

BILL ANALYSIS

Senate Research Center
85R7278 JAM-F

S.B. 863
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Agriculture, Water & Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that state and regional water plans provide for the identification of river and stream segments as being of unique ecological value that should be protected. S.B. 863 seeks to designate certain river or stream segments that were recommended by recent plans as being of such value for their protection.

As proposed, S.B. 863 amends current law relating to the designation of certain river or stream segments as being of unique ecological value.

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. Provides that the legislature designates certain river or stream segments of the Alamito Creek, Black Cypress Bayou, Black Cypress Creek, Pecan Bayou, and Terlingua Creek as being of unique ecological value.

SECTION 2. Provides that the designation of a river or stream segment as being of unique ecological value under Section 1 of this Act:

- (1) means only that a state agency or political subdivision of the state may not finance the actual construction of a reservoir in the designated segment;
- (2) does not affect the ability of a state agency or political subdivision of the state to construct, operate, maintain, or replace a weir, a water diversion, flood control, drainage, or water supply system, a low water crossing, or a recreational facility in the designated segment;
- (3) does not prohibit the permitting, financing, construction, operation, maintenance, or replacement of any water management strategy to meet projected water supply needs recommended in, or designated as an alternative in, a 2016 regional water plan; and
- (4) does not alter any existing property right of an affected landowner.

SECTION 3. Effective date: upon passage or September 1, 2017.