

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 8, 2009**

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

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

**IN RE: SB2318** by Averitt (Relating to the use and management of surface water resources.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would add a definition of "developed water" to Water Code, Section 11.002, and define it as the following; groundwater diverted to a stream for use down stream; surface water from a inter basin transfer; water imported from another state; and water originating in bays or arms of the Gulf of Mexico. The bill would provide that water could be stored or diverted as well as appropriated for the same purposes as water is appropriated to meet downstream instream flow needs or freshwater inflow needs. The bill also would replace reference to privately-owned groundwater with developed water in reference to water delivered down beds and banks of, and it would implements a standard measurement method for dams that are greater than six feet in height and subject to Texas Commission on Environmental Quality (TCEQ) requirements for the diversion of water for irrigation.

The bill's passage is not expected to result in a significant change in workload for the TCEQ.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 582 Commission on Environmental Quality

**LBB Staff:** JOB, TL, SD