

1-1 By: Eltife S.B. No. 1101
1-2 (In the Senate - Filed March 9, 2015; March 16, 2015, read
1-3 first time and referred to Committee on Agriculture, Water, and
1-4 Rural Affairs; April 1, 2015, reported favorably by the following
1-5 vote: Yeas 6, Nays 0, 1 present not voting; April 1, 2015, sent to
1-6 printer.)

1-7 COMMITTEE VOTE

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

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to the authority to determine the supply of groundwater in
1-19 certain regional water plans.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 16.053(e), Water Code, is amended to
1-22 read as follows:

1-23 (e) Each regional water planning group shall submit to the
1-24 development board a regional water plan that:

1-25 (1) is consistent with the guidance principles for the
1-26 state water plan adopted by the development board under Section
1-27 16.051(d);

1-28 (2) provides information based on data provided or
1-29 approved by the development board in a format consistent with the
1-30 guidelines provided by the development board under Subsection (d);

1-31 (2-a) is consistent with the desired future conditions
1-32 adopted under Section 36.108 for the relevant aquifers located in
1-33 the regional water planning area as of the date the board most
1-34 recently adopted a state water plan under Section 16.051 or, at the
1-35 option of the regional water planning group, established subsequent
1-36 to the adoption of the most recent plan; provided, however, that if
1-37 no groundwater conservation district exists within the area of the
1-38 regional water planning group, the regional water planning group
1-39 shall determine the supply of groundwater for regional planning
1-40 purposes;

1-41 (3) identifies:

1-42 (A) each source of water supply in the regional
1-43 water planning area, including information supplied by the
1-44 executive administrator on the amount of modeled available
1-45 groundwater in accordance with the guidelines provided by the
1-46 development board under Subsections (d) and (f);

1-47 (B) factors specific to each source of water
1-48 supply to be considered in determining whether to initiate a
1-49 drought response;

1-50 (C) actions to be taken as part of the response;
1-51 and

1-52 (D) existing major water infrastructure
1-53 facilities that may be used for interconnections in the event of an
1-54 emergency shortage of water;

1-55 (4) has specific provisions for water management
1-56 strategies to be used during a drought of record;

1-57 (5) includes but is not limited to consideration of
1-58 the following:

1-59 (A) any existing water or drought planning
1-60 efforts addressing all or a portion of the region;

1-61 (B) approved groundwater conservation district

management plans and other plans submitted under Section 16.054;

(C) all potentially feasible water management strategies, including but not limited to improved conservation, reuse, and management of existing water supplies, conjunctive use, acquisition of available existing water supplies, and development of new water supplies;

(D) protection of existing water rights in the region;

(E) opportunities for and the benefits of developing regional water supply facilities or providing regional management of water supply facilities;

(F) appropriate provision for environmental water needs and for the effect of upstream development on the bays, estuaries, and arms of the Gulf of Mexico and the effect of plans on navigation;

(G) provisions in Section 11.085(k)(1) if interbasin transfers are contemplated;

(H) voluntary transfer of water within the region using, but not limited to, regional water banks, sales, leases, options, subordination agreements, and financing agreements; and

(I) emergency transfer of water under Section 11.139, including information on the part of each permit, certified filing, or certificate of adjudication for nonmunicipal use in the region that may be transferred without causing unreasonable damage to the property of the nonmunicipal water rights holder;

(6) identifies river and stream segments of unique ecological value and sites of unique value for the construction of reservoirs that the regional water planning group recommends for protection under Section 16.051;

(7) assesses the impact of the plan on unique river and stream segments identified in Subdivision (6) if the regional water planning group or the legislature determines that a site of unique ecological value exists;

(8) describes the impact of proposed water projects on water quality; and

(9) includes information on:

(A) projected water use and conservation in the regional water planning area; and

(B) the implementation of state and regional water plan projects, including water conservation strategies, necessary to meet the state's projected water demands.

SECTION 2. This Act takes effect September 1, 2015.

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