



Overview of Water Related Legislation

September 20, 2011

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**WATER ENVIRONMENT
ASSOCIATION OF TEXAS**

Preserving & Enhancing the Water Environment of Texas



Mission for WEAT's Legislative and Regulatory Programs

- To promote scientifically sound environmental policies and regulation

82nd Session Texas Legislature

- January 11, 2011: Legislature convened
- May 30, 2011: Last day of session



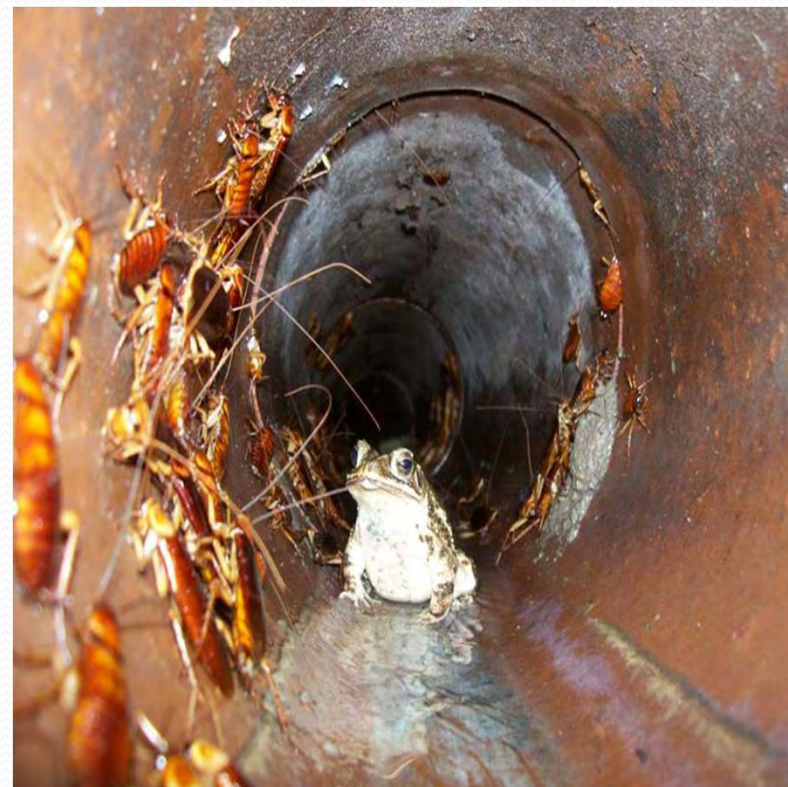
Summary of Previous Sessions

- 82nd session
 - 5796 bills filed (26% decrease)
 - 1379 bills passed (23%)
- 81st session
 - 7419 bills filed
 - 1459 bills passed (19.6%)
- 80th Session
 - 6190 bills filed
 - 1480 bills passed (24%)



Challenges and Issues for the 82nd Session

- Budget, budget, budget
- Redistricting
- Voter ID
- Sonogram bill
- Arizona-style immigration





Topics WEAT Followed

- TCEQ and TWDB Sunset Bills
- Infrastructure financing (state water plan)
- Operator licensing
- Reuse
- Microconstituents
- Biosolids
- Auxiliary power requirements
- TCEQ appropriations/fees



From WEAT's Tracking List.....



Operator Licensing

- HB 965 -Relating to continuing education requirements for persons holding licenses issued by the Texas Commission on Environmental Quality
- WEAT/TAWWA legislation



Operator Licensing

- HB 965 allows the commission to recognize, prepare, or administer continuing education programs for license holders, including continuing education programs made available through the Internet



Operator Licensing

- Allows A and B water and wastewater operators to certify at the time the license is renewed that the license holder has complied with the commission's continuing education requirements
- TCEQ rulemaking underway soon



Illegal Dumping



- HB 451 creates the “Don't Mess with Texas Water” Program to prevent illegal dumping that affects the surface waters of this state
- Places signs on major highway water crossings that notify drivers of a toll-free number to call to report illegal dumping

Illegal Dumping



- Requires TCEQ to establish a toll-free number hotline that will forward calls to the appropriate law enforcement agency
- Local government and TXDoT to work with TCEQ



Disaster Recovery

- HB 805 – backup power, limited to drinking water plants in or adjacent to Harris County with a population of 350,000 (change from 400,000)
- SB 924 – allows for use of reverse 911 by public water providers and others for localized service disruptions and other emergencies



Texas Water Development Board (TWDB) Sunset



- SB 660 adds groundwater district representation to certain regional water planning groups
- Requires groundwater districts to adopt Desired Future Conditions (DFC's) by rule and modifies the DFC petition process
- Expands the role of TWDB in coordinating statewide GIS data production and management

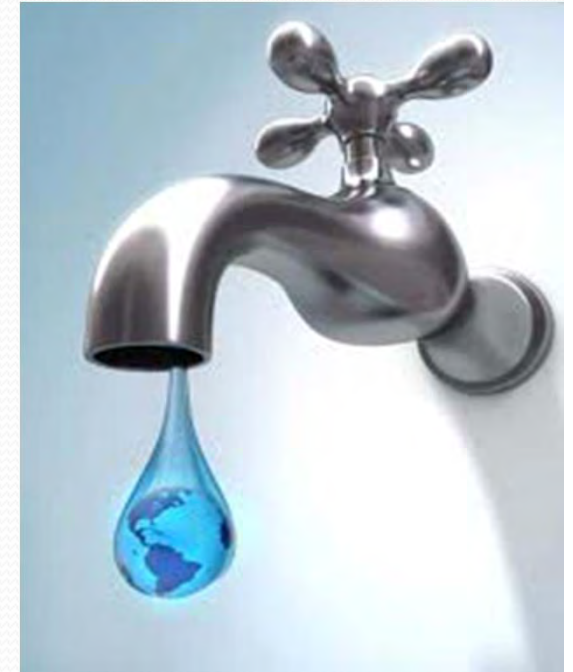
Rainwater

- HB 3391 & SB 1073 allow for indoor, potable use of rainwater with public drinking water systems
 - TCEQ to adopt rules for public system connections
 - Installation and notification requirements
 - Liability protection for public water suppliers
- HB 3391 additional provisions
 - TWDB to provide local training
 - Disclosures for home sales
 - Homeowners association restrictions



Conservation

- SB 181 - TWDB and TCEQ to develop uniform, sector-based, consumption metrics for cities and water utilities
- SB 449 & SJR 16 - property tax credits for land used for water stewardship
 - Constitutional amendment election in November 2011



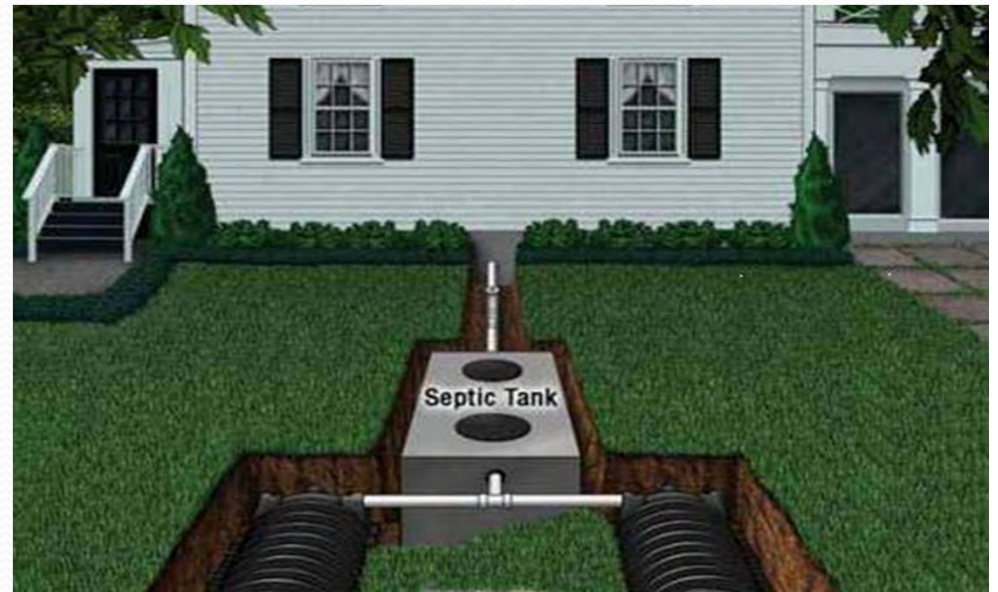
Groundwater

- SB 332 clarifies the vested ownership interest in groundwater beneath the surface and the right to produce that groundwater (Rule of Capture)
- SB 737 amends laws relating to groundwater production by groundwater conservation districts



On-Site Sewage Systems

- HB 240 requires TCEQ to adopt rules preventing accidental or unauthorized access to on-site sewage disposal systems
- Imposes system design changes to limit access



Just for fun

- HB 716 - Relating to the taking of certain feral hogs and coyotes using a helicopter





Clean Water Cooperative Federalism Act of 2011 ([H.R. 2018](#))

- Limits EPA authority to overrule state-approved water quality standards
- Blocks EPA's ability to revise state water quality standards under Section 303 and replace them with federal guidance, which the agency has done for coal mining



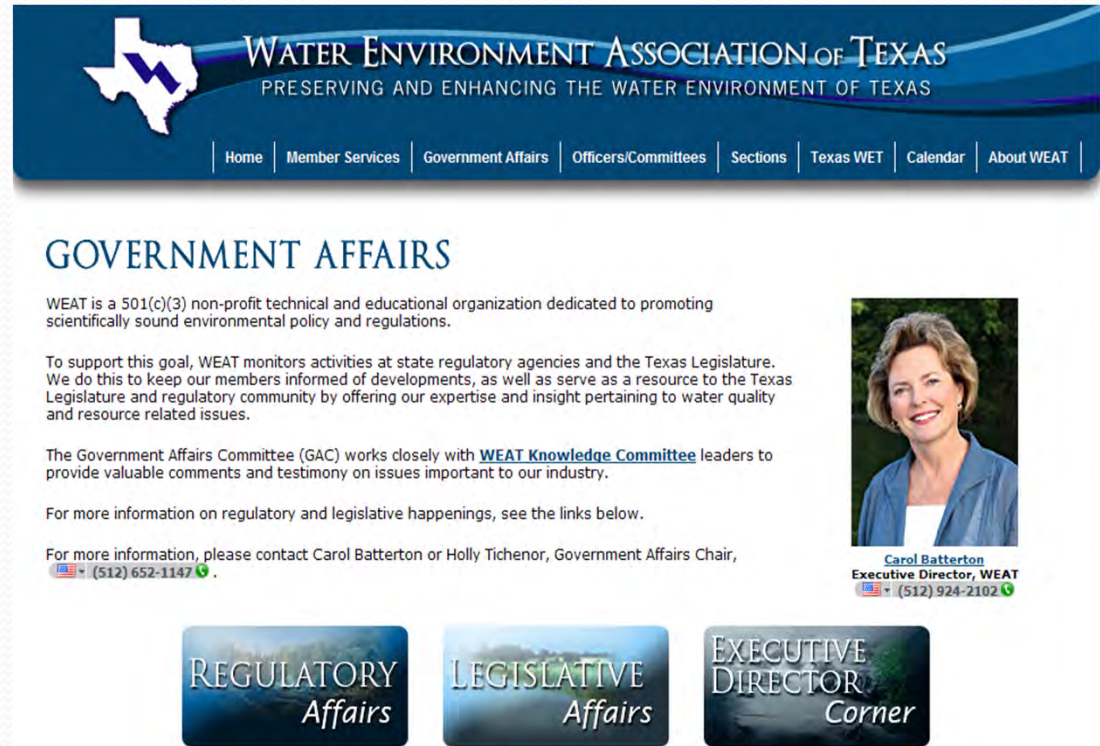
Clean Water Cooperative Federalism Act of 2011 ([H.R. 2018](#))

- Removes EPA authority to overrule state-granted water quality certifications under Section 401 of the CWA and state-approved National Pollutant Discharge Elimination System permits under Section 402
- Passed the House and pending in the Senate



WEAT Government Affairs

- New and improved website!!!!
- <http://www.weat.org/governmentalaffairs.shtml>



The screenshot shows the WEAT website's Government Affairs page. At the top is a dark blue header with the WEAT logo (a white outline of Texas with a blue 'W' and 'E') and the text "WATER ENVIRONMENT ASSOCIATION OF TEXAS" and "PRESERVING AND ENHANCING THE WATER ENVIRONMENT OF TEXAS". Below the header is a navigation menu with links: Home, Member Services, Government Affairs, Officers/Committees, Sections, Texas WET, Calendar, and About WEAT. The main content area is titled "GOVERNMENT AFFAIRS" and contains the following text:

WEAT is a 501(c)(3) non-profit technical and educational organization dedicated to promoting scientifically sound environmental policy and regulations.

To support this goal, WEAT monitors activities at state regulatory agencies and the Texas Legislature. We do this to keep our members informed of developments, as well as serve as a resource to the Texas Legislature and regulatory community by offering our expertise and insight pertaining to water quality and resource related issues.

The Government Affairs Committee (GAC) works closely with [WEAT Knowledge Committee](#) leaders to provide valuable comments and testimony on issues important to our industry.

For more information on regulatory and legislative happenings, see the links below.

For more information, please contact Carol Batterton or Holly Tichenor, Government Affairs Chair, (512) 652-1147.

On the right side of the page is a portrait of Carol Batterton, Executive Director of WEAT, with her name and contact information: Carol Batterton, Executive Director, WEAT, (512) 924-2102.

At the bottom of the page are three buttons: "REGULATORY Affairs", "LEGISLATIVE Affairs", and "EXECUTIVE DIRECTOR Corner".

Legislative Information

www.capitol.state.tx.us



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