board; and

16 (2) includes Section 4C.33 in the plan as the Lower  
17 Guadalupe Water Supply Project for Upstream GBRA Needs so as to:

18 (A) require that the project be developed by the  
19 regional water planning group for Region L in association with the  
20 Guadalupe-Blanco River Authority;

21 (B) include a transmission pipeline for the  
22 diversion of up to 60,000 acre-feet per year of surface water  
23 available under the water rights held by the Guadalupe-Blanco River  
24 Authority as of December 31, 2006, from the Guadalupe River below

1 the city of Victoria to upstream points on the river to meet needs  
2 identified by the Region L regional water planning group; provided,  
3 however, that at least 100,000 acre-feet per year of the surface  
4 water must be reserved for lower basin needs;

5 (C) prohibit the use of fresh groundwater for the  
6 project;

7 (D) require the consent of the appropriate  
8 property owner before off-channel storage or an off-channel  
9 reservoir may be developed as part of the project; and

10 (E) require freshwater inflows in an amount  
11 sufficient to meet the Parks and Wildlife Department, Texas  
12 Commission on Environmental Quality, and Texas Water Development  
13 Board's environmental consensus criteria for San Antonio Bay to be  
14 identified and included in the project.

15 (c) The Texas Water Development Board shall amend the state  
16 water plan for the five-year period beginning January 5, 2007, as  
17 necessary to conform to the requirements of this Act.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2007.