

1-1 By: Perry S.B. No. 1511
1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read
1-3 first time and referred to Committee on Agriculture, Water & Rural
1-4 Affairs; April 11, 2017, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; April 11, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Perry	X			
1-8 Rodriguez	X			
1-9 Creighton	X			
1-10 Hall	X			
1-11 Hinojosa	X			
1-12 Kolkhorst	X			
1-13 Miles	X			
1-14				

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the state and regional water planning process and the
1-18 funding of projects included in the state water plan.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 15.439(a), Water Code, is amended to
1-21 read as follows:

1-22 (a) The board shall adopt rules providing for the use of
1-23 money in the fund that are consistent with this subchapter,
1-24 including rules:

1-25 (1) establishing standards for determining whether
1-26 projects meet the criteria provided by Section 15.434(b); and

1-27 (2) specifying the manner for prioritizing projects
1-28 for purposes of Sections 15.436 and [Section] 15.437.

1-29 SECTION 2. Section 16.051(a-1), Water Code, is amended to
1-30 read as follows:

1-31 (a-1) The state water plan must include:

1-32 (1) an evaluation of the state's progress in meeting
1-33 future water needs, including an evaluation of the extent to which
1-34 water management strategies and projects implemented after the
1-35 adoption of the preceding state water plan have affected that
1-36 progress; [and]

1-37 (2) an analysis of the number of projects included in
1-38 the preceding state water plan that received financial assistance
1-39 from the board; and

1-40 (3) with respect to projects included in the preceding
1-41 state water plan that were given a high priority by the board for
1-42 purposes of providing financial assistance under Subchapter G,
1-43 Chapter 15:

1-44 (A) an assessment of the extent to which the
1-45 projects were implemented in the decade in which they were needed;
1-46 and

1-47 (B) an analysis of any impediments to the
1-48 implementation of any projects that were not implemented in the
1-49 decade in which they were needed.

1-50 SECTION 3. Section 16.053(c), Water Code, is amended to
1-51 read as follows:

1-52 (c) No later than 60 days after the designation of the
1-53 regions under Subsection (b), the board shall designate
1-54 representatives within each regional water planning area to serve
1-55 as the initial coordinating body for planning. The initial
1-56 coordinating body may then designate additional representatives to
1-57 serve on the regional water planning group. The initial
1-58 coordinating body shall designate additional representatives if
1-59 necessary to ensure adequate representation from the interests
1-60 comprising that region, including the public, counties,
1-61 municipalities, industries, agricultural interests, environmental

2-1 interests, small businesses, electric generating utilities, river
2-2 authorities, water districts, and water utilities. The regional
2-3 water planning group shall maintain adequate representation from
2-4 those interests. In addition, the groundwater conservation
2-5 districts located in each management area, as defined by Section
2-6 **36.001**, located in the regional water planning area shall appoint
2-7 one representative of a groundwater conservation district located
2-8 in the management area and in the regional water planning area to
2-9 serve on the regional water planning group. In addition,
2-10 representatives of the board, the Parks and Wildlife Department,
2-11 ~~and~~ the Department of Agriculture, and the State Soil and Water
2-12 Conservation Board shall serve as ex officio members of each
2-13 regional water planning group.

2-14 SECTION 4. Sections **16.053(h)(1), (3), (6), and (10)**, Water
2-15 Code, are amended to read as follows:

2-16 (1) Prior to the preparation of the regional water
2-17 plan, the regional water planning group shall, after notice, hold
2-18 at least one public meeting at some central location readily
2-19 accessible to the public within the regional water planning area to
2-20 gather suggestions and recommendations from the public as to issues
2-21 that should be addressed in the plan or provisions that should be
2-22 considered for inclusion in the plan.

2-23 (3) After the regional water plan is initially
2-24 prepared, the regional water planning group shall, after notice,
2-25 hold at least one public hearing at some central location readily
2-26 accessible to the public within the regional water planning area.
2-27 The group shall make copies of the plan available for public
2-28 inspection at least one month before the hearing by providing a copy
2-29 of the plan in the county courthouse and at least one public library
2-30 of each county having land in the region. Notice for the hearing
2-31 shall include a listing of these and any other location where the
2-32 plan is available for review.

2-33 (6) If an interregional conflict exists, the board
2-34 shall facilitate coordination between the involved regions to
2-35 resolve the conflict. If conflict remains, the board shall resolve
2-36 the conflict. On resolution of the conflict, the involved regional
2-37 water planning groups shall prepare revisions to their respective
2-38 plans and hold, after notice, at least one public hearing at some
2-39 central location readily accessible to the public within their
2-40 respective regional water planning areas. The regional water
2-41 planning groups shall consider all public and board comments;
2-42 prepare, revise, and adopt their respective plans; and submit their
2-43 plans to the board for approval and inclusion in the state water
2-44 plan.

2-45 (10) The regional water planning group may amend the
2-46 regional water plan after the plan has been approved by the board.
2-47 The regional water planning group shall consider amending the
2-48 approved regional water plan to include a feasible water management
2-49 strategy or project in order to meet the need that was to be
2-50 addressed by an infeasible water management strategy or project,
2-51 and the regional water planning group shall exclude that infeasible
2-52 water management strategy or project from consideration in the
2-53 regional water plan currently under development if, after the
2-54 original plan has been approved by the board, the plan includes a
2-55 water management strategy or project that becomes no longer
2-56 feasible. Subdivisions (1)-(9) apply to an amendment to the plan in
2-57 the same manner as those subdivisions apply to the plan.

2-58 SECTION 5. Sections **16.053(i), (p-1), and (p-2)**, Water
2-59 Code, are amended to read as follows:

2-60 (i) The regional water planning groups shall submit their
2-61 adopted regional water plans to the board by January 5, 2001, for
2-62 approval and inclusion in the state water plan. In conjunction with
2-63 the submission of regional water plans, each planning group should
2-64 make legislative recommendations, if any, to facilitate more
2-65 voluntary water transfers in the region. Subsequent regional water
2-66 plans shall be submitted at least every five years thereafter,
2-67 except that a regional water planning group may elect to implement
2-68 simplified planning, no more often than every other five-year
2-69 planning cycle, and in accordance with guidance to be provided by

3-1 the board, if the group determines that, based on its own initial
3-2 analyses using updated groundwater and surface water availability
3-3 information, there are no significant changes to the water
3-4 availability, water supplies, or water demands in the regional
3-5 water planning area. At a minimum, simplified planning will
3-6 require updating groundwater and surface water availability values
3-7 in the regional water plan, meeting any other new statutory or other
3-8 planning requirements that come into effect during each five-year
3-9 planning cycle, and formally adopting and submitting the regional
3-10 water plan for approval. Public participation for revised regional
3-11 plans shall follow the procedures under Subsection (h).

3-12 (p-1) If the development board determines that resolution
3-13 of the conflict requires a revision of an approved regional water
3-14 plan, the development board shall suspend the approval of that plan
3-15 and provide information to the regional water planning group. The
3-16 regional water planning group shall prepare any revisions to its
3-17 plan specified by the development board and shall hold, after
3-18 notice, at least one public hearing at some central location
3-19 readily accessible to the public within the regional water planning
3-20 area. The regional water planning group shall consider all public
3-21 and development board comments, prepare, revise, and adopt its
3-22 plan, and submit the revised plan to the development board for
3-23 approval and inclusion in the state water plan.

3-24 (p-2) If the development board determines that resolution
3-25 of the conflict requires a revision of the district's approved
3-26 groundwater conservation district management plan, the development
3-27 board shall provide information to the district. The groundwater
3-28 district shall prepare any revisions to its plan based on the
3-29 information provided by the development board and shall hold, after
3-30 notice, at least one public hearing at some central location
3-31 readily accessible to the public within the district. The
3-32 groundwater district shall consider all public and development
3-33 board comments, prepare, revise, and adopt its plan, and submit the
3-34 revised plan to the development board.

3-35 SECTION 6. This Act takes effect September 1, 2017.

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