

Dusting off the Toolbox: Smart Water Supply Planning Tools*

By Martin C. Rochelle and Nathan E. Vassar

The arrival of spring often signals the annual rite of spring cleaning and a renewed ambition for “back burner” outdoor projects. Many Saturdays may begin by clearing off the work bench or opening up a dusty toolbox. Of course, seasoned garages will often contain most, if not all, of the equipment needed to tackle a project, even if some tools haven’t been used for some time. While certain projects may appear novel or difficult, solutions may be at one’s fingertips, by assessing the tools available and putting one or more to use for the particular needs of the job.

In the arena of water supply planning, the season similarly presents opportunities for water suppliers and utilities to take stock of their current supplies and their ability to lawfully and most efficiently use those supplies within their current and future service areas, all in light of their existing and projected water supply needs. The recent drought across Texas, which lingers in some parts, is an important reminder that there remain many water supply challenges across our state that cannot be solved by short term rains or the current El Niño weather pattern.

In this and future articles, we will explore a variety of water supply planning tools that may help water suppliers extend the use of their current water rights and their contract water rights, to better serve their current and future customers. We will address the development and use of a team of professionals to afford the array of services needed by water suppliers to

* This is the first in a series of articles (beginning in 2016) that focus upon water supply planning and implementation strategies. The series addresses simple, smart ideas for consideration and use by water suppliers in their comprehensive water supply planning efforts.

identify, evaluate and develop water supplies. We will examine the use of the “Four Corners” doctrine of Texas Water Code § 11.122(b) to expand the value of water supplies to a variety of uses, places of use, and diversion points, and without protracted and expensive contested case hearings. We will also take a hard look at the use of exempt interbasin transfers, which can help meet demands that may straddle river basin boundaries, for emergency supplies, and in adjacent coastal basins, among others. We will explore reuse opportunities (both direct and indirect) that can support service to particular customer classes, while further extending the use of precious water supplies, including supplies to serve downstream needs. We will address how accounting protocols may be examined and refined to help ensure that the most reliable supplies are available to meet demands in times of emergency or drought. Of course, as our state’s population is projected to double in the next half century, conservation efforts are critically important to stretch the value and utility of all water supplies, while challenging utilities with fewer sales and higher rates to address revenue requirements. By perusing a catalogue of resources, water supply portfolios may be enhanced through use of one or more of these featured planning concepts.

One important, proactive, planning tool that can be employed is a comprehensive assessment or audit of a utility’s current sources of water, to ensure that supplies may be lawfully and most efficiently used to address current and projected water demands. It is likely that many utilities have engaged in such efforts by reviewing their portfolio of supplies as part of a comprehensive assessment and in light of their long-term water supply challenges. A comprehensive assessment should first identify a variety of questions to be answered, including: Do existing rights contain purpose of use or place-of-use restrictions that challenge a utility’s ability to serve particular customer classes, its projected growth corridors, and related demands?

Are there authorizations in place, via contract rights or water rights that have not been exercised to date? How are water supplies, in light of their respective reliability, best managed in the supplier's operational protocol? These questions, among many, are worth exploring first in order to select the appropriate tool or tools to help address a supplier's long term needs and the needs of those to be served.

The years ahead will undoubtedly continue to present important water supply challenges, lengthy permitting processes, and legal hurdles for water utilities across the state. Contrasted against these realities, various water supply assessment and planning tools, including a comprehensive audit of current rights to water, may help provide an efficient, low-risk solution to supplying water – or to position a utility to supply water – to meet current and future demands. Most importantly, a proactive approach now may avoid the need for higher risk approaches down the road.

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