

## **BILL ANALYSIS**

Senate Research Center  
76R8060 SMH-D

S.B. 1500  
By: Lindsay  
Natural Resources  
4/1/1999  
As Filed

### **DIGEST**

Currently, under Texas law, property acquired by certain municipalities for airport purposes may be used for wetland mitigation. This bill would prohibit the use of property acquired by certain municipalities for airport purposes for wetland mitigation.

### **PURPOSE**

As proposed, S.B. 1500 prohibits the use of property acquired by certain municipalities for airport purposes for wetland mitigation.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 22B, Transportation Code, by adding Section 22.027, as follows:

Sec 22.027. PROHIBITION ON USE OF AIRPORT FOR WETLAND MITIGATION. Prohibits a municipality of 1.5 million or more that acquires property for use as an airport from using the property to provide a mitigation credit under Section 404, Federal Water Pollution Control Act (33 U.S.C. Section 1344), and the guidelines developed by the Secretary of Army under that section in order to offset an adverse impact to wetlands caused by the discharge of dredged or fill material into the navigable waters at another disposal site. Provides that this section expires September 1, 2005.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Emergency clause.  
Effective date: upon passage.