

BILL ANALYSIS

Senate Research Center
81R6088 PMO-F

H.B. 2053
By: Hilderbran (Fraser)
Natural Resources
5/22/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Water Rights Permit No. 5394A (permit) is held by the Upper Guadalupe River Authority (UGRA) and was granted on April 10, 1998, by the Texas Natural Resource Conservation Commission (predecessor agency to the Texas Commission on Environmental Quality). The permit authorizes UGRA to divert up to 2,000 acre-feet of water per annum from the Guadalupe River for municipal use.

This legislation would clarify UGRA's authority to utilize the water supply authorized for diversion under the permit for the benefit of residents of Kerr County. Specifically, the legislation authorizes UGRA to contract to provide the water supply to any Kerr County entity to otherwise use the water supply for municipal use in Kerr County. The legislation supersedes any conflicting provisions of the permit that would not authorize UGRA to utilize the water supply for such purposes. Specifically, the legislation supersedes Special Condition No. 5D.i of the permit, which authorizes the water supply to be contracted for municipal uses by Kerr County entities other than the City of Kerrville.

H.B. 2053 relates to a water rights permit issued to the Upper Guadalupe River Authority.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 642, Acts of the 80th Legislature, Regular Session, 2007, by adding Section 1A, as follows:

Sec. 1A. Authorizes the Upper Guadalupe River Authority, to help facilitate the statewide and regional goals of making efficient and responsible use of the state's water resources, to contract to provide any Kerr County entity, and otherwise use in Kerr County, water for municipal use under Permit No. 5394A, which was issued to the Upper Guadalupe River Authority by the Texas Natural Resource Conservation Commission, the predecessor agency to the Texas Commission on Environmental Quality. Provides that this section supersedes Permit No. 5394A, and specifically Special Condition No. 5D.i of the permit, to the extent of any conflict.

SECTION 2. Effective date: upon passage or September 1, 2009.