

BILL ANALYSIS

Senate Research Center

S.B. 1132
By: Hegar
Natural Resources
8/15/2011
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In order to meet the growing water needs of Texas residents, the state will have to use water efficiently as well as look for other alternatives for water supplies such as building new water reservoirs. The Allens Creek Reservoir is a proposed reservoir on Allens Creek, a tributary of the Brazos River located near the city of Wallis in Austin County. The reservoir will provide 95,000-100,000 acre-feet of firm water supply per year. It is a joint project between the City of Houston and the Brazos River Authority (BRA) with the city owning 70 percent of the project and BRA owning 30 percent. The permit to appropriate state water, Permit No. 2925, was issued to the Texas Water Development Board (TWDB) by the Texas Natural Resource Conservation Commission (TNRCC) (predecessor agency to the Texas Commission on Environmental Quality) on September 1, 1999, and contained dates by which the project was to commence and by which construction of the dam and reservoir authorized in the permit were to be completed. The current deadline for commencement on the project is September 1, 2018. S.B. 1132 extends the deadline for commencement of construction of the project to September 1, 2025.

S.B. 1132 amends current law relating to the water rights permits issued to the Texas Water Development Board for the Allens Creek Reservoir.

[**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.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1.02(b), Chapter 1291, Acts of the 76th Legislature, Regular Session, 1999, to require that the date to commence construction of the Allens Creek Reservoir be not later than September 1, 2025, rather than September 1, 2018.

SECTION 2. Amends Article I, Chapter 1291 (S.B. 1593), Acts of the 76th Legislature, Regular Session, 1999, by adding Section 1.06, as follows:

Sec. 1.06. (a) Provides that Time Limitation No. 7.a., Permit No. 2925A, which was issued to the Texas Water Development Board by the Texas Natural Resource Conservation Commission, the predecessor agency to the Texas Commission on Environmental Quality (TCEQ), is amended to require that construction of the Allens Creek Reservoir commence on or before September 1, 2025, and be completed not later than the fifth anniversary of the date construction of the reservoir commences.

(b) Requires TCEQ, not later than September 1, 2011, to reissue Permit No. 2925A, as amended by Subsection (a) of this section.

SECTION 3. Effective date: upon passage or September 1, 2011.