

The 86th Texas Legislature: Updates Relevant to Regional Water Planning*

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DATE

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Legislative Update

During the regular session, the Legislature passed three bills directly relevant to regional water planning and significant bills related to flood planning and project funding. This update covers the following bills:

- HB 807
- HB 721
- HB 723
- SB 7 and SB 8 (flood)

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House Bill 807

- TWDB required to appoint an interregional planning council (based on RWPG nominations) consisting of one member from each RWPG during each five-year planning cycle prior to the adoption of a new state water plan.
- Adds several new requirements to the development of RWPs (listed on next slide).

House Bill 807

1. Identify unnecessary or counterproductive variations in drought response strategies.
2. Provide a specific assessment for ASR projects to meet significant water needs identified in the RWPA.
3. Set specific GPCD goals for each decade for municipal WUGs.
4. Assess the progress in encouraging cooperation between WUGs to develop WMSs that achieve economies of scale and benefit the entire region.
5. Recommend legislative changes to improve the water planning process.

House Bill 807

Implementation:

- TWDB is currently working on the logistics for the planning council nomination process and will send more information soon.
- Rulemaking will be initiated to address HB 807 requirements.
- Preliminary input on rulemaking will be solicited from RWPG stakeholders.

House Bill 807

- **Texas Water Code (TWC) §16.053(e)(3)(E)** — Unnecessary or counterproductive variations in drought response strategies
- **TWDB Guidance**
 - RWPGs should review information collected through current requirements outlined in [31 TAC §357.42\(c\) and \(i\)](#) and Section 7.5 of [Exhibit C](#).
 - Drought response strategies determined to be “unnecessary or counterproductive” should be documented in Chapter 7 of the RWP.

House Bill 807

- **TWC §16.053(e)(10)** — Specific assessment of Aquifer Storage and Recovery (ASR) potential if significant identified needs
- **TWDB Guidance**
 - *The threshold(s) for “significant” identified water needs are to be defined by the RWPG.*
 - *RWPGs must clearly articulate in their RWP how they determined the threshold of significant water needs for this requirement.*
 - *If significant needs, the RWPG shall generally assess ASR potential to the best of its ability.*
 - *TWDB will provide a list of the agency’s currently available and relevant information on ASR for the RWPGs to consider.*

House Bill 807

- **TWC §16.053(e)(11)** — Setting Gallons Per Capita Daily (GPCD) goal(s) for each planning decade
- **TWDB Guidance**
 - *TWDB will provide a list of municipal WUGs in each RWPG as well as supporting information.*
 - *GPCD goals may be a specific GPCD, or ranges of GPCD; may be based on specific municipal WUGs, or groupings of municipal WUGs as determined appropriate by the RWPG.*
 - *To be included in Subchapter 5B of the RWP.*

House Bill 807

- **TWC §16.053(e)(12)** — Assess progress of “regionalization”
- **TWDB Guidance**
 - *RWPGs shall include documentation of the RWPG’s general assessment of progress of the RWPA in encouraging cooperation between WUGs for the purpose of achieving economies of scale and otherwise incentivizing strategies that benefit the entire region.*
 - *To be included in Chapter 11 of the RWP.*

House Bill 807

- **TWC §16.053(i)** — Recommendations on process improvements
- **TWDB Guidance**
 - *RWPGs should include any legislative recommendations that members of the planning group believe would improve the regional and state water planning process.*
 - *To be included in Chapter 8 of the RWP.*

House Bill 721

Requires TWDB to:

1. Conduct studies of ASR projects and aquifer recharge projects in the SWP or identified by interested persons, and report on the results of those studies to RWPGs and interested persons.
2. Conduct a statewide survey to identify the relative suitability of various major and minor aquifers for use in ASR projects or aquifer recharge projects and prepare a report of the survey.

House Bill 721

Anticipated Implementation:

- Complete first feasibility study by September 2020.
- Statewide survey report due to state leadership December 15, 2020.

House Bill 723

- Requires the Texas Commission on Environmental Quality (TCEQ) to obtain or develop updated WAMs for the Brazos, Neches, Red, and Rio Grande River Basins.
- TCEQ to obtain or develop WAM updates by December 1, 2022.

Senate Bill 7 (Flood Funding)

Aimed at providing funding through multiple funds and accounts for:

- Flood planning/protection/mitigation
- Data collection and modeling
- Hurricane Harvey Projects (through TDEM)

Senate Bill 8 (Flood Planning)

- Establishes a state and regional flood planning process administered by TWDB.
- Flood planning regions will be by river basin.
- First regional flood plans due January 10, 2023.
- First state flood plan due September 1, 2024.
- Requires the State Soil and Water Conservation Board to prepare a 10-year dam repair, rehabilitation, and maintenance plan for flood control dams under their jurisdiction.

Flood Stakeholder Input

- TWDB is planning stakeholder meetings around the state to gather preliminary input on SB7 and SB 8 implementation.
- These meetings will provide input for rulemaking.
- Contact Flood@twdb.texas.gov with questions.
- Sign up for TWDB updates to keep informed:

<http://www.twdb.texas.gov/newsmedia/signup.asp>

Questions?

TWDB is hiring!

<http://www.twdb.texas.gov/jobs/index.asp>

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