

Water Resources Council (WRC)

July 9, 2019



North Central Texas Council of Governments

Environment
& Development

www.nctcog.org/WaterResources

1. Welcome and Introductions.

Action Items

2. Meeting Summary.

- I. The April 23, 2019 meeting summary will be presented for approval.

Action Items

3. Approval of the Draft 2019 Update to the Water Quality Management Plan (WQMP)

- I. NCTCOG will provide an overview the Draft WQMP and public comments received.

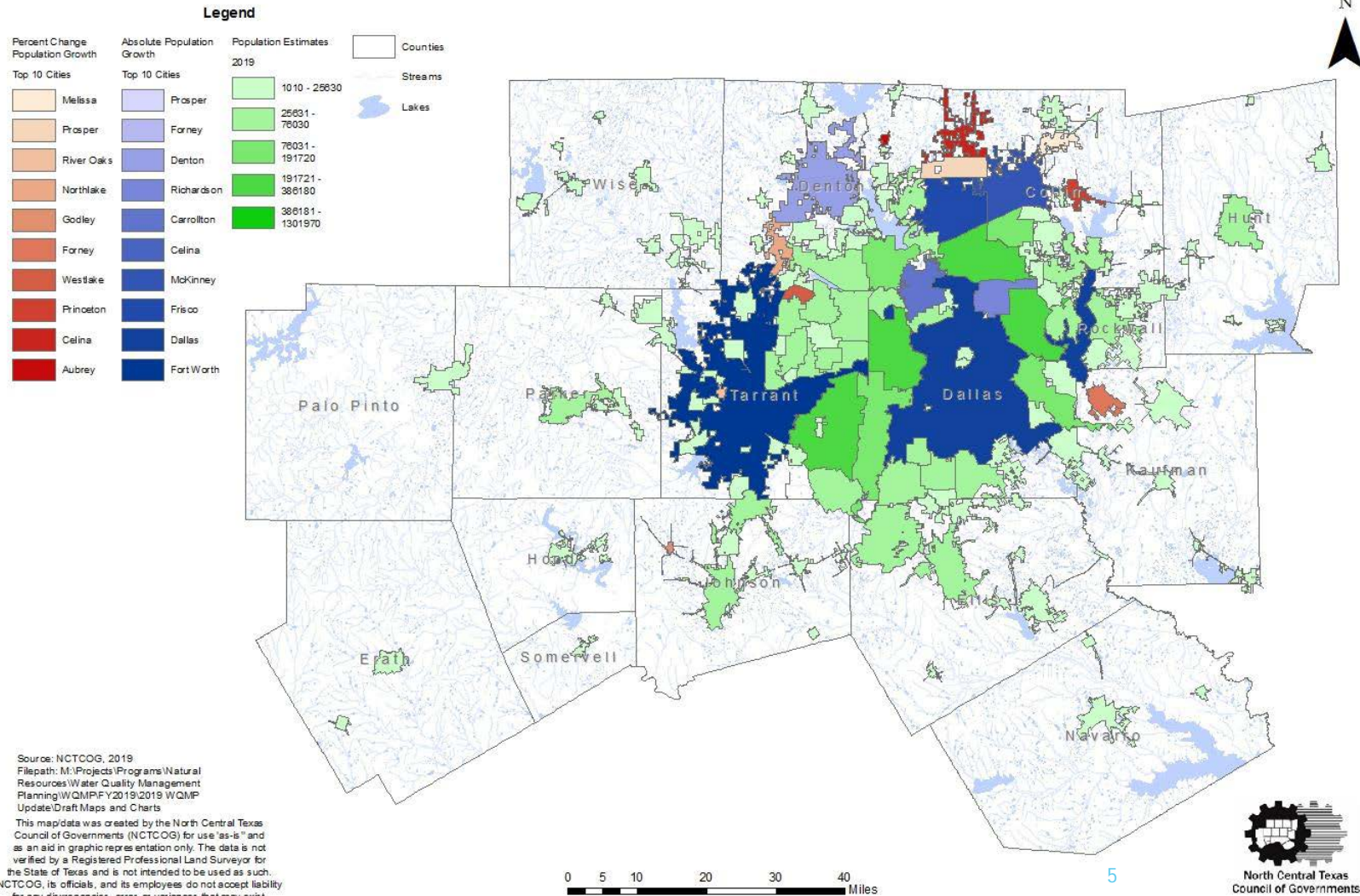
Action Items

3. Draft 2019 WQMP Update

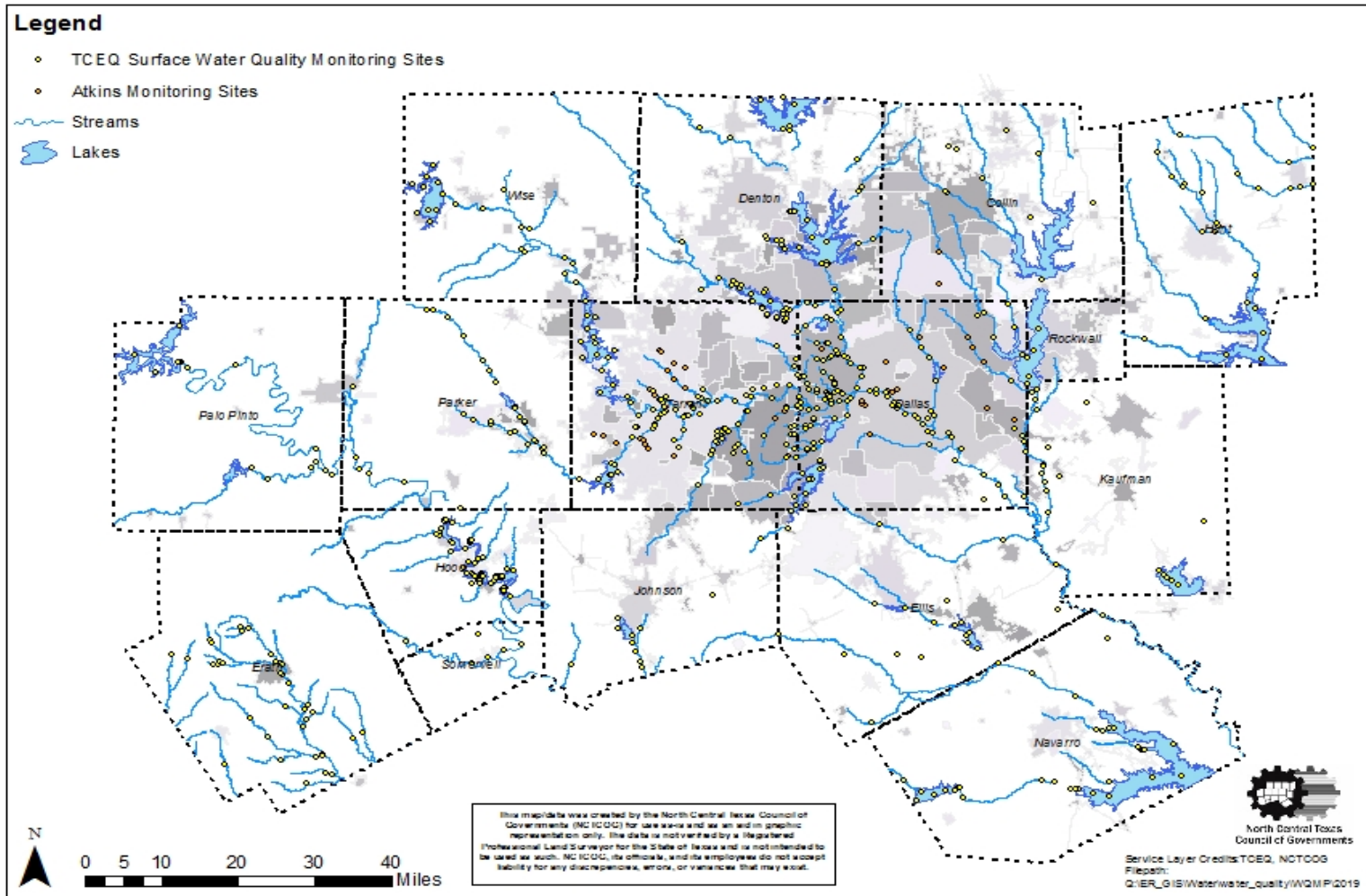
I. Major Elements

- I. 2019 population estimates
- II. Separate maps for monitoring stations (citizens vs. TCEQ/Atkins)
- III. Conformance review for 7 Clean Water State Revolving Fund (CWSRF) projects
- IV. Added back information on water reuse and water conservation

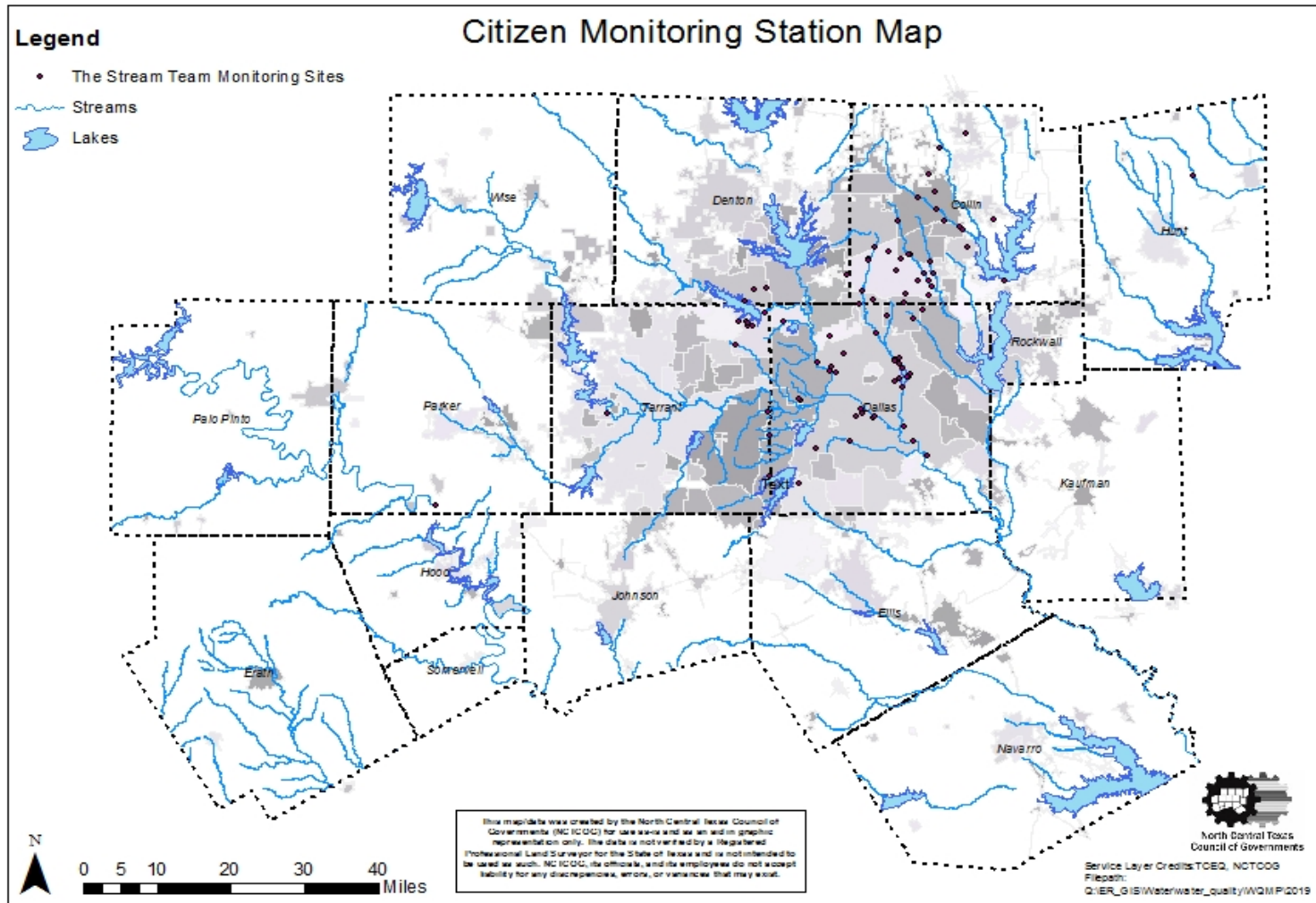
2019 Population Estimates



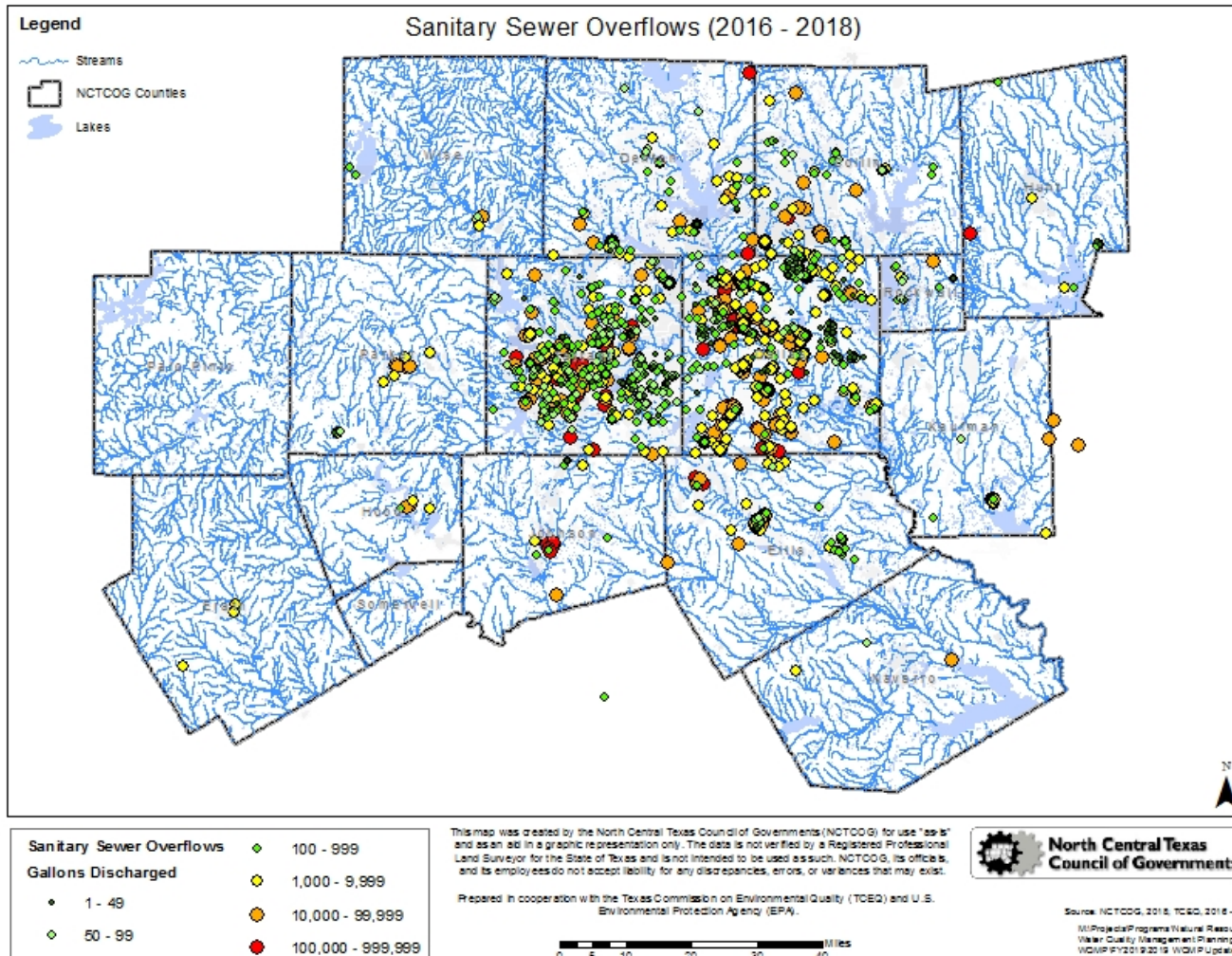
Monitoring Sites - TCEQ/Atkins



Monitoring Sites - Citizens



Sanitary Sewer Overflows



Action Items

3. Draft 2019 WQMP Update

I. Comments received

- I. City of Garland - Edits and updates to Appendix B, "TCEQ TPDES Permit Database" and Appendix C, "Discharge Monitoring Report Data"

- II. City of Retreat - "The water for the citizens of the City of Retreat is purchased by Community Water Company through the City of Corsicana. The City of Retreat does not own the water lines or water meters."

Discussion

4. FY 2020 Water Resources Council Membership

- II. Request members to volunteer on a nominating subcommittee to:
 - I. Discuss vacancies for Utility Provider, Development Community, or Industry Representative Region-At-Large
 - II. Review new appointments
 - III. Provide input on vacancies
- III. Vote on FY 2020 membership electronically

The background features abstract, overlapping geometric shapes in various shades of blue, ranging from light sky blue to deep navy blue, set against a white central area.

86th Texas Legislative Update



HB 1506 / SB 1694

- ▶ Relating to authorizing a regulatory authority to establish reduced water and sewer utility rates funded by donations for the benefit of certain low-income customers
- ▶ Seeks to provide a means for reduced water and sewer rates for certain classes of customers
- ▶ Bill passed House on April 9, 2019
- ▶ Senate referred to Water & Rural Affairs on 4/15/19
- ▶ Placed on intent calendar 5/22/19
- ▶ [Link to Bill](#)



SB 81

- ▶ Relating to the naming of a reservoir by certain water districts
- ▶ The district must request approval of the name from the commissioner's court of the county in which the reservoir project site is located
- ▶ Bill passed Senate Committee on Water & Rural Affairs unanimously on April 11, 2019
- ▶ House Referred to Natural Resources on April 16, 2019
- ▶ House left pending in committee on April 30, 2019
- ▶ [Link to Bill](#)



SB 530 / HB 1267

- ▶ Relating to civil and administrative penalties assessed or imposed for violations of laws protecting drinking water, public water supplies, and bodies of water
- ▶ Seeks to provide additional flexibility to allow TCEQ to penalize public water suppliers who simply pay the monetary penalties ordered by TCEQ and do not undertake the necessary corrective actions
- ▶ Signed by Governor - Effective on 9/1/19
- ▶ [Link to Bill](#)



SB 700 / HB 1587

- ▶ Relating to retail public utilities that provide water or sewer service
- ▶ Makes changes to the procedures for water ratemaking cases to improve and streamline the ratemaking process for utilities and consumers
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



SB 912

- ▶ Relating to the suspension of operations of water districts that have failed to follow a court order or administrative directive by the Texas Commission on Environmental Quality.
- ▶ Senate Referred to Water & Rural Affairs on March 1, 2019
- ▶ [Link to Bill](#)



SB 1030

- ▶ Relating to the duty of a water supply system to provide certain information to consumers regarding fluoride in drinking water
- ▶ Senate Referred to Water & Rural Affairs on March 7, 2019
- ▶ [Link to Bill](#)



SB 1379 / HB 2957

- ▶ Relating to a requirement that certain recipients of financial assistance from the TWDB adopt certain restrictions on water use by their customers
- ▶ Senate Referred to Water & Rural Affairs on March 14, 2019
- ▶ House Referred to Natural Resources on March 12, 2019
- ▶ [Link to Bill](#)



HB 1826 / SB 1310

- ▶ Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain water utilities
- ▶ Left pending in committee - 3/5/19
- ▶ [Link to Bill](#)

Other Business and Roundtable Discussion

6. Future Agenda Items.

- I. The committee can request future agenda items.

7. NCTCOG Updates.

- I. NCTCOG will update the WRC on recent and upcoming items of interest.
 - I. Clean Water State Revolving Fund projects
 - II. Notice of Petition for Frognot
 - III. SEP Update

Other Business and Roundtable Discussion

8. Roundtable.

- I. WRC members share what is happening in their communities.

9. Schedule for Next Meeting.

- I. Thursday, October 3, 2019 at 10:30 a.m.

10. Adjournment.

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Bills Passed on Water Disasters

- ▶ HB 5 - Related to debris management and other disaster recovery efforts
 - ▶ HB 6 - Related to developing a disaster recovery task force to assist with long-term disaster recovery
 - ▶ Both signed by Governor - Effective 9/1/19
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- ▶ [Link to HB 5](#)
 - ▶ [Link to HB 6](#)



Bills Passed on Water Disasters

- ▶ HB 7 - Relating to disaster preparation and requires Texas Division of Emergency Mgmt to assist political subdivisions with executing contracts needed following a disaster
- ▶ HB 26 - Requires the owner/operator of state-regulated dams with spillways used to regulate flood waters to notify downstream communities when releases are made
- ▶ Both signed by Governor - Effective 9/1/19
- ▶ [Link to HB 7](#)
- ▶ [Link to HB 26](#)



Joint Resolution Passed on Water Disasters

- ▶ HJR 4 - Proposes a constitutional amendment providing for the creation of the flood infrastructure fund to assist in the financing of drainage, flood mitigation, and flood control projects
- ▶ Filed with the Secretary of State - 5/28/19
- ▶ [Link to HJR 4](#)



Legislation Left Pending

- ▶ HB 245
 - ▶ Relating to a requirement to make certain environmental and water use permit applications available online.
 - ▶ Referred to House Environmental Regulation Committee-2/19/19
- ▶ [Link to Bill](#)



HB 1356

- ▶ Relating to meetings for certain special purpose districts
- ▶ Laid on the table subject to call
- ▶ 5/10/2019
- ▶ [Link to Bill](#)



HB 2031

- ▶ Relating to a statewide water conservation public awareness program
- ▶ Left pending in committee - 3/5/19
- ▶ [Link to Bill](#)



HB 2948

- ▶ Relating to the creation of an advisory panel to study and compile a report on best management practices and funding mechanisms for the prevention, mitigation, and abatement of windblown and waterborne litter in communities
- ▶ Referred to House Committee on Environmental Regulation- 3/12/19
- ▶ [Link to Bill](#)



HB 4031

- ▶ Relating to fees charged to a school district by a water supply or sewer service corporation.
- ▶ Introduced, left pending in Natural Resources Committee - 4/16/19
- ▶ [Link to Bill](#)



HB 4114/SB 2322

- ▶ Relating to rates established by municipalities for water and sewer services.
- ▶ Out of Committee; Report filed, distributed, and sent to Calendars - 4/29/19
- ▶ [Link to Bill](#)



HB 4116

- ▶ Relating to a voluntary financial assurance program for permit holders under the Texas Pollutant Discharge Elimination System.
- ▶ Out of Committee; Referred to Senate - 4/29/19
- ▶ [Link to Bill](#)



HB 4241

- ▶ Relating to providing services for or acquiring certain water utilities and establishing related rates.
- ▶ Referred to committee - 3/25/19
- ▶ [Link to Bill](#)



HB 4246

- ▶ Relating to nonsubmerged billing for water or wastewater service.
- ▶ Out of committee; Senate received from House - 5/7/2019
- ▶ [Link to Bill](#)



HB 4254/SB 2272

- ▶ Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain water utilities.
- ▶ Left pending in committee - 4/23/19
- ▶ [Link to Bill](#)



HB 4458

- ▶ Relating to the sources of supply of water for certain municipally owned water utilities.
- ▶ Left pending in committee - 4/23/19
- ▶ [Link to Bill](#)



HB 4493

- ▶ Relating to supplemental environmental projects authorized by the TCEQ.
- ▶ Out of Committee; Sent to Senate Committee - 3/26/2019
- ▶ [Link to Bill](#)



SB 900

- ▶ Relating to state and local planning for and responses to drought.
- ▶ Referred to Committee on Water and Rural Affairs 3/1/19
- ▶ [Link to Bill](#)



Legislation that Made it to the Governor

- ▶ HB 191
 - ▶ Relating to the disposal of pesticides
 - ▶ Requires the TX Dept. of Agriculture (TDA) and TCEQ to organize pesticide waste and container collection activities statewide
 - ▶ Creates the pesticide disposal fund to be administered by TDA to fund those activities
 - ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 720

- ▶ Relating to appropriations of water for recharge of aquifers and use in aquifer storage and recovery (ASR) projects.
- ▶ Allows unappropriated water, including stormwater and flood water, to be appropriated for recharge into an aquifer
- ▶ Water appropriated for diversion and a beneficial use can be stored in an aquifer storage and recovery project before the water is recovered for that use
- ▶ Signed by Governor - Effective immediately
- ▶ [Link to Bill](#)



HB 721

- ▶ Requires the TWDB to conduct statewide studies and surveys and submit reports on aquifer storage and recovery
- ▶ Signed by Governor - Effective immediately
- ▶ [Link to Bill](#)



HB 722

- ▶ Relating to the development of brackish groundwater
- ▶ Sets up rules governing the issuance of permits for completing and operating a brackish groundwater well
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 723

- ▶ Requires TCEP to obtain or develop updated Water Availability Models (WAMs) for the Brazos, Neches, Red, and Rio Grande River Basins
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 807

- ▶ Creates an interregional planning council made up of representatives from the state's regional water planning groups
- ▶ Expands the requirements for information that planning groups would be required to provide in their regional water plans, such as an assessment on the potential for aquifer storage and recovery to meet needs
- ▶ Signed by Governor - Effective immediately
- ▶ [Link to Bill](#)



HB 1052

- ▶ Authorizes the TWDB to use the state participation account of the water development fund to provide financial assistance for the development of projects related to certain reservoirs, facilities and water treatment works
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 1059/SB 1381

- ▶ Relating to a biennial report on stormwater infrastructure in this state
- ▶ Passed in House and Senate; Vetoed by Governor
- ▶ [Link to Bill](#)



HB 1964

- ▶ Amends Water Code to exempt certain applications for amendments to a water right that otherwise met the requirements of the Water Code to any requirements regarding notice and hearing or technical review.
- ▶ Seeks to streamline the water rights permitting process for minor water rights amendments.
- ▶ Signed by Governor - Effective immediately
- ▶ [Link to Bill](#)



HB 3142

- ▶ TCEQ is to establish a system to provide automatic reminders to public drinking water supply systems about regular, applicable reporting requirements.
- ▶ This reminder is a courtesy as the public drinking water supply system is responsible for complying with reporting regardless of reminders.
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 3339/SB 2331

- ▶ Relating to requirements for programs of water conservation and water conservation plans.
- ▶ Sets water conservation plan requirements for an application for financial assistance under specified water related programs and funds
- ▶ Filed without Governor's signature - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 3542/SB 1725

- ▶ Relating to valuation of a retail public utility or its facilities as part of a voluntary acquisition
- ▶ Establishes a process by which a Class A public utility providing retail water or sewer service could acquire a retail public utility, or the facilities of a utility, as the result of a voluntary arms-length transaction
- ▶ Passed in House and Senate; Filed without Governor's signature- Effective 9/1/19
- ▶ [Link to Bill](#)



HB 3552

- ▶ Prohibits the owner or operator of a public water supply system from permanently terminating the fluoridation of the water unless written notice was provided to the customers and the TCEQ.
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 4638/SB 2550

- ▶ Relating to the creation of the Bear Creek Ranch Municipal Utility District No. 1 of Parker County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



HB 4672/SB 2546- EB

- ▶ Relating to the powers and duties of the Collin County Municipal Utility District No. 2; providing authority to issue bonds and impose fees and taxes.
- ▶ Signed by Governor - Effective immediately
- ▶ [Link to Bill](#)



SB 239

- ▶ Relating to meetings for special purpose districts.
- ▶ Requires open meetings of certain special districts with populations over 500 to be held within 10 miles of the district if there is no suitable location in the district.
- ▶ Requires meetings to be recorded at a reasonable quality and archived on the internet.
- ▶ Signed by Governor - Effective 9/1/19
- ▶ [Link to Bill](#)



SB 911

- ▶ Relating to the supervision of water districts by the Texas Commission on Environmental Quality.
- ▶ Sets deadlines for reviewing a district's audit report, and sets deadlines for filing a copy of an order relating to the results of a confirmation election for certain water districts.
- ▶ Signed by the Governor - Effective 9/1/19

▶ [Link to Bill](#)



SB 942

- ▶ Amends the conditions under which the TWDB may use the state water pollution control revolving fund to make a loan.
- ▶ Signed by Governor - Effective in 9/1/19
- ▶ [Link to Bill](#)



SB 1041/HB1617

- ▶ Sets deadline of December 1, 2032 for TWDB to identify and designate brackish groundwater production zones
- ▶ Signed by Governor - Effective on 9/1/19
- ▶ [Link to Bill](#)