

SUBJECT: Requiring a statewide survey of aquifers for storage and recovery

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 8 ayes — Larson, Metcalf, Farrar, Harris, T. King, Lang, Price, Ramos

0 nays

3 absent — Dominguez, Nevárez, Oliverson

WITNESSES: For — Marmie Edwards, League of Women Voters; Leah Martinsson, Texas Alliance of Groundwater Districts; Shauna Fitzsimmons, Texas Aquifer Storage and Recovery Association; (*Registered, but did not testify*: Michael Booth, Booth, Ahrens & Werkenthin PC; Kent Satterwhite, Canadian River Municipal Water Authority; Tammy Embrey, City of Corpus Christi; Cyrus Reed, Lone Star Chapter Sierra Club; C.E. Williams, Panhandle Groundwater Conservation District; Adrian Shelley, Public Citizen; Leticia Van de Putte, San Antonio Chamber of Commerce; Jennifer Smith, San Antonio River Authority; Blaire Parker, San Antonio Water System; Mia Hutchens, Texas Association of Business; Justin Yancy, Texas Business Leadership Council; Julia Parenteau, Texas Realtors; Heather Harward, Texas Water Supply Partners; Laura Huffman, The Nature Conservancy; Bill Kelberlau; Ronda McCauley)

Against — None

On — (*Registered, but did not testify*: John Dupnik and Kevin Kluge, Texas Water Development Board)

DIGEST: CSHB 721 would require the Texas Water Development Board (TWDB) to conduct statewide studies and surveys to determine the occurrence, quantity, quality, and availability of aquifers in which aquifer storage and recovery projects or aquifer recharge projects would be feasible.

An aquifer recharge project would be defined in the bill as a project involving the intentional recharge of an aquifer by means of an injection

well or other means of infiltration designed to:

- reduce declines in the water level;
- supplement the quantity of groundwater available;
- improve water quality in an aquifer;
- improve spring flows and other interactions between groundwater and surface water; or
- mitigate subsidence.

Working with interested parties, the board would be required to study aquifer storage and recovery projects and aquifer recharge projects identified in the state water plan and report the results of each study to regional water planning groups and other interested persons.

The board also would be required to conduct a statewide survey to identify the suitability of various major and minor aquifers for use in aquifer storage and recovery projects or aquifer recharge projects. The survey would consider:

- aquifers' hydrogeological characteristics, with a focus on storage potential, transmissivity, recoverability, and water quality, among other characteristics;
- aquifers' proximity to excess water available for potential storage and the frequency and volume of the water; and
- the current and future water supply needs identified in the state water plan.

TWDB would have to prepare a report that included an overview of this survey and submit the report to the governor, lieutenant governor, and House speaker by December 15, 2020.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS** CSHB 721 would require the Texas Water Development Board to study

SAY: the state's aquifers and determine which could be suitable for aquifer recovery and recharge projects. This would provide the basis for future improvements in the quantity and quality of Texas' groundwater resources.

Aquifer storage and recovery (ASR) and aquifer recharge projects are a way to store water when it is plentiful for later use in times of drought, making such projects critical for water management. By increasing groundwater supplies, ASR projects can reduce subsidence from groundwater pumping. ASR infrastructure also can be used to mitigate flooding by redirecting surface water into underground storage.

A lack of information about the viability of Texas' aquifers for such projects has prevented the state from using these effective water management strategies. The bill would create a needed statewide study into the feasibility of developing this valuable infrastructure, which could allow for such projects to be implemented in the future.

OPPONENTS  
SAY: No concerns identified.

NOTES: The Legislative Budget Board estimates that CSHB 721 would result in a negative impact of \$1.2 million in general revenue related funds through the biennium ending August 31, 2021.