

By: Hughes

S.B. No. 978

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to a study of the conversion of surface mine pits and  
3 quarries to water storage reservoirs in order to enhance this  
4 state's available water supply.

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

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

10 (b) The joint interim committee is composed of:

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

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

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

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

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

24 (d) The lieutenant governor and the speaker of the house of

1 representatives shall jointly designate a chair or, alternatively,  
2 designate two co-chairs from among the committee membership.

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

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

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

12 (1) provides an overview of:

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

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

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

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

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

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

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

1 (E) the reclamation status of the location;

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

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

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

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

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

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

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

26 (h) The committee is abolished and this Act expires January  
27 12, 2021.

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