

Flood of water issues faces 2011 Session

Legislature speeds process for TCEQ, TWDB reauthorization

Water issues may have dried up in the 81st Texas Legislature, but watch out for the 82nd in 2011. There's a flood coming, predicts TAWWA Legislative Committee Chair Donovan Burton.

That's because the Legislature broke the dam in the drive-by special legislative session that lasted only two days in July.

Lawmakers revamped the schedule for reviewing state agencies, known as "the sunset process." TCEQ and TWDB will be reviewed in the current interim, leading to potentially major revisions on the 82nd Legislature. That assures there will be at least two major water bills going through the Capitol in 2011, and that means plenty of opportunities to hang ornaments on those Christmas trees.

"2011 will end up being a huge water session," Burton predicted. Aside from the major changes suggested through the sunset process, the bills will see amendments thrown at them from every water interest in the state. "That will make for dozens of spur-of-the moment decisions on major water policy issues when the bills arrive in each chamber of the Legislature," Donovan said. When TCEQ – then the Texas Natural Resource Conservation Commission – went through sunset in 2001, almost 100 amendments were considered in House debate alone.



The 81st Session began in January with Senate Natural Resources Chair Kip Averitt calling for a permanent source of funds for the many water infrastructure projects contained in the State Water Plan. But, faced with the recession and no consensus on how to raise the money for water infrastructure, no bill was even filed, much less heard in Committee.

Texas Section managed to notch some victories, such as SB 1757 by Sen. Kirk Watson and State Rep. Donna Howard. The legislation requires TCEQ to conduct a study into how to dispose pharmaceuticals so that they don't wind up in drinking water.

TCEQ is required to solicit input from an array of interests, including utilities, and report back to the Legislature by December 2010 for action in the 2011 Session.

One water conservation issue that made it through the Legislature was House Bill 2667 by State Rep. Allan Ritter of Nederland. The bill requires that, by 2014, certain plumbing fixtures sold in the state must meet water efficiency standards.

The effective date, at the outset, was earlier. After negotiation, it was set at 2014. "The manufacturers bought into it once there was a later starting date," Burton observed, "They understood that the market was going that way [toward more water-saving fixtures]."

Aside from fairly routine bills, such as creation of municipal utility districts, many water bills died late in the session in the slowdown sparked by the controversial voter-ID legislation. Some got folded into other bills that managed to avoid the logjam.

Western states share drought experiences

By Cliff Avery
TEXASH2O

SAN DIEGO – How California and Nevada water agencies are dealing with water supply issues may have lessons for Texas.

Presenters at AWWA's Annual Conference and Exhibition (ACE) in San Diego gave perspectives on drought from utility, regional and state points-of-view June 18.

Las Vegas

Doug Bennett of the Southern Nevada Water Authority said his region has been faced with a drought since 2003, which has left Lake Mead down 120 feet from its normal level.

Bennett's advice included well-established practices, such as involving stakeholders. "When you implement your [drought] plan, you want them to be standing behind you at the podium."

But Bennett also challenged some well-worn tenets of water conservation. For example, he suggested that, instead of giving consumers a laundry-list of 100 ways to cut water use, cut the list

to the bone. With a longer list, Bennett cautioned, "they'll look at the list and see what they're already doing" and stop striving to conserve.

Instead, he told his AWWA audience, "you need to pick the most important two or three ways to conserve."

That, in turn, requires knowing where your water comes from and understanding how your customers use their water.

Las Vegas, for example, uses 1.8 percent of the flow of the Colorado River, while 75 percent goes to agricultural uses. And Las Vegas gets credit for returning its treated wastewater to the Colorado, so urging conservation of domestic use that returns to the wastewater stream has limited, if any, impact.

Incentives for conservation such as low-flow toilets are impor-

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