

BILL ANALYSIS

Senate Research Center
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S.B. 1362
By: Staples
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently Lake Eastex is a part of the statewide water plan. As proposed, S.B. 1362 designates Lake Eastex as a unique reservoir. This bill establishes a partnership between the Angelina and Neches River Authority which is responsible for overseeing construction of the dam, and the Texas Water Development Board in order to allow the river authority to secure project funding from the Texas Water Development Fund II.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Angelina and Neches River Authority in SECTION 6 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. DEFINITIONS. Defines "authority" and "board."

SECTION 2. DESIGNATION OF SITE. Provides that the legislature, as authorized by Section 16.051(g), Water Code, designates the site known as the Lake Eastex site on Mud Creek, a tributary of the Angelina River, in Cherokee and Smith counties, Texas, as a site of unique value for the construction of a dam and reservoir on Mud Creek, to impound up to 195,500 acre-feet of water as authorized by Permit to Appropriate State Water Number 4228 (Application No. 4537) held by the Angelina Neches River Authority (authority). Provides that the legislature also determines that the Lake Eastex Regional Water Supply Project is necessary to meet water supply requirements.

SECTION 3. ACQUISITION AND FUNDING. (a) Provides that using the state participation account of the Texas Water Development Fund II to encourage optimal regional development of the Lake Eastex project, the Texas Water Development Board (board) is authorized to execute an agreement with the authority to acquire the entire or any undivided interest in the Lake Eastex site and other land needed for the project. Requires the authority to hold title in trust for the board.

(b) Authorizes the board, using the state participation account of the Texas Water Development Fund II, to issue bonds to acquire up to 50 percent of any undivided interest in the Lake Eastex project, including the entire or any undivided interest in the site.

SECTION 4. PURCHASE OF BOARD'S INTEREST. Requires any contract providing for state participation in the Lake Eastex site or the construction of a reservoir at that site to provide for the purchase of the board's interest in the facility in accordance with Section 16.186(b), Water Code. Requires the board to contract with the authority for such a purchase.

SECTION 5. EXEMPTION FROM WATER QUALITY FEES. Provides that neither the board nor the authority is required to pay water quality fees under Section 26.0291, Water Code, on the Lake Eastex project until it is completed.

SECTION 6. RULES. Authorizes the authority, after notice and hearing, to adopt rules to protect water quality in the site that are consistent with state and federal water quality requirements. Authorizes the rules to include certain actions and prohibitions.

SECTION 7. IMPACT FEES. Authorizes the authority to impose impact fees on the area regulated under rules adopted under Section 6 of this Act.

SECTION 8. EFFECTIVE DATE. Provides that this Act takes effect upon passage or September 1, 2003.