

SUBJECT: Delaying the submission of a groundwater management plan to TWDB

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 7 ayes — Ritter, Corte, T. King, Lucio, Martinez Fischer, D. Miller, Smithee

0 nays

4 absent — Callegari, Creighton, Frost, Laubenberg

SENATE VOTE: On final passage, April 30 — 31-0, on Local and Uncontested Calendar

WITNESSES: For — Greg Ellis, Texas Alliance of Groundwater Districts; (*Registered, but did not testify*: Janet Adams, Jeff Davis County Underground Water Conservation District, Presidio County Underground Water Conservation District; Jim Conkwright, High Plains Underground Water Conservation District No. 1; Harvey Everheart, Mesa Underground Water Conservation District; Ricky Harston, Glasscock Groundwater Conservation District (GCD); Scott Holland, Irion County Water Conservation District, Sterling County Underground Water Conservation District; Mike Mahoney, Evergreen Underground Water Conservation District; Robert M. Saunders, Lost Pines GCD; Cindy Weatherby, Santa Rita Underground Water Conservation District)

Against — None

On — (*Registered, but did not testify*: Robert Mace, Texas Water Development Board)

BACKGROUND: Water Code, sec. 36.1072 outlines provisions for the Texas Water Development Board's review and approval of a groundwater conservation district's (GCD) comprehensive management plan. A GCD must submit its management plan to the Texas Water Development Board (TWDB) within three years after its creation or, if the district required confirmation, after the election confirming its creation.

A comprehensive management plan is developed in coordination with regional surface water management entities and includes the following management goals, as applicable:

- providing the most efficient use of groundwater;
- controlling and preventing waste of groundwater;
- controlling and preventing subsidence;
- addressing conjunctive surface water management issues;
- addressing natural resource issues;
- addressing drought conditions;
- addressing conservation, recharge enhancement, rainwater harvesting, precipitation enhancement, or brush control, where appropriate and cost-effective; and
- addressing in a quantitative manner the desired future conditions of the groundwater resources.

Under current law, a GCD must review and readopt the management plan every five years.

DIGEST:

SB 2296 would amend Water Code, sec. 36.1072 to add that, if a groundwater conservation district (GCD) was required to submit a management plan or a readopted management plan before the first anniversary of the date the Texas Water Development Board (TWDB) provided to the GCD an amount of managed available groundwater, the district could adopt and submit to TWDB a resolution delaying the due date for a new or readopted plan to a date no later than the first anniversary of the last date the district received an amount of managed available groundwater from TWDB, in lieu of the applicable deadline.

A district that pursued this course of action could not adopt a new rule or amend an existing rule limiting production from wells or allocating groundwater until the district submitted its management plan or readopted plan to the TWDB. These provisions would expire September 1, 2013.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.