

A BILL TO BE ENTITLED

AN ACT

relating to a study regarding the Carrizo-Wilcox aquifer.

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

SECTION 1. DEFINITION. In this Act, "commission" means the Texas Commission on Environmental Quality.

SECTION 2. STUDY. (a) The commission shall conduct a study regarding the impact on the entire Carrizo-Wilcox aquifer of rules and plans adopted by groundwater conservation districts in whose boundaries the aquifer is located and of determinations made by groundwater conservation districts in connection with the joint planning process relating to groundwater management areas in whose boundaries the aquifer is located. In conducting the study, the commission shall examine:

(1) whether the rules and plans adopted by each groundwater conservation district:

(A) are based on sound scientific principles;

(B) adequately conserve and protect the aquifer and ensure the achievement of the applicable desired future condition for each part of the district; and

(C) are likely to affect other groundwater conservation districts or groundwater management areas;

(2) whether each district is enforcing substantial compliance with its rules;

(3) whether the desired future conditions established

1 under Section 36.108, Water Code, in each groundwater management  
2 area are reasonable and based on sound scientific principles, and  
3 whether the rules adopted by each district are designed to achieve  
4 the applicable desired future condition;

5 (4) other long-term impacts of the applicable rules  
6 and plans on the aquifer, taking into consideration:

7 (A) projected population and agricultural,  
8 municipal, and industrial demands for water from the aquifer within  
9 the groundwater conservation districts; and

10 (B) other appropriate factors as determined by  
11 commission rule; and

12 (5) whether the presence of contaminants in the  
13 recharge area of the aquifer and the potential pollution of the  
14 aquifer are issues that should be addressed and, if so, by whom.

15 (b) The Texas Water Development Board and the Bureau of  
16 Economic Geology of The University of Texas at Austin shall assist  
17 the commission in conducting the study under this section.

18 (c) The commission may contract with any appropriate person  
19 to assist the commission in conducting the study under this  
20 section.

21 SECTION 3. REPORT. Not later than December 31, 2012, the  
22 commission shall report the results of the study conducted under  
23 this Act to the governor, the lieutenant governor, the speaker of  
24 the house of representatives, and the standing committees in the  
25 senate and the house of representatives that have primary  
26 jurisdiction over natural resources. The report may include the  
27 commission's recommendations for legislation to address any areas

1 of concern.

2           SECTION 4. NO APPROPRIATION. This Act does not make an  
3 appropriation. A provision in this Act that creates a new  
4 governmental program, creates a new entitlement, or imposes a new  
5 duty on a governmental entity is not mandatory during a fiscal  
6 period for which the legislature has not made a specific  
7 appropriation to implement the provision.

8           SECTION 5. EXPIRATION. This Act expires August 31, 2013.

9           SECTION 6. EFFECTIVE DATE. This Act takes effect  
10 immediately if it receives a vote of two-thirds of all the members  
11 elected to each house, as provided by Section 39, Article III, Texas  
12 Constitution. If this Act does not receive the vote necessary for  
13 immediate effect, this Act takes effect September 1, 2009.