

## **BILL ANALYSIS**

S.B. 313  
By: Seliger  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Many areas of the state are producing significant amounts of groundwater without proper oversight and regulation by an existing groundwater conservation district (GCD). Consequently, the Texas Commission on Environmental Quality (TCEQ) projects future groundwater production using a 25-year horizon to determine areas where oversight and regulation may be needed. Areas identified by TCEQ for potential oversight and regulation are designated as priority groundwater management areas (PGMA). Extending the horizon to 50 years would allow for more comprehensive projections and correspond to current statewide planning processes, such as the State Water Plan.

The passage of S.B. 1, 75th Legislature, Regular Session, 1997, changed the term "critical areas" to "priority groundwater management areas" and authorized TCEQ to implement the PGMA process. S.B. 313 increases the current period for possible PGMA designation from 25 years to 50 years. S.B. 313 amends current law relating to priority groundwater management areas.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality as the successor agency to TNRCC.]

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **ANALYSIS**

SECTION 1. Amends Section 35.007(a), Water Code, to require the executive director of the Texas Natural Resource Conservation Commission (TNRCC) and the executive administrator of the Texas Water Development Board (TWDB) to meet periodically to identify, based on information gathered by TNRCC and TWDB, those areas of the state that are experiencing or that are expected to experience, within the immediately following 50-year period, rather than 25-year period, critical groundwater problems, including shortages of surface water or groundwater, land subsidence resulting from groundwater withdrawal, and contamination of groundwater supplies.

SECTION 2. Makes application of Section 35.007(a), Water Code, as amended by this Act, to a designation of a priority groundwater management area made by the Texas Commission on Environmental Quality on or after the effective date of this Act, prospective.

SECTION 3. Provides for the effective date of this Act.

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.