

SENATE AMENDMENTS

2nd Printing

By: Larson, Lucio III, Workman, Fallon,
Villalba

H.B. No. 655

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the storage and recovery of water in aquifers;
3 authorizing fees and surcharges; adding provisions subject to a
4 criminal penalty.

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

6 SECTION 1. Sections 11.153(a), (b), and (c), Water Code,
7 are amended to read as follows:

8 (a) In this section, "aquifer storage and recovery project"
9 has the meaning assigned by Section 27.151 [~~The commission shall~~
10 ~~investigate the feasibility of storing appropriated water in~~
11 ~~various types of aquifers around the state by encouraging the~~
12 ~~issuance of temporary or term permits for demonstration projects~~
13 ~~for the storage of appropriated water for subsequent retrieval and~~
14 ~~beneficial use~~].

15 (b) A water right holder or a person who has contracted for
16 the use of water under a contract that does not prohibit the use of
17 the water in an aquifer storage and recovery project may undertake
18 an aquifer storage and recovery project without obtaining any
19 additional authorization under this chapter for the project. A
20 person described by this subsection undertaking an aquifer storage
21 and recovery project must:

22 (1) obtain any required authorizations under
23 Subchapter G, Chapter 27, and Subchapter N, Chapter 36; and

24 (2) comply with the terms of the applicable water

1 right [~~A permit described by Subsection (a) must be for only the~~
2 ~~duration of the pilot project to provide the commission and the~~
3 ~~board further opportunity to evaluate the storage of appropriated~~
4 ~~water in aquifers for subsequent retrieval and beneficial use].~~

5 (c) This section does not preclude the commission from
6 considering an aquifer storage and recovery project to be a
7 component of a project permitted under this chapter that is not
8 required to be based on the continuous availability of historic,
9 normal stream flow [~~At the conclusion of a pilot project, a permit~~
10 ~~holder may file an appropriate application for a permit or permit~~
11 ~~amendment. After considering the success of the project and the~~
12 ~~criteria set out in Section 11.154, the commission shall determine~~
13 ~~whether to issue a permit or permit amendment authorizing the~~
14 ~~continued storage of appropriated water in the aquifer].~~

15 SECTION 2. Chapter 27, Water Code, is amended by adding
16 Subchapter G to read as follows:

17 SUBCHAPTER G. AQUIFER STORAGE AND RECOVERY PROJECTS

18 Sec. 27.151. DEFINITIONS. In this subchapter:

19 (1) "Aquifer storage and recovery project" means a
20 project involving the injection of water into a geologic formation
21 for the purpose of subsequent recovery and beneficial use by the
22 project operator.

23 (2) "ASR injection well" means a Class V injection
24 well used for the injection of water into a geologic formation as
25 part of an aquifer storage and recovery project.

26 (3) "ASR recovery well" means a well used for the
27 recovery of water from a geologic formation as part of an aquifer

1 storage and recovery project.

2 (4) "Native groundwater" means the groundwater
3 naturally occurring in a geologic formation.

4 (5) "Project operator" means a person holding an
5 authorization under this subchapter to undertake an aquifer storage
6 and recovery project.

7 Sec. 27.152. JURISDICTION. The commission has exclusive
8 jurisdiction over the regulation and permitting of ASR injection
9 wells.

10 Sec. 27.153. AUTHORIZATION FOR USE OF CLASS V INJECTION
11 WELLS. (a) The commission may authorize the use of a Class V
12 injection well as an ASR injection well:

- 13 (1) by rule;
14 (2) under an individual permit; or
15 (3) under a general permit.

16 (b) In adopting a rule or issuing a permit under this
17 section, the commission shall consider:

18 (1) whether the injection of water will comply with
19 the standards set forth under the federal Safe Drinking Water Act
20 (42 U.S.C. Section 300f et seq.);

21 (2) the extent to which the cumulative volume of water
22 injected for storage in the receiving geologic formation can be
23 successfully recovered from the geologic formation for beneficial
24 use, taking into account that injected water may be commingled to
25 some degree with native groundwater;

26 (3) the effect of the aquifer storage and recovery
27 project on existing water wells; and

1 (4) whether the introduction of water into the
2 receiving geologic formation will alter the physical, chemical, or
3 biological quality of the native groundwater to a degree that
4 would:

5 (A) render the groundwater produced from the
6 receiving geologic formation harmful or detrimental to people,
7 animals, vegetation, or property; or

8 (B) require an unreasonably higher level of
9 treatment of the groundwater produced from the receiving geologic
10 formation than is necessary for the native groundwater in order to
11 render the groundwater suitable for beneficial use.

12 (c) All wells associated with a single aquifer storage and
13 recovery project must be located within a continuous perimeter
14 boundary of one parcel of land, or two or more adjacent parcels of
15 land under common ownership, lease, joint operating agreement, or
16 contract.

17 (d) The commission by rule shall provide for public notice
18 and comment on a proposed general permit authorized under this
19 section. The commission shall require an applicant for an
20 individual permit authorized under this section to provide notice
21 of the application by first class mail to any groundwater
22 conservation district in which the wells associated with the
23 aquifer storage and recovery project will be located and by
24 publishing notice in a newspaper of general circulation in the
25 county in which the wells will be located.

26 Sec. 27.154. TECHNICAL STANDARDS. (a) The commission shall
27 adopt technical standards governing the approval of the use of a

1 Class V injection well as an ASR injection well.

2 (b) This subsection applies only to an aquifer storage and
3 recovery project proposed to be located in a groundwater
4 conservation district or other special-purpose district with the
5 authority to regulate the withdrawal of groundwater. Except as
6 otherwise provided by this section, the commission shall limit the
7 volume of water that may be recovered by an aquifer storage and
8 recovery project to an amount that does not exceed the amount of
9 water injected under the project. If the commission determines that
10 the proposed injection of water into a geologic formation will
11 result in a loss of injected water or native groundwater, the
12 commission shall impose additional restrictions on the amount of
13 water that may be recovered to account for the loss. The commission
14 may not deny a permit based on a determination that a loss described
15 by this subsection will occur. A limitation imposed under this
16 subsection may not prohibit the production of native groundwater by
17 an aquifer storage and recovery project if the production complies
18 with Subchapter N, Chapter 36.

19 (c) The commission by rule shall prescribe construction and
20 completion standards and metering and reporting requirements for
21 ASR injection wells and ASR recovery wells, including for an ASR
22 injection well that also serves as an ASR recovery well.

23 (d) The commission may not adopt or enforce groundwater
24 quality protection standards for the quality of water injected into
25 an ASR injection well that are more stringent than applicable
26 federal standards.

27 Sec. 27.155. REPORTING OF INJECTION AND RECOVERY VOLUMES.

1 (a) A project operator shall install a meter on each ASR injection
2 well and ASR recovery well associated with the aquifer storage and
3 recovery project.

4 (b) Each calendar month, the project operator shall provide
5 to the commission a written or electronic report showing for the
6 preceding calendar month the volume of water:

7 (1) injected for storage; and

8 (2) recovered for beneficial use.

9 Sec. 27.156. REPORTING OF WATER QUALITY DATA. A project
10 operator shall:

11 (1) perform water quality testing annually on water to
12 be injected into a geologic formation and water recovered from a
13 geologic formation as part of the aquifer storage and recovery
14 project; and

15 (2) provide the results of the testing described by
16 Subdivision (1) in written or electronic form to the commission.

17 Sec. 27.157. OTHER LAWS NOT AFFECTED. (a) This subchapter
18 does not affect the ability to regulate an aquifer storage and
19 recovery project as authorized under:

20 (1) Chapter 626, Acts of the 73rd Legislature, Regular
21 Session, 1993, for the Edwards Aquifer Authority;

22 (2) Chapter 8801, Special District Local Laws Code,
23 for the Harris-Galveston Subsidence District;

24 (3) Chapter 8834, Special District Local Laws Code,
25 for the Fort Bend Subsidence District;

26 (4) Chapter 8802, Special District Local Laws Code,
27 for the Barton Springs-Edwards Aquifer Conservation District; or

1 (5) Chapter 8811, Special District Local Laws Code,
2 for the Corpus Christi Aquifer Storage and Recovery Conservation
3 District.

4 (b) This subchapter does not affect the authority of the
5 commission regarding:

6 (1) recharge projects in certain portions of the
7 Edwards underground reservoir under Sections 11.023(c) and (d); or

8 (2) injection wells that transect or terminate in
9 certain portions of the Edwards Aquifer under Section 27.0516.

10 SECTION 3. Chapter 36, Water Code, is amended by adding
11 Subchapter N to read as follows:

12 SUBCHAPTER N. AQUIFER STORAGE AND RECOVERY PROJECTS

13 Sec. 36.451. DEFINITIONS. In this subchapter, "aquifer
14 storage and recovery project," "ASR injection well," "ASR recovery
15 well," and "project operator" have the meanings assigned by Section
16 27.151.

17 Sec. 36.452. APPLICABILITY TO RECOVERY WELLS THAT ALSO
18 FUNCTION AS INJECTION WELLS. Notwithstanding Section 27.152, this
19 subchapter applies to an ASR recovery well that also functions as an
20 ASR injection well.

21 Sec. 36.453. REGISTRATION AND REPORTING OF WELLS. (a) A
22 project operator shall:

23 (1) register the ASR injection wells and ASR recovery
24 wells associated with the aquifer storage and recovery project with
25 any district in which the wells are located;

26 (2) each calendar month by the deadline established by
27 the commission for reporting to the commission, provide the

1 district with a copy of the written or electronic report required to
2 be provided to the commission under Section 27.155; and

3 (3) annually by the deadline established by the
4 commission for reporting to the commission, provide the district
5 with a copy of the written or electronic report required to be
6 provided to the commission under Section 27.156.

7 (b) If an aquifer storage and recovery project recovers an
8 amount of groundwater that exceeds the volume authorized by the
9 commission to be recovered under the project, the project operator
10 shall report to the district the volume of groundwater recovered
11 that exceeds the volume authorized to be recovered in addition to
12 providing the report required by Subsection (a)(2).

13 Sec. 36.454. PERMITTING, SPACING, AND PRODUCTION
14 REQUIREMENTS. (a) Except as provided by Subsection (b), a district
15 may not require a permit for the drilling, equipping, operation, or
16 completion of an ASR injection well or an ASR recovery well that is
17 authorized by the commission.

18 (b) The ASR recovery wells that are associated with an
19 aquifer storage and recovery project are subject to the permitting,
20 spacing, and production requirements of the district if the amount
21 of groundwater recovered from the wells exceeds the volume
22 authorized by the commission to be recovered under the project. The
23 requirements of the district apply only to the portion of the volume
24 of groundwater recovered from the ASR recovery wells that exceeds
25 the volume authorized by the commission to be recovered.

26 (c) A project operator may not recover groundwater by an
27 aquifer storage and recovery project in an amount that exceeds the

1 volume authorized by the commission to be recovered under the
2 project unless the project operator complies with the applicable
3 requirements of a district as described by this section.

4 Sec. 36.455. FEES AND SURCHARGES. (a) A district may not
5 assess a production fee or a transportation or export fee or
6 surcharge for groundwater recovered from an ASR recovery well,
7 except to the extent that the amount of groundwater recovered under
8 the aquifer storage and recovery project exceeds the volume
9 authorized by the commission to be recovered.

10 (b) A district may assess a well registration fee or other
11 administrative fee for an ASR recovery well in the same manner that
12 the district assesses such a fee for other wells registered with the
13 district.

14 Sec. 36.456. DESIRED FUTURE CONDITIONS. A district may
15 consider hydrogeologic conditions related to the injection and
16 recovery of groundwater as part of an aquifer storage and recovery
17 project in the planning for and monitoring of the achievement of a
18 desired future condition for the aquifer in which the wells
19 associated with the project are located.

20 Sec. 36.457. OTHER LAWS NOT AFFECTED. This subchapter does
21 not affect the ability to regulate groundwater as authorized under:

22 (1) Chapter 626, Acts of the 73rd Legislature, Regular
23 Session, 1993, for the Edwards Aquifer Authority;

24 (2) Chapter 8801, Special District Local Laws Code,
25 for the Harris-Galveston Subsidence District;

26 (3) Chapter 8834, Special District Local Laws Code,
27 for the Fort Bend Subsidence District;

1 (4) Chapter 8802, Special District Local Laws Code,
2 for the Barton Springs-Edwards Aquifer Conservation District; or

3 (5) Chapter 8811, Special District Local Laws Code,
4 for the Corpus Christi Aquifer Storage and Recovery Conservation
5 District.

6 SECTION 4. The following sections of the Water Code are
7 repealed:

8 (1) Sections 11.153(d) and (e);

9 (2) Section 11.154; and

10 (3) Section 11.155.

11 SECTION 5. Not later than May 1, 2016, the Texas Commission
12 on Environmental Quality shall adopt rules to implement Section
13 11.153, Water Code, as amended by this Act, and Subchapter G,
14 Chapter 27, Water Code, as added by this Act.

15 SECTION 6. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2015.

ADOPTED

MAY 18 2015

Atty Gen
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Van Taylor*

Amend H.B. No. 655 (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTION to the bill:

SECTION ____ . Section 11.155, Water Code, is amended to read as follows:

Sec. 11.155. AQUIFER STORAGE AND RECOVERY [~~PILOT PROJECT~~] REPORTS. [~~(a) On completion of each pilot project, the board and the commission jointly shall:~~

~~[(1) prepare a report evaluating the success of the project; and~~

~~[(2) provide copies of the report to the governor, lieutenant governor, and speaker of the house of representatives.~~

~~[(b)]~~ The board shall make [~~ether~~] studies, investigations, and surveys of the aquifers in the state as it considers necessary to determine the occurrence, quantity, quality, and availability of [~~ether~~] aquifers in which water may be stored and subsequently retrieved for beneficial use. The board shall undertake the studies, investigations, and surveys in the following order of priority:

(1) [~~the aquifers described in Section 11.153(a);~~

~~[(2)]~~ areas designated by the commission as "priority groundwater management areas" under Section 35.008; and

(2) [~~(3)]~~ other areas of the state in a priority to be determined by the board's ranking of where the greatest need exists.

(2) Strike SECTION 4 of the bill (page 4, lines 65 through 69) and substitute the following appropriately numbered SECTION:

SECTION _____. The following sections of the Water Code are repealed:

- (1) Sections 11.153(d) and (e); and
- (2) Section 11.154.
- (3) Renumber the SECTIONS of the bill accordingly.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 19, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB655** by Larson (Relating to the storage and recovery of water in aquifers; authorizing fees and surcharges; adding provisions subject to a criminal penalty.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would remove the water rights requirement for term permits or existing permit amendments for sourcing surface water for aquifer storage and recovery projects for water rights holders and persons who have contracted for the use of water that does not prohibit an aquifer storage and recovery project. It also removes the requirement for completed pilot projects prior to permitting.

The Texas Commission on Environmental Quality (TCEQ) would be given exclusive jurisdiction over the regulation and permitting of aquifer storage and recovery wells. The bill would clarify considerations that TCEQ would use in issuing a Class V underground injection control permit for an aquifer storage and recovery well (complying with the federal Safe Drinking Water Act, percentage of stored water which can be recovered, effect on existing wells, and whether the introduction of water will alter the physical, chemical, or biological quality of the native groundwater to a specified degree). If TCEQ would determine that some injected water may result in a loss of native groundwater, the commission would place additional restrictions on the amount of water that could be recovered to account for the loss. This authorization could be made by rule, under an individual permit, or under a general permit. The TCEQ would be required to adopt rules to implement the above provisions no later than May 1, 2016.

The bill would mandate that groundwater conservation districts (GCDs) not require permits for the drilling and operation of aquifer storage or recovery wells except where the amount recovered is greater than the amount authorized as part of the TCEQ Class V permit. In such cases, the amount recovered in excess of authorization would be subject to district rules. Districts could consider the aquifer storage and recovery operation's effect during planning and monitoring of the achievement of desired future conditions. The bill would further provide that GCDs may assess well registration and administrative fees but may not assess production or export fees or surcharges except for recovered water amounts in excess of those authorized by TCEQ.

The bill would remove a requirement that TWDB and TCEQ prepare an evaluation report on the success of each aquifer pilot project.

TCEQ and TWDB expect no significant costs in implementing the provisions of the bill.

Local Government Impact

Upon passage of the bill, GCDs would be able to collect fees to register withdrawal wells or cover other administrative fees. A district would be authorized to assess a production fee or a transportation fee or surcharge on an aquifer storage or recovery project to the extent the production volume exceeds the volume injected. The potential revenue increase to GCDs would depend on the extent to which such entities experience circumstances that would provide for the assessment of fees.

Source Agencies: 304 Comptroller of Public Accounts, 580 Water Development Board, 582 Commission on Environmental Quality, 455 Railroad Commission

LBB Staff: UP, SZ, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 8, 2015

TO: Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB655 by Larson (Relating to the storage and recovery of water in aquifers; authorizing fees and surcharges; adding provisions subject to a criminal penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would remove the water rights requirement for term permits or existing permit amendments for sourcing surface water for aquifer storage and recovery projects for water rights holders and persons who have contracted for the use of water that does not prohibit an aquifer storage and recovery project. It also removes the requirement for completed pilot projects prior to permitting.

The Texas Commission on Environmental Quality (TCEQ) would be given exclusive jurisdiction over the regulation and permitting of aquifer storage and recovery wells. The bill would clarify considerations that TCEQ would use in issuing a Class V underground injection control permit for an aquifer storage and recovery well (complying with the federal Safe Drinking Water Act, percentage of stored water which can be recovered, effect on existing wells, and whether the introduction of water will alter the physical, chemical, or biological quality of the native groundwater to a specified degree). If TCEQ would determine that some injected water may result in a loss of native groundwater, the commission would place additional restrictions on the amount of water that could be recovered to account for the loss. This authorization could be made by rule, under an individual permit, or under a general permit. The TCEQ would be required to adopt rules to implement the above provisions no later than May 1, 2016.

The bill would mandate that groundwater conservation districts (GCDs) not require permits for the drilling and operation of aquifer storage or recovery wells except where the amount recovered is greater than the amount authorized as part of the TCEQ Class V permit. In such cases, the amount recovered in excess of authorization would be subject to district rules. Districts could consider the aquifer storage and recovery operation's effect during planning and monitoring of the achievement of desired future conditions. The bill would further provide that GCDs may assess well registration and administrative fees but may not assess production or export fees or surcharges except for recovered water amounts in excess of those authorized by TCEQ.

TCEQ and TWDB expect no significant costs in implementing the provisions of the bill.

Local Government Impact

Upon passage of the bill, GCDs would be able to collect fees to register withdrawal wells or cover other administrative fees. A district would be authorized to assess a production fee or a transportation fee or surcharge on an aquifer storage or recovery project to the extent the production volume exceeds the volume injected. The potential revenue increase to GCDs would depend on the extent to which such entities experience circumstances that would provide for the assessment of fees.

Source Agencies: 304 Comptroller of Public Accounts, 455 Railroad Commission, 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 8, 2015

TO: Honorable Jim Keffer, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB655 by Larson (relating to the storage and recovery of water in aquifers; authorizing fees and surcharges; adding provisions subject to a criminal penalty.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would remove the water rights requirement for term permits or existing permit amendments for sourcing surface water for aquifer storage and recovery projects for water rights holders and persons who have contracted for the use of water that does not prohibit an aquifer storage and recovery project. It also removes the requirement for completed pilot projects prior to permitting.

The Texas Commission on Environmental Quality (TCEQ) would be given exclusive jurisdiction over the regulation and permitting of aquifer storage and recovery wells. The bill would clarify considerations that TCEQ would use in issuing a Class V underground injection control permit for an aquifer storage and recovery well (complying with the federal Safe Drinking Water Act, percentage of stored water which can be recovered, effect on existing wells, and whether the introduction of water will alter the physical, chemical, or biological quality of the native groundwater to a specified degree). If TCEQ would determine that some injected water may result in a loss of native groundwater, the commission would place additional restrictions on the amount of water that could be recovered to account for the loss. This authorization could be made by rule, under an individual permit, or under a general permit. The TCEQ would be required to adopt rules to implement the above provisions no later than May 1, 2016.

The bill would mandate that groundwater conservation districts (GCDs) not require permits for the drilling and operation of aquifer storage or recovery wells except where the amount recovered is greater than the amount authorized as part of the TCEQ Class V permit. In such cases, the amount recovered in excess of authorization would be subject to district rules. Districts could consider the aquifer storage and recovery operation's effect during planning and monitoring of the achievement of desired future conditions. The bill would further provide that GCDs may assess well registration and administrative fees but may not assess production or export fees or surcharges except for recovered water amounts in excess of those authorized by TCEQ.

TCEQ and TWDB expect no significant costs in implementing the provisions of the bill.

Local Government Impact

Upon passage of the bill, GCDs would be able to collect fees to register withdrawal wells or cover other administrative fees. A district would be authorized to assess a production fee or a transportation fee or surcharge on an aquifer storage or recovery project to the extent the production volume exceeds the volume injected. The potential revenue increase to GCDs would depend on the extent to which such entities experience circumstances that would provide for the assessment of fees.

Source Agencies: 304 Comptroller of Public Accounts, 455 Railroad Commission, 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 31, 2015

TO: Honorable Jim Keffer, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB655 by Larson (Relating to the storage and recovery of water in aquifers; authorizing fees and surcharges.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would remove the water rights requirement for term permits or existing permit amendments for sourcing surface water for aquifer storage and recovery projects. It also removes the requirement for completed pilot projects prior to permitting.

The Texas Commission on Environmental Quality (TCEQ) would be given exclusive jurisdiction over the regulation and permitting of aquifer storage and recovery wells. The bill would clarify considerations that TCEQ would use in issuing a Class V underground injection control permit for an aquifer storage and recovery well (complying with the federal Safe Drinking Water Act, percentage of stored water which can be recovered, effect on existing wells, and potential groundwater degradation). If TCEQ would determine that some injected water may not be recoverable, the commission may place additional restrictions on the authorized recovery amount. This authorization could be made by rule, under an individual permit, or under a general permit. The TCEQ would be required to adopt rules to implement the above provisions no later than May 1, 2016.

The bill would mandate that groundwater conservation districts (GCDs) not require permits for the drilling and operation of aquifer storage or recovery wells except where the amount recovered is greater than the amount authorized as part of the TCEQ Class V permit. In such cases, the amount recovered in excess of authorization would be subject to district rules. Districts could consider the aquifer storage and recovery operation's effect during planning and monitoring of the achievement of desired future conditions. The bill would further provide that GCDs may assess well registration and administrative fees but may not assess production or export fees or surcharges except for recovered water amounts in excess of those authorized by TCEQ.

The bill would remove language requiring Texas Water Development Board's (TWDB) participation and reporting of aquifer storage and recovery pilot projects authorized by TCEQ.

TCEQ and TWDB expect no significant costs in implementing the provisions of the bill.

Local Government Impact

Upon passage of the bill, GCDs would be able to collect fees to register withdrawal wells or cover other administrative fees. A district would be authorized to assess a production fee or a transportation fee or surcharge on an aquifer storage or recovery project to the extent the production volume exceeds the volume injected. The potential revenue increase to GCDs would depend on the extent to which such entities experience circumstances that would provide for the assessment of fees.

Source Agencies: 304 Comptroller of Public Accounts, 455 Railroad Commission, 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, TL