

## **BILL ANALYSIS**

Senate Research Center

H.B. 2078  
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Water, Agriculture and Rural Affairs  
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Engrossed

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

The 87th Texas Legislature's House Natural Resources Committee's Interim Report made recommendations regarding the tracking and achievement of the desired future condition (DFC) planning goals for aquifers that are developed in the joint planning process, and adopted by groundwater conservation districts. H.B. 2078 seeks to address the issue of how districts demonstrate that their present-day aquifer management activities are on track to achieve the DFCs, which are established for approximately 50 years into the future, by requiring districts to address DFC tracking and achievement in their management plans, to discuss such a plan and achievement at least once each five-year cycle of the joint planning process, to include additional information in the DFC explanatory report regarding changes in DFC from one five-year cycle to another and regarding DFC achievement performance, and to adopt interim values for DFCs at certain intervals within the 50-year joint planning period.

H.B. 2078 amends current law relating to the joint planning of desired future conditions in groundwater management areas.

### **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. Amends Section 36.1071(e), Water Code, as follows:

(e) Requires a groundwater conservation (district), in the management plan described under Subsection (a) (relating to requiring the district to develop a management plan that addresses certain management goals), to identify certain criteria, including an explanation in plain language of how the district is monitoring and tracking the achievement of the desired future conditions established under Section 36.108 (Joint Planning in Management Area) and the district has performed in achieving the desired future conditions established under Section 36.108 over the preceding five-year joint planning period.

SECTION 2. Amends Section 36.108, Water Code, by amending Subsections (c) and (d-3) and adding Subsections (c-1) and (d-1a), as follows:

(c) Requires the district representatives to review certain items, including not less than once during each five-year period described by Subsection (d) (relating to requiring the district to consider groundwater availability models and other data or certain information for the management area), the management plans of each district in the management area. Makes nonsubstantive changes.

(c-1) Creates this subsection from existing text. Requires the district, in reviewing the management plans under Subsection (c), to consider certain matters, including the degree to which each district is achieving, rather than each management plan achieves, the desired future conditions established during the joint planning process through the

implementation of the district's management plan and rules. Makes nonsubstantive changes.

(d-1a) Requires the district representatives to:

(1) adopt desired future conditions under this section for each approximately 50-year planning period identified by the executive administrator for the preparation of state and regional water plans; and

(2) identify interim values for the desired future conditions adopted under Subdivision (1) for time periods not to exceed 10 years solely to assist the districts in monitoring interim progress in achieving the desired future conditions adopted for the approximately 50-year planning period.

(d-3) Requires that a desired future conditions explanatory report for the management area include certain information, including an explanation in plain language of why a desired future condition adopted for an aquifer was changed if the desired future condition is different from the desired future condition adopted for the aquifer over the preceding five-year joint planning period and include a summary of how each district is performing in achieving the desired future conditions. Makes nonsubstantive changes.

SECTION 3. Effective date: upon passage or September 1, 2025.