

BILL ANALYSIS

Senate Research Center
76R15371 MPC-D

S.R. 928
By: Armbrister
Administration
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As Filed

DIGEST

The Edwards Aquifer (aquifer) is a unique and complex hydrological system that diverse, economic, and social interests depend upon for their water supply. The Texas Natural Resource Conservation Commission (TNRCC) implements the aquifer protection program to prevent pollution, and holds annual public hearings to continually assess the actions taken to protect the aquifer. In September 1998, TNRCC adopted rules to take effect June 1, 1999, that require construction-related controls and permanent best management practices on certain activities in the contributing zone, including an area upstream of the recharge zone where rainfall washes into streams that eventually enter the recharge zone. These new regulations on land and development raised concerns from many groups and individuals about the cost of such controls and the impact these regulations will have on new development in the region. Public concern about the new rules and knowledge of the characteristics of the aquifer, creates a need for a more flexible regulatory process. TNRCC may apply the rule that was in effect on January 1, 1998. S.R. 928 would delay the effective date of the adopted rules to facilitate discussion of certain provisions, and would create an aquifer select committee to study cost effectiveness procedures and permanent management practices.

PURPOSE

As proposed, S.R. 928 submits the following resolutions:

That the Senate of the 76th Legislature hereby direct TNRCC to delay the effective date of the adopted rules until January 1, 2001, to facilitate discussion of the new rules; finalize and distribute a guidance document on the rules; and to provide outreach and information to the regulated community to facilitate compliance with these important regulations.

That the Senate of the 76th Legislature hereby direct TNRCC to convene an Edwards Aquifer (aquifer) select committee (committee) region to review the need, effectiveness, efficiency, and economic impact of regulations adopted by TNRCC that apply to regulated activities and have not taken effect as of January 1, 1998.

That the composition of the committee include certain persons.

That the committee assist in continuing evaluation of the aquifer rules, with specific emphasis on the cost of implementing and maintaining permanent management practices, and the effectiveness in controlling pollution of the aquifer.

That the committee be constituted no later than June 30, 1999, and hold its first meeting no later than July 15, 1999.

That the committee submit a report of the findings and recommendations to the governor, TNRCC, and the legislature, no later than December 31, 2000.