

**SUBJECT:** Establishing an interregional water planning council

**COMMITTEE:** Natural Resources — favorable, without amendment

**VOTE:** 11 ayes — Larson, Metcalf, Dominguez, Farrar, Harris, T. King, Lang, Nevárez, Oliverson, Price, Ramos

0 nays

**WITNESSES:** For — (*Registered, but did not testify*: Charles Flatten, Hill Country Alliance; Erica Mulder, Irving-Las Colinas Chamber of Commerce; Diann Andy, League of Women Voters of Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Tom Oney, Lower Colorado River Authority (LCRA); Shauna Fitzsimmons Sledge, Prairielands & Upper Trinity Groundwater Conservation Districts; Adrian Shelley, Public Citizen; Brian Sledge, San Antonio River Authority; Clay Pope, San Jose Water Group & Canyon Lake Water Service Company; Justin Yancy, Texas Business Leadership Council; Heather Harward, Texas Water Supply Partners; Alexis Tatum, Travis County Commissioners Court).

Against — None

On — (*Registered, but did not testify*: Clifford Sparks, City of Dallas; Matt Nelson, Texas Water Development Board)

**BACKGROUND:** Water Code sec. 16.053 requires each of the state's regional water planning groups to prepare a regional water plan at least every five years. These water plans must provide for the orderly development, management, and conservation of water resources as well as for the preparation for and response to drought conditions in order that sufficient water will be available for the region.

**DIGEST:** HB 807 would create an interregional planning council made up of representatives from the state's regional water planning groups. The bill also would expand the requirements for information that planning groups would be required to provide in their regional water plans. These

requirements would include an assessment of the potential for aquifer storage and recovery projects to meet significant needs where identified, along with other information.

**Interregional planning council.** The bill would require the Texas Water Development Board (TWDB) to appoint an interregional planning council at an appropriate time during each five-year state water plan adoption cycle. The council would include one member of each regional water planning group, and planning groups would nominate members for appointment by the board. The council would serve until a new state water plan was adopted.

The purposes of the council would include improving coordination among regional water planning groups and between planning groups and TWDB. Purposes also would include facilitating dialogue on water management strategies that could affect multiple planning areas and sharing best practices for the water planning process. The council would be required to hold at least one public meeting and prepare a report to the board on the council's work.

**Regional water plan.** The bill would expand the requirements for information to be included in regional water plans.

If a planning area had significant identified water needs, the regional water planning group would have to include in its water plan a specific assessment of the potential for aquifer storage and recovery projects to meet those needs.

The plan would have to set one or more specific goals for gallons of water use per capita per day by decade for municipal water user groups in the planning area for the time period covered by the plan.

It also would have to assess the progress of the planning area in encouraging cooperation between water user groups and incentivizing strategies that benefited the entire region.

Regional water planning groups would have to identify unnecessary or counterproductive variations in specific drought response strategies among user groups in their water planning areas.

The bill would advise regional water planning groups to include in their regional water plans legislative recommendations to improve the water planning process.

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, 2019.

**SUPPORTERS  
SAY:**

HB 807 would lead to better statewide water planning by creating an interregional planning council of representatives from every regional water planning group. Council interactions would foster statewide cooperation among water planning groups, the sharing of best practices, and coordination on interregional planning and projects.

Regions currently only liaise with adjacent regional water planning groups, which is insufficient for providing a broad view of the state's water needs. Regions also have clashed over water planning in the past, resulting in costly litigation and delays in the development of needed projects. The interregional planning council would help provide a high-level view of the state's water needs and facilitate cooperation on large-scale strategies and projects.

The bill also would expand the scope of information considered by regional water planning groups and included in regional water plans. Requiring planning groups to report examples of counterproductive drought response strategies could encourage regions that use the same water source to employ more effective strategies.

The bill would also require water plans in regions with significant water needs to consider new technologies, such as aquifer storage and recovery projects. This could speed up the planning process for adopting innovative water management approaches. The Texas Water Development Board

could determine whether a region had significant water needs that warranted an evaluation of aquifer storage and recovery.

The bill's requirement that regional water planning groups set gallons-per-capita-per-day goals for themselves could foster regional competition, incentivizing conservation projects.

**OPPONENTS  
SAY:**

HB 807 would create a redundant process with existing interregional cooperation measures already allowed. The Texas Administrative Code requires each regional water planning group to appoint a non-voting liaison to each adjacent planning group.

The bill may not provide enough specificity to guide regional planning groups. It is unclear what concern would be significant enough to require an aquifer storage and recovery study, what methods would be used to assess whether a drought response was counterproductive, or how to assess whether progress was made on intraregional cooperation. If the bill requires additional information in regional water plans, more funding should be made available to regional water planning groups.