

SUBJECT: Creating a program to promote conservation easements

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 8 ayes — Larson, Phelan, Ashby, Kacal, T. King, Lucio, Nevárez, Price

0 nays

3 absent — Burns, Frank, Workman

WITNESSES: For — Jim Bradbury, Texas Agricultural Land Trust, Texas Land Trust Council; Andrew Sansom; (*Registered, but did not testify*: Jill Boullion, Bayou Land Conservancy; Kirby Brown, Ducks Unlimited; Ed McCarthy, Fort Stockton Holdings LP, Clayton Williams Farms, Inc.; Charles Flatten, Hill Country Alliance; Sarah Floerke Gouak, Lower Colorado River Authority; Jesse Ozuna, City of Houston Mayor's Office; Christopher Mullins, Sierra Club; Blair Fitzsimons, Texas Agricultural Land Trust; Jason Skaggs, Texas and Southwestern Cattle Raisers Association; Jim Reaves, Texas Farm Bureau; Ronald Hufford, Texas Forestry Association; John Shepperd, Texas Foundation for Conservation; Lori Olson, Texas Land Trust Council; Joey Park, Texas Wildlife Association; Vanessa Hague, Andy Jones, The Conservation Fund; Trent Townsend, The Nature Conservancy)

Against — (*Registered, but did not testify*: Ryan Simpson, League of Independent Voters)

On — Bech Bruun, Texas Water Development Board; (*Registered, but did not testify*: Jessica Zuba, Texas Water Development Board)

BACKGROUND: Water Code, sec. 15.601 requires the Texas Water Development Board (TWDB) to administer the Clean Water State Revolving Fund to provide financial assistance to political subdivisions for construction of treatment works and to individuals for nonpoint source pollution control and abatement projects. Funds are provided in accordance with the

capitalization grant program established under the Federal Water Pollution Control Act.

A conservation easement is a voluntary legal agreement between a landowner and a land trust or government agency that limits certain uses or development of the property for water conservation purposes.

DIGEST:

CSHB 2943 would require the Texas Water Development Board (TWDB) to establish rules to create a program promoting conservation easements for eligible applicants, funded by the Clean Water State Revolving Fund. Easements acquired through the program would be required to have a demonstrable impact on water quality control, as determined by the board. Funds used for the program would have to be consistent with maintaining the perpetuity of the revolving fund.

The bill also would extend the maximum loan term offered by TWDB through the revolving fund from 20 years to 30 years.

The board would be required to adopt rules under this bill by January 1, 2018. 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, 2017.