

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 17, 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) 4149, as Filed by Representative Mark Keough - Relating to the powers, operations, and boundaries of The Woodlands Township; authorizing a fee

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 previous legislation of the The Woodlands Township (the "District") as detailed below.

Specifies that the safe and efficient movement of people by motor vehicle, rail, trolley, bus, bicycle, pedestrian means, waterborne vessel, or other means of transportation is a public purpose of the District.

Specifies that in order to promote business retention, sustain employment, and prevent substandard and blighted housing conditions, the District may merge or consolidate with a qualified association to carry out a function described by this subsection (i.e. contracts and agreements).

Specifies that the District is entitled to receive a certified appraisal roll, an estimate of the taxable value of property in the District, and assistance in determining values of property in the District in the manner provided by the Tax Code for a municipality.

Specifies that the boundaries of the District may be described by metes and bounds, plat, or reference to a previously recorded instrument.

The Honorable Joe Straus
Page 2
April 17, 2015

Specifies that the District may engage in or contract with another person to perform activities that accomplish the transportation and traffic movement purposes of the District, including the acquisition, analysis, construction, design, financing, investigation, implementation, improvement, maintenance, operation, ownership, planning, provision, relocation, repair, replacement, or study of improvement projects, facilities, programs, and services in the District and in areas adjacent to the District for: (1) mass transportation; (2) parking; (3) pedestrian movement; (4) rail systems; (5) traffic movement; (6) transit terminals; (7) waterborne transit; or (8) other modes of transportation and mobility enhancements that reduce congestion or promote or aid in the circulation of traffic and movement of people in the District and in areas adjacent to the District.

Specifies that the District may apply for and receive state and federal transportation funding, including grants or other assistance.

Specifies that the District may contract for an improvement to a boundary highway and consent to the imposition of an assessment by a municipality in the manner provided by the Transportation Code for a municipality.

Specifies that the District may adopt and enforce by ordinary civil remedies rules regarding access to and use of the District's transportation projects, facilities, programs, and services.

Specifies that the District may charge a fare, fee, rate, toll, or other charge for the use of a district transportation project, facility, program, or service.

The bill is similar to Senate Bill 2018 filed this session by Senator Creighton.

It should be noted that TCEQ records indicate that the District's name is Center Improvement District of Montgomery County.

Sincerely,



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

cc: Honorable Garnet Coleman, Chairman, House Committee on County Affairs
Representative Mark Keough, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 4149
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.

3/26/2015
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



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