

BILL ANALYSIS

Senate Research Center
86R5459 BRG-F

H.B. 807
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Water & Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been noted that, while the need for a comprehensive, statewide water plan is central to the development of the state's water resources, the division of the state into regional water planning groups may be counterproductive at times as a group may prioritize projects in its region over larger scale projects needed to serve rapidly growing areas.

H.B. 807 seeks to address this issue by providing for an interregional planning council of representatives from every regional water planning group. The purposes of the council would include improving coordination among the state's 16 regional water planning groups and the Texas Water Development Board as well as help facilitate dialogue on water management strategies and best practices that could affect multiple planning areas. The bill also would expand the requirements for information that planning groups would be required to provide in their regional water plans.

H.B. 807 amends current law relating to the state and regional water planning process.

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 C, Chapter 16, Water Code, by adding Section 16.052, as follows:

Sec. 16.052. INTERREGIONAL PLANNING COUNCIL. (a) Requires the Texas Water Development Board (TWDB), at an appropriate time in each five-year cycle for the adoption of a new state water plan, to appoint an interregional planning council. Provides that the members of the council serve until a new state water plan is adopted.

(b) Provides that the council consists of one member of each regional water planning group. Requires each regional water planning group to nominate one or more members for appointment to the council, and requires TWDB to consider the nominations in making appointments to the council.

(c) Provides that the purposes of the council are to:

(1) improve coordination among the regional water planning groups, and between each regional water planning group and the board, in meeting the goals of the state water planning process and the water needs of the state as a whole;

(2) facilitate dialogue regarding water management strategies that could affect multiple regional water planning areas; and

(3) share best practices regarding operation of the regional water planning process.

(d) Requires the council to:

- (1) hold at least one public meeting; and
- (2) prepare a report to TWDB on the council's work.

SECTION 2. Amends Sections 16.053(e) and (i), Water Code, as follows:

(e) Requires that each regional water planning group submit to TWDB a regional water plan that:

(1)–(2-a) makes no changes to these subdivisions;

(3) identifies:

(A)–(B) makes no changes to these paragraphs;

(C)–(D) makes nonsubstantive changes to these paragraphs; and

(E) unnecessary or counterproductive variations in specific drought response strategies, including outdoor watering restrictions, among user groups in the regional water planning area that may confuse the public or otherwise impede drought response efforts;

(4) makes no changes to this subdivision;

(5) includes but is not limited to consideration of the following:

(A)–(I) makes no changes to these paragraphs;

(J) opportunities for and the benefits of developing large-scale desalination facilities for:

(i) makes no changes to this subparagraph;

(ii) brackish groundwater, rather than seawater or brackish groundwater, that serve local or regional brackish groundwater production zones identified and designated under Section 16.060(b)(5) (relating to the identification and designation of local or regional brackish groundwater production zones in areas of the state with moderate to high availability and productivity of brackish groundwater that can be used to reduce the use of fresh groundwater);

(6)–(7) makes no changes to these subdivisions;

(8)–(9) makes nonsubstantive changes to these subdivisions;

(10) if the regional water planning area has significant identified water needs, provides a specific assessment of the potential for aquifer storage and recovery projects to meet those needs;

(11) sets one or more specific goals for gallons of water use per capita per day in each decade of the period covered by the plan for the municipal water user groups in the regional water planning area; and

(12) assesses the progress of the regional water planning area in encouraging cooperation between water user groups for the purpose of achieving economies of scale and otherwise incentivizing strategies that benefit the entire region.

(i) Provides that, in conjunction with the submission of regional water plans, each planning group should make legislative recommendations, if any, to facilitate more voluntary water transfers in the region or for any other changes that the members of the planning group believe would improve the water planning process.

SECTION 3. Requires TWDB to appoint the members of the initial interregional planning council under Section 16.052, Water Code, as added by this Act, not later than September 1, 2020.

SECTION 4. Effective date: upon passage or September 1, 2019.