

## **BILL ANALYSIS**

Senate Research Center  
87R9352 ANG-F

S.B. 699  
By: Hughes  
Water, Agriculture & Rural Affairs  
4/22/2021  
As Filed

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

Interested parties note that there are many vacant and unused quarries and surface mines scattered across Texas. Given Texas' growing population and limited water resources, exploring various methods of addressing the state's water supply is a necessary action.

S.B. 699 would establish a joint interim committee to study the conversion of surface mine pits and quarries into water storage reservoirs in order to enhance the state's available water supply.

The lieutenant governor would appoint members from the Senate Committee on Natural Resources and Economic Development, and the Senate Committee on Water, Agriculture, and Rural Affairs. The speaker of the House of Representatives would appoint members from the House Committee on Natural Resources and the House Committee on Energy Resources.

The committee would:

1. study the final reclamation practices of the lignite industry;
2. have an overview of large sand and gravel producers;
3. identify surface mine pits and quarries that could potentially be used as water storage reservoirs;
4. provide a review of the regulatory issues and constraints associated with converting surface mine pits and quarries into reservoirs; and
5. summarize the effect that a statewide initiative to do this would have on state water resources.

As proposed, S.B. 699 amends current law relating to a study of the conversion of surface mine pits and quarries to water storage reservoirs in order to enhance this state's available water supply.

### **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. (a) Requires the legislature to establish a joint interim committee (committee) to study the conversion of surface mine pits and quarries to water storage reservoirs in order to enhance this state's available water supply.

(b) Provides that the joint interim committee is composed of:

- (1) members of the Senate Natural Resources and Economic Development Committee appointed by the lieutenant governor;
- (2) members of the Senate Water, Agriculture, and Rural Affairs Committee appointed by the lieutenant governor;

(3) members of the House Natural Resources Committee appointed by the speaker of the house of representatives; and

(4) members of the House Energy Resources Committee appointed by the speaker of the house of representatives.

(c) Prohibits the lieutenant governor or the speaker of the house of representatives, as applicable, from appointing more than three members from a committee described by Subsection (b) of this section to the joint interim committee.

(d) Requires the lieutenant governor and the speaker of the house of representatives to jointly designate a chair or, alternatively, designate two co-chairs from among the committee membership.

(e) Authorizes the committee to adopt rules as necessary to carry out the committee's duties under this Act.

(f) Requires the Texas Commission on Environmental Quality, the Railroad Commission of Texas, and the Texas Water Development Board to provide administrative support and resources to the committee.

(g) Requires the committee, not later than December 1, 2022, to prepare and deliver a report to the governor and the legislature that:

(1) provides an overview of the lignite industry in this state and final reclamation practices of that industry, and large sand and gravel producers in this state;

(2) identifies surface mine pits and quarries that could potentially be used as water storage reservoirs and provides the following information for each location:

(A) the volume of water that could be stored at the location;

(B) the predicted water quality of a reservoir created at the location;

(C) the predicted effect on watersheds surrounding a reservoir created at the location;

(D) the sustainability of a reservoir created at the location;

(E) the reclamation status of the location;

(F) information needed to assess ownership issues at the location, including any constraint that the ownership of the property may impose on the use of the property as a reservoir; and

(G) a comparison of the estimated cost of converting the location into a reservoir and the estimated cost of filling in and regrading the location to the approximate original contour;

(3) contains a map of the locations identified under Subdivision (2) of this subsection;

(4) provides a review of the regulatory issues and constraints associated with converting surface mine pits and quarries into reservoirs; and

(5) summarizes the effect that a statewide initiative to convert surface mine pits and quarries into reservoirs would have on state water resources.

(h) Provides that the committee is abolished and this Act expires January 10, 2023.

SECTION 2. Effective date: September 1, 2021.