

By: Lucio III

H.B. No. 1862

Substitute the following for H.B. No. 1862:

By: Larson

C.S.H.B. No. 1862

A BILL TO BE ENTITLED

AN ACT

relating to the designation of certain river or stream segments as being of unique ecological value.

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

SECTION 1. The legislature, as authorized by Section 16.051(f), Water Code, designates as being of unique ecological value the following river or stream segments:

(1) Alamito Creek in Presidio County solely within the boundary of the Trans Pecos Water Trust;

(2) Black Cypress Bayou from its confluence with Big Cypress Bayou in south central Marion County upstream to its confluence with Black Cypress Creek east of Avinger in southern Cass County;

(3) Black Cypress Creek from its confluence with Black Cypress Bayou east of Avinger in southern Cass County upstream to its headwaters located four miles northeast of Daingerfield in eastern Morris County; and

(4) Terlingua Creek in Brewster County solely within the boundary of Big Bend National Park.

SECTION 2. The designation of a river or stream segment as being of unique ecological value under Section 1 of this Act:

(1) means only that a state agency or political subdivision of the state may not finance the actual construction of a reservoir in the designated segment;

1 (2) does not affect the ability of a state agency or
2 political subdivision of the state to construct, operate, maintain,
3 or replace a weir, a water diversion, flood control, drainage, or
4 water supply system, a low water crossing, or a recreational
5 facility in the designated segment;

6 (3) does not prohibit the permitting, financing,
7 construction, operation, maintenance, or replacement of any water
8 management strategy to meet projected water supply needs
9 recommended in, or designated as an alternative in, a 2016 regional
10 water plan; and

11 (4) does not alter any existing property right of an
12 affected landowner.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2017.