

## **BILL ANALYSIS**

Senate Research Center  
79R9255 HLT-F

S.B. 1678  
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Natural Resources  
4/24/2005  
As Filed

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

The Lower Colorado River Authority (authority) has recently opted to supply surface water to two proposed developments in western Travis County and to the Dripping Springs area of Hays County. One of the authority's primary rationales is that the authority is in the best position to provide environmental safeguards in the unincorporated area of counties in their service area, whether through the application of ordinances or through contractual provisions related to specific agreements to provide water and wastewater services. However, it is unclear whether the authority possesses the power to apply and enforce uniform standards.

As proposed, S.B. 1678 grants additional powers to the authority to ensure water quality and supply within its service area.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Lower Colorado River Authority is modified in SECTION 1 (Section 222.004, Water Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 222.004, Water Code, by amending Subsections (q) and (s) and adding Subsections (q-1), (s-1), and (t-1), as follows:

(q) Authorizes the Lower Colorado River Authority (authority) to adopt impervious cover limitations. Makes nonsubstantive changes.

(q-1) Requires rules adopted by the authority under Subsection (q) (regarding pollution, both artificial and natural, of the groundwater or surface water of the Colorado River and its tributaries) to specify that development may not increase stormwater pollutant loading and that the natural features and courses of waterways may not be altered.

(s) Authorizes the authority to preserve habitat for fish and wildlife and to create contiguous corridors and habitats to ensure the viability of fish and wildlife and the adequacy of migration routes. Requires the preservation of fish and wildlife to be, at a minimum, in accordance with the rules of the Parks and Wildlife Commission.

(s-1) Requires the authority to provide a rainwater harvesting alternative to platted subdivisions in its territory that petition the authority to provide surface water. Requires the authority, on request by the subdivision, to provide certain equipment to enable the subdivision to use rainwater for both domestic use and lawn irrigation. Authorizes the authority to recover the cost of providing the equipment through leases, lease-purchase agreements, or by charging a fee.

(t-1) Requires the authority to adopt outdoor lighting standards that must be implemented and followed by wholesale customers of the authority. Provides that the goal of the standards is to maximize the efficiency of outdoor lighting fixtures while reducing the unnecessary illumination of night skies. Requires the standards, at a minimum, to include shielding requirements for fixtures and specify the times during which outdoor lighting may be used.

SECTION 2. Effective date: upon passage or September 1, 2005.