

- SUBJECT:** Managing water resources with state and local drought planning
- COMMITTEE:** Natural Resources — committee substitute recommended
- VOTE:** 10 ayes — Keffer, Ashby, D. Bonnen, Burns, Kacal, T. King, Larson, Lucio, Nevárez, Workman
- 0 nays
- 1 absent — Frank
- WITNESSES:** For — Dana Frandsen, League of Woman Voters of Texas; (*Registered, but did not testify*: Heather Cooke, City of Austin; David Foster, Clean Water Action; Cyrus Reed, Lone Star Chapter Sierra Club; Myron Hess, National Wildlife Federation; Joshua Houston, Texas Impact; David Weinberg, Texas League of Conservation Voters; Perry Fowler, Texas Water Infrastructure Network)
- Against — (*Registered, but did not testify*: Terri Hall, Greater Edwards Aquifer Alliance)
- On — Ron Ellis, Texas Commission on Environmental Quality; (*Registered, but did not testify*: Patrick Moore, Legislative Budget Board; Robert Mace, Texas Water Development Board)
- BACKGROUND:** Under Water Code, sec. 11.1272, the Texas Commission on Environmental Quality, by rule, requires wholesale and retail public water suppliers or irrigation districts to develop drought contingency plans consistent with the regional water plan to be implemented during periods of water shortages and drought.
- DIGEST:** CSHB 928 would expand the duties of the Water Conservation Advisory Council to include assisting with drought preparedness and response by:
- monitoring and recommending strategies for responding to drought; and

- recommending methodologies for conducting drought contingency plan evaluations.

The bill also would require the council to monitor new drought response technologies for possible inclusion by the Texas Water Development Board (TWDB) in the best management practices guide.

The bill would amend Water Code, sec. 11.1272 relating to drought contingency plans by allowing a wholesale or retail public water supplier or irrigation district to review and update their drought contingency plan for submission to the Texas Commission on Environmental Quality (TCEQ). Drought contingency plans could include an evaluation of strategies implemented during previous periods of significant drought. TCEQ, by rule, could define “significant drought.”

The bill would require a supplier to notify TCEQ within five business days of altering or lifting a mandatory provision of the supplier’s drought contingency plan. TCEQ would be required, by rule, to establish criteria for determining what had to be reported.

TCEQ would be required to maintain on its website a current list of public water suppliers implementing a drought contingency plan, including the following information for each supplier:

- the degree of drought severity in the county or counties in the supplier’s service area;
- whether the service area of the supplier was in a county subject to an emergency disaster proclamation due to drought conditions; and
- the drought response stage the supplier was implementing.

The bill would require the Texas Water Development Board, TCEQ, and the Water Conservation Advisory Council to regularly review and update the water conservation best management practices guide, including best management practices for drought response. The guide would have to be made available on the TWDB website.

The bill would take effect September 1, 2015.

**SUPPORTERS  
SAY:**

CSHB 928 would improve state and local drought planning to more effectively manage water resources. In 2011, Texas experienced the worst single-year drought on record. Rainfall has since improved conditions, but about 20 percent of the state remains in severe to exceptional drought conditions.

Water suppliers are only required to complete and submit drought contingency plans to TCEQ every five years or upon issuance of a governor's emergency disaster proclamation for drought. To more effectively manage reduced water supplies, the state needs consistent reporting responses to drought, as well as sound best practices and knowledge of what actually works well as a drought strategy. CSHB 928 would provide the necessary tools for drought management by improving state oversight and consistency in reporting information from water suppliers. The bill also would require the development of best practices for addressing temporary drought conditions to serve as a guide for effectively managing water resources during periods of short supply.

**OPPONENTS  
SAY:**

The requirement for a supplier to notify TCEQ within five business days of any changes to its drought contingency plan might not be a feasible time frame. TCEQ rulemaking would need to address the five-day reporting requirement in a way that ensured water suppliers could comply, including continuing to be able to submit reports electronically.