



Water Environment
Association of Texas

Welcome to the 86th Session of the Texas Legislature!

Heather Cooke, WEAT President Elect

Julie Nahrgang, WEAT|TAWCA Executive Director

Nathan Vassar, WEAT Government Affairs Co-Chair

Legislative Webcast, March 20, 2019



Welcome to the 86th Texas Legislature: Day 64 of 140 and Feeling the Love

Water Environment Association of Texas







Welcome to the 86th Texas Legislature: New and Familiar Faces

House Natural Resources Committee

Water Environment Association of Texas

Position

Chair:

Vice Chair:

Members:

Member

[Rep. Lyle Larson](#)

[Rep. Will Metcalf](#)

[Rep. Alex Dominguez](#)

[Rep. Jessica Farrar](#)

[Rep. Cody Harris](#)

[Rep. Tracy O. King](#)

[Rep. Mike Lang](#)

[Rep. Poncho Nevárez](#)

[Rep. Tom Oliverson](#)

[Rep. Four Price](#)

[Rep. Ana-Maria Ramos](#)

House Committee on Natural Resources (C390)

Legislature: 86(R)
- 2019

**Appointment
Date:** 1/23/2019

Clerk: Shannon
Houston

Phone: (512) 463-
0802

Room: EXT E2.104





Welcome to the 86th Texas Legislature: New and Familiar Faces

House Environmental Regulation Committee

Position

Chair:

Vice Chair:

Members:

Member

[Rep. J. M. Lozano](#)

[Rep. Ed Thompson](#)

[Rep. César Blanco](#)

[Rep. Kyle J. Kacal](#)

[Rep. John Kuempel](#)

[Rep. Geanie W. Morrison](#)

[Rep. Ron Reynolds](#)

[Rep. John Turner](#)

[Rep. Erin Zwiener](#)

**House Committee
on Environmental
Regulation
(C260)**

Legislature:
86(R) - 2019

**Appointment
Date:** 1/23/2019

**Clerk: Scott
Crownover**

Phone:
(512) 463-0776

Room: EXT E2.154





Welcome to the 86th Texas Legislature: New and Familiar Faces

Senate Water and Rural Affairs Committee

Position

Member

Chair:

[Sen. Charles Perry](#)

Vice Chair:

[Sen. Brandon Creighton](#)

Members:

[Sen. Carol Alvarado](#)

[Sen. Nathan Johnson](#)

[Sen. Lois W. Kolkhorst](#)

[Sen. José R. Rodríguez](#)

[Sen. Larry Taylor](#)

**Senate
Committee on
Water & Rural
Affairs (C700)**

Legislature: 86(
R) - 2019

**Appointment
Date:** 1/9/2019

Clerk: Leah
Curren

Phone:
(512) 463-0340

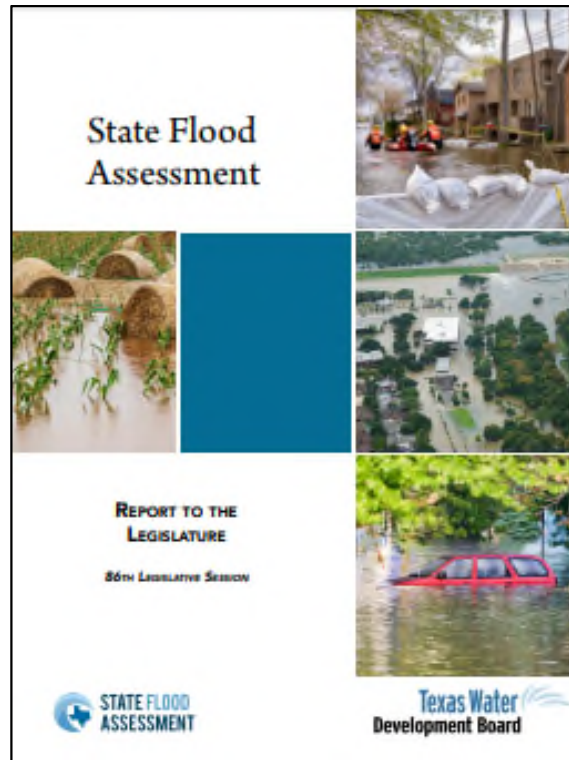
Room: SHB 335





Welcome to the 86th Texas Legislature: Flood Planning and Funding Bills

Water Environment Association of Texas





Welcome to the 86th Texas Legislature: Flood Planning and Funding



SB 8 (Perry) – Lead Senate Bill for Flood Planning

- all other Senators are co-authors
- State plan due by Sept 2024
- Regional planning along river basins by Jan 2023
- Broad membership at regional level
- Requires ranking of projects
- Soil & Water Conservation Board Dam Plan





Welcome to the 86th Texas Legislature: Flood Planning and Funding



SB 7 (Creighton)

- Perry and 12 other Senators are co-authors
- Creates “Infrastructure Resiliency Fund”
- 4 accounts within this fund

SB 500 (Nelson) – FY 2019 Supplemental Appropriations

- \$1.6 billion transfer from Rainy Day Fund plus more

SJR 28 (Perry) – Voter Approved Transfer in Nov 2019

- \$1.2 billion transfer from Rainy Day Fund to “State Flood Implementation Fund”





Welcome to the 86th Texas Legislature:
Flood Planning and Funding



HB 13 (Phelan) & HJR 4 (Phelan)/SJR 51 (Hinojosa)
SB 1521 (Hinojosa)

- Creates Flood Infrastructure Fund administered by TWDB with \$3.26 billion from Rainy Day Fund
- State plan due by Sept 2024
- Includes definition of “river authority”
- River authorities may participate in flood planning
- TWDB to develop dam maintenance plan
- TWDB serves as flood information clearinghouse



Welcome to the 86th Texas Legislature: Disaster Planning

SB 6 (Kolkhorst) – Disaster response guide to be developed by TDEM for local entities

HB 5 (Phelan) – Disaster guide and study of local impediments to disaster recovery

HB 6 (Morrison) – Disaster Recovery Task Force for federal assistance projects & disaster planning

HB 7 (Morrison) – Contract support and rules suspension for disasters





Welcome to the 86th Texas Legislature: Flood, Dam, and Disaster Alert/Preparedness

HB 26 (Metcalfe) – Creation of an alert system notifying people of dam releases

HB 34 (Reymond)– TX Division of Emergency Management to develop statewide alert system

HB 91 (Martinez) – Disaster identification and communication system in a state of emergency disaster





Welcome to the 86th Texas Legislature: Water Quality

HB 817 (King)/SB 655 (Flores) – Discharge bans for Nueces River portion of Edwards

HB 944 (Dutton) – Signage requirements for wastewater and injection well permits

HB 1671 (Huberty) – Water quality protection of certain areas

HB 1267 (Wray) /SB 530 (Birdwell) – Raises water body pollution penalties up to \$5,000



Welcome to the 86th Texas Legislature: Water Quality

HB 2003 (Leach)/ SB 970 (Creighton) – Would shift approval authority of PE contracts from state Comptroller to Attorney General

HB 2023 (Metcalf)/ SB 942 (Johnson) – Broadens provisions of Clean Water SRF eligibility and remove 20 year loan term limit.

HB 2426 (Reynolds)/ SB 1498 (Zaffirini) – Increases size of on-site septic system from 5,000 to 10,000GPD and delegates permitting to local authorities.

HB 3035 (Zwiener) – Amends TCEQ penalty assessment for compliance violators





Welcome to the 86th Texas Legislature:

Spill Reporting and Remediation

HB 3805 (Paul) / SB 2394 (Taylor) – Requires spills to be reported to county judge in which the spill or discharge occurred as soon as possible and no later than 24 hours. Existing spill exemptions apply

SB 1994 (Birdwell) – Requires spill to be reported to “local government officials”

HB 4116 (Zwiener) – Requires TCEQ establish an escrow account and program for TPDES permit holders to pay into the account in the event that the permit holder causes a discharge that damages the environment



Welcome to the 86th Texas Legislature: Biosolids and Domestic Septage



HB 3318 (Burns) – Creates permit requirements for domestic septage like those of Class B including permit rather than authorization and pathogen and vector reduction treatment like that of Class B

HB 3319 (Burns) – Defines domestic septage and requires soil monitoring samples for land application unit to be collected by inspectors for domestic septage sites and Class B sites

HB 3930 (Morrison)/ SB 2070 (Menendez) – Prohibits land application of grit and grease trap waste

HB 523 (Allen)/ SB 1249 (Miles) – Extends notice area to 1 mile for solid waste permit applicants and organizations within 2 miles



Welcome to the 86th Texas Legislature:

Produced Water and Discharge Permits

HB 2545 (Guillen) – Amends tax code to provide tax incentives to certain desal facilities. Facility permit holder gets credits for producing freshwater at desal facility and credits for mineral extraction.

HB 2771 (Lozano) / SB 1585 (Hughes) – Allows TCEQ to issue discharge permits for produced water under TPDES program then sends delegation of permitting back to RRC

HB 3067 (Ashby) – Changes tax code to incentivize desal of salty produced water and requires RRC to set adopt rules for program

HB 3246 (Darby) – Relates to treating produced water for beneficial use
– reads as a chain of custody bill



Welcome to the 86th Texas Legislature:

Produced Water and Discharge Permits

HB 3320 (Zwiener) – Requires O&G companies located over the Edwards Aquifer Recharge Zone to submit to TCEQ a water pollution abatement plan for the facility

HB 3717 (Dominguez) / SB 1999 (Hinojosa) – creates a tax credit program incentivizing the treatment and ASR of produced water

HB 4380 (Herrero) – creates an environmental task force advisory committee which is tasked with reviewing the RRC's regulatory structure and rules



Getty images



Welcome to the 86th Texas Legislature: Brackish Groundwater, Desalination and Aquifer Storage and Recovery (ASR)

HB 722 (Larson) - Brackish production zone rules

HB 724 (Larson)/SB 1836 (Alvarado) – Transfers of treated brackish groundwater

HB 845 (Lozano) – Property tax breaks for desalination projects

HB 1617 (Larson)/SB 1041 (Taylor) – Extended TWDB deadline for brackish zone designations

HB 1052 (Larson) – Allows TWDB to use state participation account for ASR and desalination projects

HB 720 (Larson) – Relating to appropriations of water for use in ASR projects

HB 721 (Larson) – Relating to the duty of the TWDB to conduct studies of and submit reports on ASR

HB 481 (Kuempel)/ SB 520 (Campbell) – Relating to the storage and recovery of water in a portion of the Edwards Aquifer

HB 1052 (Larson) – Allows TWDB State Participation account to be used to fund ASR or desalination facilities

HB 1044 (Zwiener)/ SB 483 (Campbell) – Expands types of injection well permits for ASR projects over sections of the Edwards Aquifer – Buda bill



Welcome to the 86th Texas Legislature: Groundwater & Surface Water



Groundwater

HB 726 (Larson) – Omnibus groundwater bill that amends and repeals multiple sections of Chapter 36, Water Code relating to limiting rules at time of permit

HB 1594 (Shine)– TWDB to update groundwater availability models for Edwards and Trinity aquifers by Sept 2020

SB 1010 (Perry) - Similar rules for GCDs over same aquifer

HB 2123 (Harris) – Petition process to change GCD rules

Surface Water

HB 1964 (Ashby) – Exemptions of notice and hearing requirements for certain surface water rights amendments

HB 4570 (Larson) – Study of groundwater/surface water interaction





Welcome to the 86th Texas Legislature: Conservation & Reuse



Save Texas Water

HB 2031 (Turner) – TWDB to create statewide water conservation public awareness program

HB 2880 (Zweiner) – Study of state and local building codes that may hinder conservation technology

HB 2957 (Zwiener)/ SB 1379 (Rodriguez) – Requires time of day watering restrictions to receive financial assistance from TWDB

SB 2331 (Creighton)/HB 3339 (Dominguez) – Expanded Water Conservation Plan requirements for TWDB funding

SB 900 (Hinojosa) – 5 day deadline for water supplier to notify TCEQ of changes to drought response water usage stage per Drought Contingency Plan

HB 3560 (Farrar) – Authorizes Harris County to implement a pilot program to reuse any form of wastewater at a county facility



Welcome to the 86th Texas Legislature: **Workforce Development**

HB 1469 & HB 1472 (Thierry)/ SB 1724 (Campbell) – Gives school districts and charter schools access to Skills Development Fund for workforce training

SB 1538 (Menendez) – Creates veterans career mentoring pilot program for technical training at Alamo Community College

SB 1539 (Menendez) – Requires Alamo Community College to implement pilot program for career interest groups for veterans

SB 1576 (Alvarado) – Creates TX industrial workforce apprenticeship grant program to address immediate workforce needs resulting from impact of Harvey and overall workforce shortages



Welcome to the 86th Texas Legislature: Contested Cases

HB 654 (Dutton)/SB 573 (Miles) – Expands definition of “affected person” for wastewater, injection well and solid waste permit protests

SB 1990 (Zaffirini) & HB 1006 (Collier) – (Similar bills) time limits for changing permit applications after SOAH referrals (wastewater, injection wells, solid waste, air)

HB 3114 (Kacal) – Moves SOAH hearing process to TCEQ with contracted administrative law judges



Welcome to the 86th Texas Legislature: Other Key Themes

- **Cybersecurity**
- **Public notice and transparency**
- **Eminent domain**
- **Excavation and right of way issues**
- **CCN releases**
- **Lead line replacements**
- **Utility rates and affordability**
- **FOOTBALL!**



Water Environment
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The 86th Session of the Texas Legislature: All the Feels!

Questions and Comments

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