

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 2, 2009

TO: Honorable Kip Averitt, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB1711 by Hegar (Relating to the use of sediment control ponds to satisfy environmental and safety requirements at surface mining operations.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would provide an exemption from the water rights permitting process for state water diverted and used to satisfy environmental and safety regulations for fire or dust suppression as applicable to a surface mining (coal) operation.

Although the bill would affect the Commission on Environmental Quality's Watermaster program and require program staff to apply and enforce the requirements, which may entail additional inspection duties, the fiscal impact that would result from the bill's passage is not expected to be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. In the case of extreme drought where a municipal or other public retail water system would lose access to water because of a mining operation upstream, such a system could incur costs in locating another source of water.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, WK, TL