

BILL ANALYSIS

Senate Research Center

S.B. 1441
By: Campbell
Veteran Affairs & Border Security
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

San Antonio Water System (SAWS) has water infrastructure surrounding the San Antonio military bases. There is a possibility for SAWS to serve water to the bases rather than the bases pumping their own Edwards Aquifer wells. S.B. 1441 would allow for a partnership between the military and SAWS by allowing a military base to reduce its production of Edwards Aquifer water and allow SAWS to produce the same amount of water without reducing their capped permit amount. The bill is permissive and would not increase the amount of water produced from the aquifer, but rather substitutes water from one entity to another. The Edwards Aquifer Habitat Conservation Plan and drought cutbacks would remain in place for the military installation if a voluntary partnership between a military installation and SAWS is formed. This bill allows for a voluntary win-win partnership with the military installations and SAWS to produce water more efficiently without impacting SAWS' existing permit. This partnership would secure water supplies for future military missions and operations.

(Original Author's / Sponsor's Statement of Intent)

S.B. 1441 amends current law relating to withdrawals of water from the Edwards Aquifer to supply a military installation.

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 the heading to Section 1.33, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, to read as follows:

Sec. 1.33. WELL METERING AND PERMITTING EXEMPTIONS.

SECTION 2. Amends Section 1.33, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, by adding Subsections (e), (f), and (g), as follows:

(e) Authorizes a municipally owned utility owned by the City of San Antonio, in addition to permitted withdrawals from the Edwards Aquifer (aquifer), without a permit, to withdraw groundwater from the aquifer if:

(1) the utility uses the groundwater to supply a military installation with water for human consumption, irrigation, operations, mission support, or infrastructure maintenance;

(2) the utility and the military installation enter into a contract requiring the installation to reduce its groundwater withdrawals from the aquifer by the same amount of withdrawn water the installation receives from the utility; and

(3) the utility complies with rules adopted by the Edwards Aquifer Authority (authority) that allow the authority to monitor groundwater withdrawals from the

aquifer by the utility and determine amounts of groundwater exempted from permitting in accordance with this subsection, including rules requiring the reporting of amounts supplied by the utility to the military installation and amounts by which the military installation reduces the installation's groundwater withdrawals from the aquifer.

(f) Provides that Subsection (e) of this section does not alter the obligations of a military installation under a biological opinion issued by a federal agency.

(g) Prohibits the amount of water provided by a municipally owned utility to a military installation under Subsection (e) of this section from exceeding the maximum amount of water that the military installation is authorized to withdraw from the aquifer under a biological opinion issued by a federal agency.

SECTION 3. Effective date: September 1, 2021.