

BILL ANALYSIS

Senate Research Center

H.B. 2409
By: Counts (Armbrister)
Natural Resources
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Engrossed

DIGEST AND PURPOSE

The Edwards Aquifer is the sole source of drinking water for the City of San Antonio and many surrounding communities in South Texas. This growing region of the state already requires more water sources to serve the people of South Texas. Recently, concerns have been raised about protecting the quality of this drinking water as projects become feasible that may involve direct injection into the aquifer through the use of injection wells. H.B. 2409 authorizes the use of direct injection wells over the Edwards Aquifer only if the water being injected is withdrawn from the Edwards Aquifer or is recharged through a natural recharge feature.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Natural Resource and Conservation Commission in SECTION 2 (Section 27.051, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1.44, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, by adding Subsection (e) to authorize the Edwards Aquifer Authority (authority) to contract for injection or artificial recharge under this section only if provision is made for protecting and maintaining the quality of groundwater in the receiving part of the aquifer, and the water used for artificial recharge is groundwater withdrawn from the aquifer or the water is recharged through a natural recharge feature.

SECTION 2. Amends Section 27.051, Water Code, by adding Subsection (h), to prohibit the Texas Natural Resource Conservation Commission (commission) from authorizing by rule or permit an injection well that transects or terminates in the authority. Authorizes the commission by rule to authorize injection of groundwater withdrawn from the authority, or injections of storm water, flood water, or groundwater through improved sinkholes or caves located in karst topographic areas. Provides that for purposes of this subsection, "Edwards Aquifer" has the meaning assigned by Section 26.046(a).

SECTION 3. (a) Effective date: September 1, 2001.

(b) Makes application of this Act prospective.