

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 25, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1511 by Perry (Relating to the state and regional water planning process and the funding of projects included in the state water plan.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Water Code to require the Texas Water Development Board (TWDB) to prioritize State Water Implementation Fund for Texas (SWIFT) projects by regional water planning groups (RWPGs). The bill would add additional requirements to be included in the state water plan regarding projects previously given a high priority by TWDB for SWIFT funding. The bill would make changes to the membership, authority, and duties of RWPGs. The bill would add several new requirements to the development of regional water plans, including identification of unnecessary or counterproductive variations in drought response strategies, assessment of the potential for aquifer storage and recovery projects to meet significant water needs identified in a planning area, and providing specific goals of per capita water use for municipal water groups.

The bill would designate certain rivers or stream segments as unique ecological value. The bill would clarify that projects relating to the use of surface water for aquifer storage and recovery projects could consist of multiple sources of water, including a new appropriation. The bill would allow the sources of water for aquifer storage and recovery projects to be from water that is not continuously available, be a diversion from a watercourse that would otherwise flow into the Gulf of Mexico, and would prohibit projects that would negatively affect existing water rights in the same river basin or applicable environmental flow standards. The bill would authorize the Texas Commission on Environmental Quality (TCEQ) to amend approved reservoir storage projects and convert them to aquifer storage and recovery projects. The bill would allow TCEQ to adopt rules for an expedited application process for water right applications and amendments. The bill would allow TCEQ, under certain circumstances, to issue a permit for the injection of fresh water into a well that transects the Edwards Aquifer that is within the external boundaries of the Barton Springs-Edwards Aquifer Conservations District.

Based on the analysis of TWDB, TCEQ, the Railroad Commission, the Comptroller of Public Accounts, the Department of Agriculture, the Soil and Water Conservation Board, and the Parks and Wildlife Department, duties and responsibilities associated with implementing provisions of the bill could be accomplished with existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 580 Water Development Board, 304 Comptroller of Public Accounts, 551 Department of Agriculture, 592 Soil and Water Conservation Board, 802 Parks and Wildlife Department

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