

## **BILL ANALYSIS**

Senate Research Center  
82R3578 JXC-F

H.B. 630  
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Transportation & Homeland Security  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Federal law requires an environmental review for the construction of a transportation project undertaken by federal, state, and local transportation entities. During the environmental review process, federal, state, or local transportation entities work in consultation with resource agencies such as the National Oceanic and Atmospheric Administration, United States Environmental Protection Agency, Texas Parks and Wildlife Department, and the Texas Historical Commission. However, many of the resource agencies lack sufficient staff to perform these activities in a timely manner. To overcome this obstacle, many state departments of transportation are using interagency funding agreements to hire additional staff for the resource agencies. The Texas Department of Transportation (TxDOT) does not have express statutory authority to enter into an interagency funding agreement to hire additional staff for a state or federal resource agency.

H.B. 630 amends current law relating to the authority of the Texas Department of Transportation, counties, regional tollway authorities, and regional mobility authorities to enter into funding agreements to expedite the entity's environmental review duties related to certain transportation projects.

### **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 Subchapter A, Chapter 222, Transportation Code, by adding Section 222.005, as follows:

Sec. 222.005. AUTHORIZATION TO PROVIDE ASSISTANCE TO EXPEDITE ENVIRONMENTAL REVIEW. (a) Authorizes the Texas Department of Transportation (TxDOT), a county, a regional tollway authority operating under Chapter 366 (Regional Tollway Authorities), or a regional mobility authority operating under Chapter 370 (Regional Mobility Authorities) to enter into an agreement to provide funds to a state or federal agency to expedite the agency's performance of its duties related to the environmental review process for its transportation projects, including those listed in the applicable metropolitan planning organization's long-range transportation plan under 23 U.S.C. Section 134.

(b) Provides that, except as provided by Subsection (c), an agreement entered into under this section:

(1) may specify transportation projects the applicable entity considers to be priorities for review; and

(2) must require the agency receiving money to complete the environmental review in less time than is customary for the completion of environmental review by that agency.

- (c) Authorizes TxDOT to enter into a separate agreement for a transportation project that TxDOT determines has regional importance.
- (d) Provides that an agreement entered into under this section does not diminish or modify the rights of the public regarding review and comment on transportation projects.
- (e) Requires an entity entering into an agreement under this section to make the agreement available on the entity's Internet website.

SECTION 2. Effective date: upon passage or September 1, 2011.