By: Fraser, Watson   S.B. No. 1631

A BILL TO BE ENTITLED

1   AN ACT

2 relating to water management planning by the Lower Colorado River

3 Authority.

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

5   SECTION 1. Chapter 8503, Special District Local Laws Code,

6 is amended by adding Sections 8503.032 and 8503.033 to read as

7 follows:

8   Sec. 8503.032. WATER MANAGEMENT PLAN. (a) In this section

9 and Section 8503.033:

10   (1) "Firm water" means a supply of water for customers

11 of the authority that must be supplied 100 percent of the time

12 without shortage through a repeat of the drought of record.

13   (2) "Interruptible water" means a supply of water for

14 customers of the authority that does not have to be met 100 percent

15 of the time and must be interrupted or curtailed as provided by

16 Subsections (b) and (c).

17   (b) The authority shall interrupt or curtail the supply of

18 water under the authority's certificates of adjudication 14-5478

19 and 14-5482, as amended, pursuant to commitments that are

20 specifically subject to interruption or curtailment, to the extent

21 necessary to allow the authority to satisfy all demands for water

22 under such permits pursuant to all firm, uninterruptible

23 commitments.

24   (c) Supply of interruptible water must be cut off entirely

1 before the authority curtails supplies of firm water or requests

2 that firm water customers institute voluntary drought contingency

3 measures.

4 (d) The authority's water management plan must:

5 (1) ensure that firm water supplies are available to

6 meet all existing and projected demands of firm water customers to

7 the extent provided by:

8 (A) the April 20, 1988, Final Judgment and Decree

9 adjudicating water rights in the Lower Colorado River Basin ("1988

10 Final Judgment and Decree");

11 (B) any orders issued by the commission or

12 predecessor agencies subsequent to the 1988 Final Judgment and

13 Decree approving the authority's water management plan for the

14 operation of Lakes Travis and Buchanan;

15 (C) water rights adjudicated by the 1988 Final

16 Judgment and Decree, and issued by the Commission, as amended; and

17 (D) the provisions of the Water Code, rules of

18 the commission, or other law; and

19 (2) cease all water releases of interruptible water

20 when the combined storage of Lakes Travis and Buchanan is at or

21 below 850,000 acre-feet.

22 Sec. 8503.033. FIRM WATER PROTECTION. Section 8503.032

23 does not, and the legislature does not intend to, diminish,

24 decrease, limit, impair, or modify, in any manner that is

25 detrimental to firm water customers, the authority's commitments or

26 contractual obligations to firm water customers or firm water

27 customers' rights, entitlements, protections, prioritization, or

1 status as either are set forth in:

2 (1) the April 20, 1988, Final Judgment and Decree

3 adjudicating water rights in the Lower Colorado River Basin ("1988

4 Final Judgment and Decree");

5 (2) any orders issued by the commission or predecessor

6 agencies subsequent to the 1988 Final Judgment and Decree approving

7 the authority's water management plan for operation of Lakes Travis

8 and Buchanan;

9 (3) any water management plan of the authority

10 approved by the commission;

11 (4) any permits or certificates of adjudication or

12 amendments of these issued by the commission subsequent to the 1988

13 Final Judgment and Decree;

14 (5) any existing water supply agreements or other

15 agreements between the authority and firm water customers;

16 (6) any rules, policies, or similar guidance documents

17 of the authority;

18 (7) any rules, policies, or similar guidance documents

19 of the commission;

20 (8) the Water Code, this code, or any other law; or

21 (9) any other document.

22 SECTION 2. The Lower Colorado River Authority shall adopt

23 or amend its rules and its water management plan as required to

24 implement Sections 8503.032 and 8503.033, Special District Local

25 Laws Code, as added by this Act.

26 SECTION 3. This Act takes effect September 1, 2013.