

By: Nichols, et al.
(Metcalf)

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;

1 (8) animal grazing;

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

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

6 (11) maintenance of existing trails;

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

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

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

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

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

27 (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.