



KEY UPDATES AND ACTIVITY

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LEGISLATIVE HEARINGS ON THE DROUGHT

The Senate and House Natural Resources Committees held hearings November 1-2, 2011, on the impact of the drought in Texas. The hearings included testimony from state agency leaders, academia, business, and agricultural interests. Both committees appeared to be setting the stage for creating a sustainable source of funding for the state water plan and water infrastructure in the next legislative session.

The state climatologist testified that the current drought was the most intense one-year drought in Texas history. The summer of 2011 was the hottest on record, and the Palmer drought index was the lowest on record. In his opinion, the drought is likely to last at least another year and possibly two years. His bottom line was that rainfall in the state will not last as long or go as far in the future.

Carolyn Brittin of the Texas Water Development Board (TWDB) testified about the new Draft State Water Plan. She stated that the Texas population will increase from 25 million to 46 million people by 2060. There will be a 26% increase in water use over this time, with the major growth in use from the municipal sector. Available water from existing supplies will decrease from 17M ac-ft to 13M ac-ft. An additional 8.3M ac-ft will be needed by 2060. She also stated the cost to implement the State Water Plan has increased from \$31 billion in 2007 to \$52 billion in 2012. In addition to costs for implementation of the State Water Plan, \$8.9 billion will be needed for existing water plants, \$81.7 billion for wastewater treatment, and \$7.5 billion for flood control. The total cost of the State Water Plan plus these other water needs is \$231 billion. The Draft State Water Plan can be viewed on the TWDB website at www.twdb.state.tx.us.

REGULATORY ACTIVITY

TCEQ held a stakeholder meeting on November 1, 2011, to discuss the next round of revisions to Chapter 217, the design criteria rules. The agency is proposing revisions in the following areas:

- Liner language on amended in-situ soils
 - Cloth media filters
 - Manhole testing requirements
 - Sludge digesters
 - Review integration facultative lagoon language
 - Clarify "grandfather clause"
 - Review separation distance requirements for service laterals and water lines
 - Emergency/back up power requirements
- TCEQ will be accepting comments on these

topics, plus any others that stakeholders suggest, until January 2, 2012.

UPDATE ON LEGISLATIVE IMPLEMENTATION

TCEQ has been hard at work holding stakeholder meetings and developing rules to implement legislation passed in the 82nd Session. The status of some of the key pieces of water related legislation is noted in Figure 1. ➔

FIGURE 1

Bill	Summary	Implementation Schedule
HB 451	Relating to the creation of a Don't Mess with Texas Water Program to prevent illegal dumping that affects the surface waters of this state	Stakeholder mtg 11-8-11 Rules complete 3-1-13
HB 805	Relating to the requirement that certain water service providers ensure emergency operations during extended power outage. Filed version limited to drinking water plants in or adjacent to Harris County	Proposal April 2012 Adoption Fall 2012 EPPs due 2-1-12
HB 965	Relating to continuing education requirements for persons holding licenses issued by the TCEQ on Environmental Quality	Proposal 3-7-12 Public hearing 4-12-12 Adoption 7-1-12
HB 2694	Relating to the continuation and functions of the TCEQ and abolishing the On-site Wastewater Treatment Research Council	
	• Compliance History	Stakeholder mtg 9-22-11 Proposal 1-25-12 Adoption 6-27-12
	• Enforcement Policy	Stakeholder mtg 8-2-11 Proposal 3-28-12 Adoption 8-8-12
	• Penalties and SEPs	Guidance final 9-28-11
HB 3391	Relating to rainwater harvesting and other water conservation initiatives	Rulemaking & guidance Proposal 7-11-12 Adoption 12-5-12
SB 449/ SJR 16	Relating to the appraisal for ad valorem tax purposes of open-space land devoted to water stewardship purposes on the basis of its productive capacity	
SB 1073/ HB 3372	Relating to standards for a structure that is connected to a public water supply system and has a rainwater harvesting system	Rulemaking & guidance Proposal 7-11-12 Adoption 12-5-12
SJR 4	Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the TWDB	