

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 22, 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) 4175, as Filed by Representative Senfronia Thompson- Relating to eminent domain powers of certain conservation and reclamation districts

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 eminent domain powers for the following conservation and reclamation districts:

Harris County Municipal Utility District No. 5
Harris County Municipal Utility District No. 16
Harris County Municipal Utility District No. 61
Harris County Municipal Utility District No. 150
Harris County Municipal Utility District No. 211
Harris County Municipal Utility District No. 233
Harris County Municipal Utility District No. 483
Harris County Municipal Utility District No. 484
Harris County Municipal Utility District No. 485
Harris County Water Control and Improvement District No. 119
Liberty County Municipal Utility District No. 2
Liberty County Municipal Utility District No. 3
Liberty County Municipal Utility District No. 5
Post Wood Municipal Utility District
West Park Municipal Utility District
East Montgomery County Municipal Utility District no.3
East Montgomery County Municipal Utility District no. 4

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East Montgomery County Municipal Utility District no. 8
East Montgomery County Municipal Utility District no. 9
East Montgomery County Municipal Utility District no. 10
East Montgomery County Municipal Utility District no. 11
East Montgomery County Municipal Utility District no. 12
East Montgomery County Municipal Utility District no. 13
East Montgomery County Municipal Utility District no. 14
Montgomery County Municipal Utility District no. 100
Montgomery County Municipal Utility District no. 101
Encanto Real Utility District
CNP Utility District

The bill specifies that the districts may exercise the power of eminent domain only if the districts submit a letter to the comptroller not later than December 31, 2015. The bill also specifies that the districts may exercise the power of eminent domain on or after the 90th day after the date the districts submit a letter to the comptroller.

Sincerely,



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

cc: Honorable Doug Miller, Chairman, House Committee on Special Purpose Districts
Representative Senfronia Thompson, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 4175
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.

4/8/2015

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.

April 9, 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 04175