

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 14, 2011

TO: Honorable Tommy Williams, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: SB548 by Nichols (Relating to the Texas Department of Transportation's environmental review process.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to authorize the Texas Department of Transportation (TxDOT) 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 TxDOT transportation projects. The bill would require TxDOT to make each agreement available on TxDOT's Internet website. The bill would require TxDOT to establish, by rule, a process to certify district environmental specialists to work on all documents related to state and federal environmental review processes and to make the process available to TxDOT employees and private contractors and local government employees who routinely work with TxDOT. The bill would require the certification process to require continuing education for recertification. The bill would require a memorandum of understanding (MOU) between TxDOT and certain state agencies required under Section 201.607, Transportation Code, to specify a time period not to exceed 45 days during which a state agency reviews and provides comments to TxDOT regarding the environmental, historical, or archeological effect of a highway project. The bill would require TxDOT, by rule, to establish procedures for coordinating with state agencies in carrying out the responsibilities under such MOUs. The bill would amend the Parks and Wildlife Code to require the Texas Parks and Wildlife Department (TPWD) to provide recommendations and information in response to a TxDOT request for comments no later than 45 days after the date TPWD receives the request.

Based on the analysis of TxDOT, TPWD, the Historical Commission, and the Texas Commission on Environmental Quality, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources. Based on the information provided by TxDOT, it is assumed the agency would use existing highway planning and construction appropriations to provide funding to other state and federal agencies under agreements for expedited environmental reviews of TxDOT transportation projects.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality, 601 Department of Transportation, 802 Parks and Wildlife Department, 808 Historical Commission

LBB Staff: JOB, KJG, MW, TG, TB