

By: Price

H.B. No. 1824

A BILL TO BE ENTITLED

AN ACT

relating to the management of groundwater production by groundwater conservation districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 36.001(25), Water Code, is amended to read as follows:

(25) "Modeled ~~[Managed]~~ available groundwater" means the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a ~~[permitted by a district for beneficial use in accordance with the]~~ desired future condition established ~~[of the aquifer as determined]~~ under Section 36.108.

SECTION 2. Section 36.1071(e), Water Code, is amended to read as follows:

(e) In the management plan described under Subsection (a), the district shall:

(1) identify the performance standards and management objectives under which the district will operate to achieve the management goals identified under Subsection (a);

(2) specify, in as much detail as possible, the actions, procedures, performance, and avoidance that are or may be necessary to effect the plan, including specifications and proposed rules;

(3) include estimates of the following:

1 (A) modeled [~~managed~~] available groundwater in
2 the district based on the desired future condition established
3 under Section 36.108;

4 (B) the amount of groundwater being used within
5 the district on an annual basis;

6 (C) the annual amount of recharge from
7 precipitation, if any, to the groundwater resources within the
8 district;

9 (D) for each aquifer, the annual volume of water
10 that discharges from the aquifer to springs and any surface water
11 bodies, including lakes, streams, and rivers;

12 (E) the annual volume of flow into and out of the
13 district within each aquifer and between aquifers in the district,
14 if a groundwater availability model is available;

15 (F) the projected surface water supply in the
16 district according to the most recently adopted state water plan;
17 and

18 (G) the projected total demand for water in the
19 district according to the most recently adopted state water plan;
20 and

21 (4) consider the water supply needs and water
22 management strategies included in the adopted state water plan.

23 SECTION 3. Section 36.108(o), Water Code, is amended to
24 read as follows:

25 (o) The districts shall submit the conditions established
26 under this section to the executive administrator. The executive
27 administrator shall provide each district and regional water

1 planning group located wholly or partly in the management area with
2 the modeled ~~[managed]~~ available groundwater in the management area
3 based upon the desired future condition of the groundwater
4 resources established under this section.

5 SECTION 4. Section 36.1132, Water Code, is amended to read
6 as follows:

7 Sec. 36.1132. PERMITS BASED ON MODELED ~~[MANAGED]~~ AVAILABLE
8 GROUNDWATER. (a) A district, to the extent possible, shall issue
9 permits up to the point that the total volume of exempt and
10 permitted groundwater production will achieve an applicable
11 desired future condition under Section 36.108 ~~[permitted equals the~~
12 ~~managed available groundwater, if administratively complete permit~~
13 ~~applications are submitted to the district]~~.

14 (b) In issuing permits, the district shall consider:

15 (1) the modeled available groundwater determined by
16 the executive administrator;

17 (2) the executive administrator's estimate of the
18 current and projected amount of groundwater produced under
19 exemptions granted by district rules and Section 36.117;

20 (3) the amount of groundwater authorized under permits
21 previously issued by the district;

22 (4) a reasonable estimate of the amount of groundwater
23 that is actually produced under permits issued by the district; and

24 (5) yearly precipitation patterns.

25 (c) In developing the estimate of exempt use under
26 Subsection (b)(2), the executive administrator shall solicit
27 information from each applicable district.

1 SECTION 5. This Act takes effect September 1, 2011.