

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 27, 2015

The Honorable Joe Straus  
Texas House of Representatives  
Capitol Station  
PO Box 2910  
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 1421, as Filed by Representative Dennis Bonnen-Relating to fees charged by the Coastal Plains Groundwater Conservation District.

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends the enabling statute for the Coastal Plains Groundwater Conservation District (District), Chapter 8831, Special District Local Laws Code, relating to fees charged by the District. The bill provides that the District may assess production fees as authorized by Water Code, §36.205, assess an export fee on groundwater exported from the District not to exceed 150 percent of the maximum wholesale rate charged by the City of Houston, and assess any other fees authorized by Water Code, Chapter 36 to accomplish the regulatory goals of the District.

Sincerely,

A handwritten signature in cursive script that reads "Kellye Rila".

Kellye Rila, Director  
Water Availability Division

cc: The Honorable Jim Keffer, Chairman, House Committee on Natural Resources  
Representative Dennis Bonnen, Texas House of Representatives

LETTER OF TRANSMITTAL  
HOUSE OF REPRESENTATIVES  
STATE OF TEXAS

HB 1421


Bill Number

TO: The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

2/16/2015

Date transmitted to  
Governor's Office

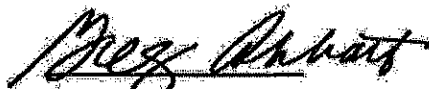
  
Chief Clerk  
House of Representatives

TO: Texas Commission on Environmental Quality  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

3.3.2015

Date transmitted to  
Texas Commission on Environmental Quality

  
Governor

TO: The Honorable Speaker of the House  
The Honorable President of the Senate  
The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality



84R HB 01421

By: Bonnen of Brazoria

H.B. No. 1421

A BILL TO BE ENTITLED

AN ACT

relating to fees charged by the Coastal Plains Groundwater Conservation District.

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

SECTION 1. Section 8831.151, Special District Local Laws Code, is amended to read as follows:

Sec. 8831.151. DISTRICT REVENUE AND FEES. To accomplish the regulatory goals of the district, to pay the district's maintenance and operating costs, and to pay any bonds issued by the district, the district may:

(1) impose an ad valorem tax at a rate not to exceed 2.5 cents for each \$100 of taxable value of property in the district, subject to voter approval;

(2) assess production fees as authorized by Section 36.205, Water Code ~~[for services or for water withdrawn from wells]; [or]~~

(3) solicit and accept grants from any public or private source; and

(4) assess:

(A) an export fee on groundwater exported from the district in an amount not to exceed 150 percent of the maximum wholesale water rate charged by the City of Houston; and

(B) other fees authorized by Chapter 36, Water Code.

H.B. No. 1421

1       SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2015.