

BILL ANALYSIS

H.B. 630
By: Pickett
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Federal law requires an environmental review for the construction of a transportation project undertaken by federal, state, and local transportation entities. During the environmental review process, federal, state, or local transportation entities work in consultation with resource agencies such as the National Oceanic and Atmospheric Administration, U.S. Environmental Protection Agency, Texas Parks and Wildlife Department, and Texas Historical Commission. However, many of the resource agencies lack sufficient staff to perform these activities in a timely manner. To overcome this obstacle, many state departments of transportation are using interagency funding agreements to hire additional staff for the resource agencies. The Texas Department of Transportation (TxDOT) does not have express statutory authority to enter into an interagency funding agreement to hire additional staff for a state or federal resource agency.

H.B. 630 authorizes TxDOT, a county, a regional tollway authority, or a regional mobility authority to enter into a funding agreement with a federal or state agency for the purpose of expediting the performance of environmental review duties related to a transportation project.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 630 amends the Transportation Code to authorize the Texas Department of Transportation (TxDOT), a county, a regional tollway authority, or a regional mobility authority to enter into an agreement to provide funds to a state or federal agency to expedite the agency's performance of its duties related to the environmental review process for its transportation projects, including those listed in the applicable metropolitan planning organization's long-range transportation plan. The bill authorizes the agreement to specify transportation projects the applicable entity considers to be priorities for review and requires the agreement to require the agency receiving money to complete the environmental review in less time than is customary for the completion of environmental review by that agency. The bill authorizes TxDOT to enter into a separate agreement for a transportation project that TxDOT determines has regional importance. The bill specifies that an agreement does not diminish or modify the rights of the public regarding review and comment on transportation projects. The bill requires an entity entering into an agreement to make the agreement available on the entity's Internet website.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.