By:  Hughes S.B. No. 978

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1.  (a)  The legislature shall establish a joint interim 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)  The joint interim committee is composed of:

(1)  members of the Senate Natural Resources and Economic Development Committee appointed by the lieutenant governor;

(2)  members of the Senate Water and Rural Affairs Committee appointed by the lieutenant governor;

(3)  members of the House Natural Resources Committee appointed by the speaker of the house of representatives; and

(4)  members of the House Energy Resources Committee appointed by the speaker of the house of representatives.

(c)  The lieutenant governor or the speaker of the house of representatives, as applicable, may not appoint more than three members from a committee described by Subsection (b) of this section to the joint interim committee.

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

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

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

(g)  Not later than December 1, 2020, the committee shall prepare and deliver a report to the governor and the legislature that:

(1)  provides an overview of:

(A)  the lignite industry in this state and final reclamation practices of that industry; and

(B)  large sand and gravel producers in this state;

(2)  identifies surface mine pits and quarries that could potentially be used as water storage reservoirs and provides the following information for each location:

(A)  the volume of water that could be stored at the location;

(B)  the predicted water quality of a reservoir created at the location;

(C)  the predicted effect on watersheds surrounding a reservoir created at the location;

(D)  the sustainability of a reservoir created at the location;

(E)  the reclamation status of the location;

(F)  information needed to assess ownership issues at the location, including any constraint that the ownership of the property may impose on the use of the property as a reservoir;

(G)  a comparison of the estimated cost of converting the location into a reservoir and the estimated cost of filling in and regrading the location to the approximate original contour; and

(H)  the economic impact on communities near the location, including how revenue from the sale of water stored at the location could be used to promote economic development, trade or vocational schools, and health care in those communities;

(3)  contains a map of the locations identified under Subdivision (2) of this subsection;

(4)  provides a review of the regulatory issues and constraints associated with converting surface mine pits and quarries into reservoirs;

(5)  summarizes the effect that a statewide initiative to convert surface mine pits and quarries into reservoirs would have on state water resources; and

(6)  considers setback requirements and other restrictions on development to prevent shoreline development that would interfere with necessary withdrawals of water from surface mine pits and quarries that have been converted into reservoirs.

(h)  The committee is abolished and this Act expires January 12, 2021.

SECTION 2.  This Act takes effect September 1, 2019.