

SUBJECT: Notification to TxDOT about certain planned drilling operations

COMMITTEE: Energy Resources — committee substitute recommended

VOTE: 10 ayes — Darby, Paddie, Anchia, Canales, Dale, Keffer, Landgraf, Meyer, Riddle, Wu

0 nays

3 absent — Craddick, Herrero, P. King

WITNESSES: For — (*Registered, but did not testify:* Cyrus Reed, Lone Star Chapter Sierra Club)

Against — (*Registered, but did not testify:* Ben Shepperd, Permian Basin Petroleum Association)

On — Bill Hale, Texas Department of Transportation; Lon Burnam; (*Registered, but did not testify:* Bill Stevens, Texas Alliance of Energy Producers; Greg Macksood)

DIGEST: CSHB 1633 would direct the Railroad Commission to adopt rules requiring an operator to state in an application for a permit to drill an oil or gas well whether the well would be located within an easement or within 50 yards of an easement held by the Texas Department of Transportation (TxDOT). If a well would be located within an easement or within 50 yards of an easement, the Railroad Commission would be required to forward a copy of the application to TxDOT within 14 days after receiving it.

The bill would specify that it did not grant TxDOT any authority regarding the approval of an application for a permit to drill an oil or gas well.

This bill would take effect September 1, 2015, and would apply only to a permit application filed on or after that date.

**SUPPORTERS
SAY:**

CSHB 1633 would give valuable information to TxDOT to prevent conflicts between planned well sites and planned roadways. With Texas' growing population and economy, new paths for roadways are being planned frequently. However, TxDOT currently does not have information about planned well sites. This has led to costly conflicts that can stall large road construction projects. This bill would enable direct communication between TxDOT and the operator and would allow any potential conflict to be realized and resolved sooner and with less expense to the taxpayer.

There are few private service roads to oil and gas production wells that connect to TxDOT roads. Most connect to county and local roads, the easements for which are already on plat maps accessible to the operators. Any state-level action on this would affect few operations.

**OPPONENTS
SAY:**

While CSHB 1633 could be helpful, the bill would not go far enough in addressing the impact of oil and gas operations on transportation. For instance, the operator has the ability to select where a private service road to a well connects with the road network. This can impact how roads are planned and maintained, but the bill would not address this unless the planned well happened to be within 50 yards of an easement.