

SUBJECT: Including water infrastructure information in regional water plans

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 8 ayes — Puente, Bonnen, Campbell, Geren, Hardcastle, Hilderbran,
Hope, Laney

0 nays

1 absent — Callegari

WITNESSES: For — None

Against — Myron Hess, National Wildlife Federation; Ken Kramer, Lone
Star Chapter of the Sierra Club

On — Kevin J. Ward, Texas Water Development Board

BACKGROUND: Under Water Code, sec. 16.053, regional water planning groups are
required to submit a regional water plan that provides for the development,
management, and conservation of water resources, including drought
management.

DIGEST: CSHB 578 would require each regional water planning group to identify
in its regional water plan existing water infrastructure facilities that could
be used for interconnections in the event of an emergency shortage of
water. This information would be exempted from disclosure requirements
under the state public information law.

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, 2005, and would apply only to a regional water plan
submitted after that date.

SUPPORTERS SAY: CSHB 578 would provide local communities with an understanding of the
major water infrastructure in the region, potentially vital information in the
event of a drought. Currently, if a municipality is faced with a severe
water shortage, that community may not be aware of major water lines that

run nearby. Knowledge of water infrastructure throughout the state could enable a municipality to identify a source from which it could import water to satisfy its needs.

By allowing this information to be reported through the regional water planning process, the bill would ensure that these reporting requirements were fulfilled in a cost-effective manner. The bill would exempt these plans from open records requirements in order to ensure that this sensitive information did not fall into the hands of saboteurs or terrorists.

**OPPONENTS
SAY:**

The information included in the water infrastructure report could be an inviting point of attack for terrorists. The Legislature should consider whether the benefits of compiling this information actually outweigh the potential for it to fall into the wrong hands.

NOTES:

As filed, HB 578 would have required a surface water permit holder, groundwater export permit holder, retail public water supplier, wholesale water provider, irrigation district, or any other person transporting groundwater or surface water 20 miles or more to report to the Texas Water Development Board (TWDB) information regarding the location and condition of water pipelines. TWDB would have been required to identify all water pipelines and other facilities that could be used to convey water. TWDB would have had to design a pipeline system providing each region of the state access to an undepletable emergency source of water.