

By: Nichols, West

S.B. No. 1121

A BILL TO BE ENTITLED

AN ACT

relating to excepting certain fiber-optic cable projects from certain notice requirements for projects on state or local public land.

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

SECTION 1. Section [191.0525](#)(e), Natural Resources Code, is amended to read as follows:

(e) There exist categorical exclusions since many activities conducted on nonfederal public land have little, if any, chance to damage archeological sites, and therefore should not require notification under this section. The following are categorical exclusions at a minimum:

- (1) water injection into existing oil and gas wells;
- (2) upgrading of electrical transmission lines when there will be no new disturbance of the existing easement;
- (3) seismic exploration activity when there is no ground penetration or disturbance;
- (4) building and repairing fences that do not require construction or modification of associated roads, fire breaks, or previously disturbed ground;
- (5) road maintenance that does not involve widening or lengthening the road;
- (6) installation or replacement of meter taps;
- (7) controlled burning of fields;

(8) animal grazing;

(9) plowing, if the techniques are similar to those used previously;

(10) installation of monuments and sign posts unless within the boundaries of designated historic districts;

(11) maintenance of existing trails;

(12) land sales and trades of land held by the permanent school fund and permanent university fund;

(13) permanent school fund and permanent university fund leases, easements, and permits, including mineral leases and pooling agreements, in which the lessee, grantee, or permittee is specifically required to comply with the provisions of this chapter;

(14) oil, gas, or other mineral exploration, production, processing, marketing, refining, or transportation facility or pipeline project in an area where the project will cross state or local public roads, rivers, and streams, unless they contain a recorded archeological site or a designated state land tract in Texas' submerged lands;

(15) maintenance, operation, replacement, or minor modification of an existing oil, gas, or other mineral exploration, production, processing, marketing, refining, or transportation facility or pipeline; ~~and~~

(16) installation, maintenance, operation, replacement, or minor modification of buried fiber-optic cables located in the right-of-way of an existing road; and

(17) any project for which a state permit application

1 has been made prior to promulgation of rules under this section.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2025.