

BILL ANALYSIS

Senate Research Center

S.B. 2006
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Natural Resources
3/31/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1, passed by the 75th Legislature, Regular Session, 1997, established a regional and state water planning process in addition to establishing that groundwater districts are the state's preferred method of groundwater management through rules developed, adopted, and promulgated by a district in accordance with Chapter 36 (Groundwater Conservation Districts), Water Code. These regional and state water plans map out how to conserve water supplies, meet future water supply needs, and how to respond to future droughts in the planning areas. H.B. 1763, passed by the 79th Legislature, Regular Session, 2005, changed how the amount of groundwater available for use is determined in Texas.

Districts are now required to work together in each groundwater management area to develop desired future conditions for their groundwater resources. The districts then deliver these desired future conditions to the Texas Water Development Board (TWDB), which in turn provides estimates of managed available groundwater to the districts for inclusion in their groundwater management plans and to the regional water planning groups for inclusion in their regional water plans.

Current statutes do not allow a groundwater district, when permitting, to consider in-district needs that are part of the regional and state water plans, which reflect needs and specific strategies to meet future near-term needs (less than 30 years) as well as options to meet long-term future needs (30-50 years). Local districts should be able to consider these needs during the permitting process.

As proposed, S.B. 2006 authorizes a groundwater conservation district, when permitting under an adopted availability or managed available groundwater limit, to consider whether the in-district water supply needs can be met, as adopted in the State and Regional Water Plan.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 36.113(d)(3), Water Code, to provide that the proposed use of water will be used for an actual and reasonable beneficial use, rather than is dedicated to any beneficial use.

SECTION 2. Adds *[sic]* Section 36.113(d)(3), Water Code, as follows:

Sec. 36.113(i) *[sic]* Authorizes a groundwater conservation district, when permitting under an adopted availability or managed available groundwater limit, to consider whether the in-district water supply needs can be met, as adopted in the State and regional *[sic]* Water Plan.

SECTION 3. Effective date: upon passage or September 1, 2009.