

By: Hughes

S.B. No. 699

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, Agriculture and Rural
15 Affairs 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 as necessary to carry out
4 the committee's duties under this Act.

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, 2022, 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; and

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;

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

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

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

18 (h) The committee is abolished and this Act expires January
19 10, 2023.

20 SECTION 2. This Act takes effect September 1, 2021.