

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*

April 16, 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) 1459, as Filed by Representative Dwayne Bohac - Relating to the powers and duties of the West Harris County Regional Water Authority

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 legislation of the West Harris County Regional Water Authority (the "Authority") as follows:

Specifies that the Authority may not annex or add territory to the Authority that, at the time of annexation or addition, is located within the boundaries of both another regional water authority and a subsidence district.

Specifies that the Authority is not a special water authority for the purposes of Texas Water Code Chapter 49.

Makes the Authority's requirement to provide each district or municipality within its boundaries information regarding the share of the capital costs to be paid by the district or municipality and provide each district or municipality the opportunity to fund its share of the capital costs with proceeds from the sale of bonds or fees and charges discretionary rather than mandatory.

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The bill also validates and confirms all previous governmental acts and proceedings of the District that were taken, unless that matter is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or has been held invalid by a final court judgment.

Sincerely,

A handwritten signature in cursive script that reads "Linda Brookins".

Linda Brookins, Director  
Water Supply Division  
Texas Commission on Environmental Quality

cc: Honorable Jim Keffer, Chairman, House Committee on Natural Resources  
Representative Dwayne Bohac, Texas House of Representatives

LETTER OF TRANSMITTAL  
HOUSE OF REPRESENTATIVES  
STATE OF TEXAS

HB 1459

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.

3/24/2015

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.

03/27/2015

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 01459