

1-1 By: Fraser, Watson S.B. No. 1631  
 1-2 (In the Senate - Filed March 8, 2013; March 20, 2013, read  
 1-3 first time and referred to Committee on Natural Resources;  
 1-4 April 15, 2013, reported favorably by the following vote: Yeas 8,  
 1-5 Nays 3; April 15, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9		X		
1-10	X			
1-11		X		
1-12	X			
1-13	X			
1-14		X		
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to water management planning by the Lower Colorado River  
 1-22 Authority.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 8503, Special District Local Laws Code,  
 1-25 is amended by adding Sections 8503.032 and 8503.033 to read as  
 1-26 follows:

1-27 Sec. 8503.032. WATER MANAGEMENT PLAN. (a) In this section  
 1-28 and Section 8503.033:

1-29 (1) "Firm water" means a supply of water for customers  
 1-30 of the authority that must be supplied 100 percent of the time  
 1-31 without shortage through a repeat of the drought of record.

1-32 (2) "Interruptible water" means a supply of water for  
 1-33 customers of the authority that does not have to be met 100 percent  
 1-34 of the time and must be interrupted or curtailed as provided by  
 1-35 Subsections (b) and (c).

1-36 (b) The authority shall interrupt or curtail the supply of  
 1-37 water under the authority's certificates of adjudication 14-5478  
 1-38 and 14-5482, as amended, pursuant to commitments that are  
 1-39 specifically subject to interruption or curtailment, to the extent  
 1-40 necessary to allow the authority to satisfy all demands for water  
 1-41 under such permits pursuant to all firm, uninterruptible  
 1-42 commitments.

1-43 (c) Supply of interruptible water must be cut off entirely  
 1-44 before the authority curtails supplies of firm water or requests  
 1-45 that firm water customers institute voluntary drought contingency  
 1-46 measures.

1-47 (d) The authority's water management plan must:

1-48 (1) ensure that firm water supplies are available to  
 1-49 meet all existing and projected demands of firm water customers to  
 1-50 the extent provided by:

1-51 (A) the April 20, 1988, Final Judgment and Decree  
 1-52 adjudicating water rights in the Lower Colorado River Basin ("1988  
 1-53 Final Judgment and Decree");

1-54 (B) any orders issued by the commission or  
 1-55 predecessor agencies subsequent to the 1988 Final Judgment and  
 1-56 Decree approving the authority's water management plan for the  
 1-57 operation of Lakes Travis and Buchanan;

1-58 (C) water rights adjudicated by the 1988 Final  
 1-59 Judgment and Decree, and issued by the commission, as amended; and

1-60 (D) the provisions of the Water Code, rules of  
 1-61 the commission, or other law; and

2-1 (2) cease all water releases of interruptible water  
2-2 when the combined storage of Lakes Travis and Buchanan is at or  
2-3 below 850,000 acre-feet.

2-4 Sec. 8503.033. FIRM WATER PROTECTION. Section 8503.032  
2-5 does not, and the legislature does not intend to, diminish,  
2-6 decrease, limit, impair, or modify, in any manner that is  
2-7 detrimental to firm water customers, the authority's commitments or  
2-8 contractual obligations to firm water customers or firm water  
2-9 customers' rights, entitlements, protections, prioritization, or  
2-10 status as either are set forth in:

2-11 (1) the April 20, 1988, Final Judgment and Decree  
2-12 adjudicating water rights in the Lower Colorado River Basin ("1988  
2-13 Final Judgment and Decree");

2-14 (2) any orders issued by the commission or predecessor  
2-15 agencies subsequent to the 1988 Final Judgment and Decree approving  
2-16 the authority's water management plan for operation of Lakes Travis  
2-17 and Buchanan;

2-18 (3) any water management plan of the authority  
2-19 approved by the commission;

2-20 (4) any permits or certificates of adjudication or  
2-21 amendments of these issued by the commission subsequent to the 1988  
2-22 Final Judgment and Decree;

2-23 (5) any existing water supply agreements or other  
2-24 agreements between the authority and firm water customers;

2-25 (6) any rules, policies, or similar guidance documents  
2-26 of the authority;

2-27 (7) any rules, policies, or similar guidance documents  
2-28 of the commission;

2-29 (8) the Water Code, this code, or any other law; or

2-30 (9) any other document.

2-31 SECTION 2. The Lower Colorado River Authority shall adopt  
2-32 or amend its rules and its water management plan as required to  
2-33 implement Sections 8503.032 and 8503.033, Special District Local  
2-34 Laws Code, as added by this Act.

2-35 SECTION 3. This Act takes effect September 1, 2013.

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