

## **BILL ANALYSIS**

Senate Research Center  
86R29721 BRG-F

C.S.S.B. 978  
By: Hughes  
Water & Rural Affairs  
5/13/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 978 would request a joint interim committee study on the feasibility and desirability of converting quarry and surface mine pits (i.e., sand, gravel, and other minerals mined in Texas) for use as water storage reservoirs to enhance the state's available water supply.

- The study would include:
- an overall inventory map visually depicting the size and scope of the areas impacted by potentially developing these new water resources;
- developed pond tables of the numbers associated with the study that address capacity potential, water quality, and sustainability; ? reclamation status of candidate sites;
- regulatory review (current RCT, COE, and delineation), impact consideration with OSM oversight, Texas Commission on Environmental Quality, COE, U.S. Fish and Wildlife Service, and Texas Parks and Wildlife Department, and a complete review of the issues, constraints, and revisions that may be present to convert final mine pits and quarries into water reservoirs;
- estimated completion costs for water resource vs current approved plan costs to fill in and regrade to AOC intended to reflect the significant cost savings to the industry if they are allowed to reclaim their final pits and quarries into large ponds rather than to backfill with soil; and
- a conclusion section of the study to pull together the timing, and the net effect of a statewide initiative to develop these potential significant water resource facilities.

The committee shall report to the governor and the legislature the findings of the study and any recommendations developed by the committee. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 978 amends current law relating to a study of the conversion of surface mine pits and quarries to water storage reservoirs in order to enhance this state's available water supply.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. (a) Requires the legislature to establish a joint interim committee (committee) to study the conversion of surface mine pits and quarries to water storage reservoirs in order to enhance this state's available water supply.

(b) Sets forth the composition of the committee.

(c) Prohibits the lieutenant governor or the speaker of the house of representatives, as applicable, from appointing more than three members from a committee described by Subsection (b) of this section to the committee.

(d) Requires the lieutenant governor and the speaker of the house of representatives to jointly designate a chair or, alternatively, designate two co-chairs from among the committee membership.

(e) Authorizes the committee to adopt rules necessary to carry out the committee's duties under this section.

(f) Requires the Texas Commission on Environmental Quality, the Railroad Commission of Texas, and the Texas Water Development Board to provide administrative support and resources to the committee.

(g) Requires the committee, not later than December 1, 2020, to prepare and deliver a report to the governor and the legislature that contains certain information.

(h) Provides that the committee is abolished and this Act expires January 12, 2021.

SECTION 2. Effective date: September 1, 2019.