

1-1 By: Hegar S.B. No. 1132
1-2 (In the Senate - Filed March 3, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 11, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 11, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1132 By: Hegar

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the water rights permits issued to the Texas Water
1-11 Development Board for the Allens Creek Reservoir.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (b), Section 1.02, Chapter 1291 (S.B.
1-14 1593), Acts of the 76th Legislature, Regular Session, 1999, is
1-15 amended to read as follows:

1-16 (b) Upon application by the Texas Water Development Board
1-17 pursuant to Section 11.1311, Water Code, the Texas Natural Resource
1-18 Conservation Commission shall reissue without notice or hearing
1-19 Water Appropriation Permit No. 2925 previously issued for the
1-20 Allens Creek Reservoir. The permit shall be issued in the name of
1-21 the Texas Water Development Board and it shall have a priority date
1-22 of September 1, 1999. The date to commence construction of the
1-23 reservoir shall be not later than September 1, 2025 [~~2018~~]. The
1-24 Texas Natural Resource Conservation Commission may extend such time
1-25 for beginning of construction for good cause.

1-26 SECTION 2. Article 1, Chapter 1291 (S.B. 1593), Acts of the
1-27 76th Legislature, Regular Session, 1999, is amended by adding
1-28 Section 1.06 to read as follows:

1-29 Sec. 1.06. (a) Time Limitation No. 7.a. in Permit No.
1-30 2925A issued by the Texas Natural Resource Conservation Commission,
1-31 the predecessor agency to the Texas Commission on Environmental
1-32 Quality, to the Texas Water Development Board is amended to require
1-33 that construction of the Allens Creek Reservoir commence on or
1-34 before September 1, 2025, and be completed not later than the fifth
1-35 anniversary of the date construction of the reservoir commences.

1-36 (b) Not later than September 1, 2011, the Texas Commission
1-37 on Environmental Quality shall reissue Permit No. 2925A, as amended
1-38 by Subsection (a) of this section.

1-39 SECTION 3. This Act takes effect immediately if it receives
1-40 a vote of two-thirds of all the members elected to each house, as
1-41 provided by Section 39, Article III, Texas Constitution. If this
1-42 Act does not receive the vote necessary for immediate effect, this
1-43 Act takes effect September 1, 2011.

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