

- SUBJECT:** Adjusting administrative requirements for water well operating permits
- COMMITTEE:** Natural Resources — favorable, without amendment
- VOTE:** 10 ayes — Larson, Phelan, Ashby, Burns, Frank, Kacal, T. King, Lucio, Price, Workman
- 0 nays
- 1 absent — Nevárez
- SENATE VOTE:** On final passage, March 22 — 29-0
- WITNESSES:** For — Linda Kaye Rogers, Hays Trinity Groundwater Conservation District; Sarah Schlessinger, Texas Alliance of Groundwater Districts; (*Registered, but did not testify:* Heather Harward, Brazos Valley GCD; Tom Forbes, North Plains GCD; C.E. Williams, Panhandle GCD; Jim Conkwright, Prairielands GCD; Hope Wells, San Antonio Water System; Billy Howe, Texas Farm Bureau; Stacey Steinbach, Texas Water Conservation Association; Brian Sledge, Texas Water Conservation Association, Upper Trinity GCD, Prairielands GCD, Barton Springs Edwards Aquifer Conservation District; Robert Turner, West Texas Ground Water Management Alliance)
- Against — None
- BACKGROUND:** Water Code, sec. 36.113 directs groundwater conservation districts to require a permit to drill, equip, operate, or complete a water well.
- Sec. 36.114 requires a groundwater conservation district to promptly consider and act on each administratively complete application for a groundwater operating permit or permit amendment. An application is considered administratively complete if it includes certain information such as a water conservation plan, the estimated rate at which water will be withdrawn, a water well closure plan, and a drought contingency plan.

Concerns have been raised that guidelines regulating the contents of a permit application required by a groundwater conservation district are too open-ended and permissive.

DIGEST: SB 1009 would limit the information a groundwater conservation district could require for an operating permit or permit amendment application to information required by current law, other information included in a district rule in effect on the date the application was submitted, and information reasonably related to an issue the district was authorized to consider. A district could not require additional information to be included in an application for a determination of administrative completeness.

The bill would take effect September 1, 2017.

NOTES: A companion bill, HB 4017 by Larson, was referred to the House Natural Resources Committee on March 31.