

BILL ANALYSIS

Senate Research Center
82R4618 SMH-F

S.B. 467
By: Wentworth
Natural Resources
4/15/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Central Texas, especially the Interstate-35 and State Highway 130 corridors, will have a critical need for additional fresh-water supplies over the next several decades to support a burgeoning population and to maintain a viable economic engine in the Austin-San Marcos-San Antonio region. The Edwards Aquifer may be utilized to produce a new supply of drinking water in a broad swath of Central and Southwest Texas, using proven technologies such as aquifer storage and recovery.

Under current law, the Texas Commission on Environmental Quality may not authorize an injection well that transects or terminates in the Edwards Aquifer anywhere in those counties where the Edwards is used as a water supply in part of the county.

As proposed, S.B. 467 amends current law relating to the power of the Texas Commission on Environmental Quality to authorize certain injection wells that transect or terminate in the Edwards Aquifer.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality as the successor agency to TNRCC.]

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Natural Resource Conservation Commission is modified in SECTION 1 (Section 27.051, Water Code) of this bill.

Rulemaking authority previously granted to the Texas Natural Resource Conservation Commission is rescinded in SECTION 1 (Section 27.051, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Redesignates Section 27.051(h), Water Code, as added by Chapter 966 (S.B.2), Acts of the 77th Legislature, Regular Session, 2001, as Subsection (i), and amends it as follows:

(i) Prohibits the Texas Natural Resource Conservation Commission (TNRCC) from authorizing by rule or permit a Class I or Class III injection well that transects or terminates in the Edwards Aquifer. Provides that for purposes of this subsection, "Edwards Aquifer" has the meaning assigned by Section 26.046(a). Deletes existing text authorizing TNRCC by rule to authorize injection of groundwater withdrawn from the Edwards Aquifer, or injections of storm water, flood water, or groundwater throughout improved sinkholes or caves located in karst topographic areas.

SECTION 2. Effective date: September 1, 2011.