

BILL ANALYSIS

Senate Research Center
81R10576-TRH-D

S.B. 1405
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current water planning efforts in Texas were passed by the Legislature in 1997. Because it emphasized involving local stakeholders, the new plan made significant changes to water planning in Texas. Under the plan, 16 regional water planning groups (RWPGs) organize independently to anticipate water demands and evaluate strategies to meet future water needs. The process is coordinated by the Texas Water Development Board (TWDB), which is the agency charged with reviewing and approving plans developed in each region. Additionally, the TWDB compiles each regional report into a statewide water plan.

Presently, each RWPG is required to create a plan to address water supply and demand issues in their region for the next 50 years. The first plans were approved in 2002 and a new plan has to be created for each region every five years. In drafting a regional water plan, each RWPG examines water demands, identifies areas where there is a shortage or surplus of water, and determines whether there are sufficient supplies during droughts. The current planning process, however, fails to account for climate variability and therefore, is unable to accomplish its mandated purpose.

Because the environment directly impacts the state's water supply, a special emphasis on climate variability must be accounted for when determining the state's water plan. Without taking special consideration of the environmental changes projected to occur over the course of every plan, each water plan is inaccurate and the state's water planning process is inadequate.

In addition, the 80th Legislature, Regular Session, 2007, passed S.B. 1762, which directed the TWDB to host a conference to review potential impacts of climate change on surface water supplies in the Far West Texas region. The findings and recommendations from the conference were to inform the Far West Texas Regional Water Planning Group as well as the other 15 regional water planning groups on both science and policy issues related to climate change. One of the four policy recommendations from the report suggests establishing a consortium to provide a framework for further research and discussion.

As proposed, S.B. 1405 establishes an advisory committee on climate variability for the purpose of assisting the TWDB with its duty of drafting a state water plan in 2012.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION, PURPOSE, AND COMPOSITION OF ADVISORY COMMITTEE. Requires the executive administrator of the Texas Water Development Board (board) to appoint an advisory committee to assist the board in incorporating the potential effects of climate variability into the 2012 state water plan. Requires the advisory committee to consist of experts from any field who have experience in the process of creating a regional water plan.

SECTION 2. DUTIES OF ADVISORY COMMITTEE. Requires the advisory committee to:

- (1) assess past and predicted variations in climate;

- (2) assess the potential effects of climate variability on groundwater resources, surface water resources, and water demand;
- (3) review case studies of major water providers that include quantitative sensitivity analyses for water demand and supply under a range of climate variation scenarios;
- (4) review and analyze information regarding natural climate variability to determine whether an area of this state is experiencing a new drought of record;
- (5) assess existing global climate models to determine whether the models may be helpful in water planning on a regional or local level;
- (6) makes recommendations for improving the collection of general information regarding groundwater resources, surface water resources, evapotranspiration, and water use; and
- (7) make recommendations for the use of innovative water technologies that will help mitigate water supply issues, in addition to those water supply issues that would be experienced in a drought of record, including desalination technology, water reuse technology, and other emerging technologies.

SECTION 3. REPORT. Requires the advisory committee to submit its findings and recommendations to the board, the governor, and the relevant committees of the senate and house of representatives, not later than December 1 of each even-numbered year.

SECTION 4. ADVISORY COMMITTEE ABOLISHED; EXPIRATION OF ACT. Provides that the advisory committee is abolished and this Act expires January 1, 2013.

SECTION 5. Effective date: upon passage or September 1, 2009.