

1-1 By: Hughes S.B. No. 978  
 1-2 (In the Senate - Filed February 21, 2019; March 1, 2019,  
 1-3 read first time and referred to Committee on Water & Rural Affairs;  
 1-4 May 14, 2019, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; May 14, 2019,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 978 By: Kolthorst

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to a study of the conversion of surface mine pits and  
 1-20 quarries to water storage reservoirs in order to enhance this  
 1-21 state's available water supply.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. (a) The legislature shall establish a joint  
 1-24 interim committee to study the conversion of surface mine pits and  
 1-25 quarries to water storage reservoirs in order to enhance this  
 1-26 state's available water supply.

1-27 (b) The joint interim committee is composed of:

1-28 (1) members of the Senate Natural Resources and  
 1-29 Economic Development Committee appointed by the lieutenant  
 1-30 governor;

1-31 (2) members of the Senate Water and Rural Affairs  
 1-32 Committee appointed by the lieutenant governor;

1-33 (3) members of the House Natural Resources Committee  
 1-34 appointed by the speaker of the house of representatives; and

1-35 (4) members of the House Energy Resources Committee  
 1-36 appointed by the speaker of the house of representatives.

1-37 (c) The lieutenant governor or the speaker of the house of  
 1-38 representatives, as applicable, may not appoint more than three  
 1-39 members from a committee described by Subsection (b) of this  
 1-40 section to the joint interim committee.

1-41 (d) The lieutenant governor and the speaker of the house of  
 1-42 representatives shall jointly designate a chair or, alternatively,  
 1-43 designate two co-chairs from among the committee membership.

1-44 (e) The committee may adopt rules necessary to carry out the  
 1-45 committee's duties under this section.

1-46 (f) The Texas Commission on Environmental Quality, the  
 1-47 Railroad Commission of Texas, and the Texas Water Development Board  
 1-48 shall provide administrative support and resources to the  
 1-49 committee.

1-50 (g) Not later than December 1, 2020, the committee shall  
 1-51 prepare and deliver a report to the governor and the legislature  
 1-52 that:

1-53 (1) provides an overview of:

1-54 (A) the lignite industry in this state and final  
 1-55 reclamation practices of that industry; and

1-56 (B) large sand and gravel producers in this  
 1-57 state;

1-58 (2) identifies surface mine pits and quarries that  
 1-59 could potentially be used as water storage reservoirs and provides  
 1-60 the following information for each location:

2-1 (A) the volume of water that could be stored at  
2-2 the location;  
2-3 (B) the predicted water quality of a reservoir  
2-4 created at the location;  
2-5 (C) the predicted effect on watersheds  
2-6 surrounding a reservoir created at the location;  
2-7 (D) the sustainability of a reservoir created at  
2-8 the location;  
2-9 (E) the reclamation status of the location;  
2-10 (F) information needed to assess ownership  
2-11 issues at the location, including any constraint that the ownership  
2-12 of the property may impose on the use of the property as a  
2-13 reservoir;  
2-14 (G) a comparison of the estimated cost of  
2-15 converting the location into a reservoir and the estimated cost of  
2-16 filling in and regrading the location to the approximate original  
2-17 contour; and  
2-18 (H) the economic impact on communities near the  
2-19 location, including how revenue from the sale of water stored at the  
2-20 location could be used to promote economic development, trade or  
2-21 vocational schools, and health care in those communities;  
2-22 (3) contains a map of the locations identified under  
2-23 Subdivision (2) of this subsection;  
2-24 (4) provides a review of the regulatory issues and  
2-25 constraints associated with converting surface mine pits and  
2-26 quarries into reservoirs;  
2-27 (5) summarizes the effect that a statewide initiative  
2-28 to convert surface mine pits and quarries into reservoirs would  
2-29 have on state water resources; and  
2-30 (6) considers setback requirements and other  
2-31 restrictions on development to prevent shoreline development that  
2-32 would interfere with necessary withdrawals of water from surface  
2-33 mine pits and quarries that have been converted into reservoirs.  
2-34 (h) The committee is abolished and this Act expires January  
2-35 12, 2021.  
2-36 SECTION 2. This Act takes effect September 1, 2019.

2-37

\* \* \* \* \*