

Bills We Love

✓ [SB 589 – Hegar, Van de Putte, Zaffirini](#) - relating to the designation of certain river or stream segments as being of unique ecological value. This bill would prohibit State financing of reservoirs on the Nueces, Frio, Sabinal, San Marcos and Comal rivers within State Water Planning Region L. **Status: Left pending in House Natural Resources (05/07/2013)**

✓ [H.B. 105 – Larson](#), - relating to the allocation of the proceeds from taxes imposed on the sale, storage, or use of sporting goods. HB 105 requires that no less than 50% of funds collected are credited to the Parks and Wildlife Department, with 3% dedicated to the Texas Historical Commission. The bill requires that by 2015 these allocations will increase to 75% and 5% respectively. Related: [HB 162 – Larson](#), [HJR 40-Larson Guillen, Kuempel, Price, Ken King](#). **Status: HB 105 left pending in Ways & Means (03/04/2013)**
(Cf. HB 162 left pending in Ways & Means [03/04/2013]; HJR 40 left pending in Ways and Means [03/04/2013])

✓ [SB 198 – Watson](#) and [H.B. 449 - Dukes](#) - allows for the installation of more drought-proof landscapes and limits homeowners associations' power to prohibit installation of xeriscaped and more water efficient yards and landscapes and rainwater collection systems. **Status: SB 198 sent to the Governor (05/25/2013); HB 449 considered in House Calendars (04/29/2013)**

✓ [HB 857 – Lucio III](#) - relating to the frequency of water audits by certain retail public utilities. This bill would require all retail public utilities providing potable water to perform and file with the Texas Water Development Board annual water audits computing the utility's system water loss during the preceding year. It directs the TWDB to develop rules for these audits, and to compile this information according to regional water planning area. It further directs the regional water planning groups to use this information to identify appropriate water management strategies, recognizing conservation that could be achieved by addressing water loss as a significant measure to address future water needs. **Status: Sent to the Governor (05/25/2013)**

✓ [SB 199 – Watson](#) - relating to the evaluation by applicants for permits for certain electric generating facilities of water efficient cooling technologies would require states that TCEQ may not issue, amend, or renew a permit for an electric generating facility that uses water-cooling technology unless the applicant has submitted an evaluation of water-efficient cooling technologies, including dry cooling, as an alternative to the water-cooling technology used or proposed for use by the facility. **Status: Placed on House General State Calendar (05/21/2013)**

✓ [SB 1024 - Watson](#) and [HB 2046 - Workman](#) - relating to a study evaluating and making recommendations for wastewater management in the contributing zone of the Barton Springs segment of the Edwards Aquifer. This study will, we hope, result in filing legislation during the 84th session to provide additional protection to the Barton Springs segment of the Edwards Aquifer by determining best practices in the release of effluent

discharges. **Status: SB 1024 referred to Natural Resources (03/12/2013); HB 2046 left pending in Natural Resources (04/02/2013)**

✓ [SB 1169 – Hegar](#) – requires the Water Conservation Advisory Council to submit bi-annual reports on progress made in water conservation in this state, to include specific statutory, budgetary, and policy recommendations to improve water conservation and management. Also see [SB 1039 – Rodriguez](#) . **Status: SB 1169 amended and passed in House (05/21/2013) (Cf. SB 1039 referred to Natural Resources [03/12/2013])**

✓ [HB 3538 – Gutierrez](#) – increases standards for Best Management Practices (BMP's) submitted to TCEQ as part of a Water Pollution Abatement Plan for construction impacting the Edwards Aquifer. **Status: House referred to Environmental Regulation (03/20/2013)**

✓ [SB 342 – Estes](#) and [HB 178 – Larson](#) - relating to exemption from the sales tax for certain water efficient products for a limited period. This would create a sales tax holiday for WaterSense certified products similar to that currently in effect for the purchase of energy efficient appliances. **Status: SB 342 left pending in Finance subcommittee on Fiscal Matters (04/08/2013); HB 178 placed on General State Calendar (05/09/2013)**

✓ [HB 252 – Larson](#) and [SB 1170 - Hegar](#) would mandate that water suppliers send a report to TCEQ if they are reasonably certain that they have less than six months of water left at their disposal. This will ensure that TCEQ has sufficient time to help water suppliers to locate alternative sources of water. **Status: HB 252 sent to the Governor (05/20/2013); SB 1170 referred to Natural Resources (03/12/2013)**

✓ [SB 272 – Seliger](#) – relating to water well recordkeeping and reporting requirements, including the production, use, and withdrawal of groundwater. This bill would allow Groundwater Conservation Districts to require reporting of groundwater withdrawals by the owners of wells, excepting those that are exempt under Section 36.117(b)(1). The Districts may also provide for the exemption of domestic and livestock wells, wells that have a capacity of less than 100 gallons per minute, and wells that produce less than 10 acre feet of water annually. **Status: No action taken in House Natural Resources (05/14/2013)**

✓ [HB 3547 – Olivera](#) – would move decisions about what constitutes a Common Carrier, (and therefore grants the rights of eminent domain) from the Texas Railroad Commission to the State Office of Administrative Hearings. This would streamline the process and afford protestors a process to facilitate a fair hearing. **Status: House Business & Industry report sent to Calendars (04/29/2013)**

✓ [SB 567 – Watson, Nichols](#) - transfers the economic regulation of investor owned water utilities from TCEQ to the Public Utility Commission; ends the one-size-fits all ratemaking treatment by establishing classifications according to connection count; and gives the Office of Public Utility Counsel standing to intervene in ratecases for residential and small business customers. **Status: Filed without the Governor's signature, to be effective on 09/01/13 (05/25/2013)**

✓ [HB 791 - Kleinschmidt](#) and [SB 280 - Zaffirini](#) – relating to the creation and operation of a park and recreation district for frontage on the San Marcos River in Caldwell County, granting the authority to collect fees and provide penalties. This would establish a Water Oriented Recreation District similar to the W.O.R.D. established for the Guadalupe River, allowing for better management of recreational activities on the River.

Status: HB 791 left pending in Special Purpose Districts (04/24/2013); SB 280 House Special Purpose Districts report sent to Local & Consent Calendar (05/16/2013)

✓ [HB 597 - Guillen](#) – This bill would require the Texas Department of Parks and Wildlife to include information about preventing the spread of exotic harmful aquatic plants, fish, and shellfish in boater education courses. **Status: Effective immediately (05/24/2013)**

✓ [HB 1241 - Guillen](#) aimed at curbing the spread of invasive species through boating practices. **Status: Sent to the Governor (05/23/2013)**

✓ [HB 1189 - Larson](#) and [SB 1168 - Hegar](#) – strengthen regional water planning through a Southwestern States Water Commission, which would lead to cooperative evaluation of water needs between Texas, neighboring states, and Mexico. The bill includes direction to study the water needs of the region, including water needs for environmental purposes and the effect of energy production on the need for water. **Status: HB 1189 left pending in Natural Resources (04/16/2013); SB 1168 referred to Natural Resources (03/12/2013)**

✓ [HB 993 - Guillen](#) – facilitates public notice through the posting of signs, educational materials and websites, when a risk for mercury contamination from consumption of fish caught in a public lake or reservoir has been identified. Additionally requires notice of mercury contamination to be posted with signage at fishing piers and boat launches in State Parks. HB 993 authorizes the Texas Department of Parks and Wildlife to use its website and other means to educate the public about the risks of consumption of animals with elevated levels of mercury or mercury compounds. **Status: Referred to Public Health (02/18/2013)**

✓ [HB 1182 - Kacal](#) and [SB 700 - Hegar](#) – would require each state agency and institution of higher education to set percentage goals for reducing the agency's or institution's use of water, electricity, gasoline, and natural gas and include those goals in the agency's or institution's comprehensive energy and water management plan. **Status: HB 1182 companion considered in lieu of in committee (04/15/2013); SB 700 sent to the Governor (05/28/2013)**

✓ [HB 1173 - Anchia](#) - would provide for a credit against the ad valorem property taxes imposed on a property on which certain water conservation measures, including drip irrigation systems and rainwater harvesting systems, have been installed. **Status: House Natural Resources report sent to Calendars (05/13/2013)**

- ✓ [SB 1227 – Rodriguez](#) – would provide for the creation of an on-bill repayment program to encourage improvements to real property related to water efficiency. Under the program, a customer and a lender who finances an eligible water improvement on the customer's property may agree to add the customer's loan payments to the customer's retail water or sewer service bill. **Status: Referred to Natural Resources (03/13/2013)**
- ✓ [HB 2577 – Larson](#) - relating to water well recordkeeping and reporting requirements, including the production, use, and withdrawal of groundwater. This bill requires Groundwater Conservation Districts to keep records groundwater withdrawals from all wells, allowing for exemption of domestic and livestock wells, and wells that have a capacity of less than 100 gallons per minute and wells that produce less than 10 acre feet annually. **Status: Natural Resources report sent to Calendars (05/02/2013)**
- ✓ [SB 1745 – Uresti](#) – would require new storm water treatment facilities submitted as part of a Water Pollution Abatement Plan for the Edwards Aquifer Recharge Zone to remove no less than 85% of Total Suspended Solids. **Status: No action taken in Natural Resources (04/02/1013)**
- ✓ [HB 1554 – Rodriguez, Justin](#) – enables a municipality to abate violations of floodplain management ordinances by empowering the municipality to require the work necessary to bring real property into compliance and allowing the municipality to assess the costs incurred against the property and file a lien against the property to recover costs, file suit to foreclose the lien and recover unpaid costs and interest. **Status: Sent to the Governor (05/22/2013)**
- ✓ [HB 841 – Callegari](#) – relating to the establishment for the Texas Center of Innovative Desalination Technology at the University of Houston in partnership with the University of Texas at El Paso. The Center would promote interdisciplinary research, education, and training for the development of state-of-the-art products, materials, systems, and technologies designed for the desalination of seawater from the Gulf of Mexico and brackish water within surface and groundwater resources throughout the state; and develop cost-effective, energy-efficient, and environmentally sound water desalination, brine disposal, and water conveyance technologies that can enhance the potential for desalinated water to contribute toward the state's long-term water portfolio. **Status: Left pending in Natural Resources (04/16/2013)**
- ✓ [SB 1249 – Carona](#) – strengthens regulations related to plugging, capping, repairing, or completing certain wells. **Status: Left pending in Natural Resources (04/02/2013)**
- ✓ [HB 2578 – Larson](#) – Outlines several requirements that will improve coordination between Regional Water Planning Groups and various agencies and contingencies in devising Regional Water Plans. Among other things, the bill requires each Regional Water Planning Group to submit a regional plan that is consistent with Desired Future Conditions, is based on data provided or approved by the TWDB, and makes appropriate provision for environmental water needs and for the effect of upstream development on the bays, estuaries, and arms of the Gulf of Mexico. **Status: Referred to Senate Natural Resources (05/10/2013)**

Bills We Hate

✗ [SB 957 - Fraser](#) and [HB 2082 - Ritter](#) – Contested Case Hearings

These bills would cut off access to Contested Case Hearings for air quality, water quality, and waste permits. Under these bills, a property-owner, local government, or business would only be able to file for an administrative review *after* a permit is granted by the TCEQ, and *after* the permittee can begin construction. If an administrative review is granted there would be no evidentiary hearing. In addition, if a permit is appealed in State Court, the parties protesting a permit would have a different and higher standard of review than a permit applicant pursuing a similar appeal.

This bill represents a massive reworking of the permitting process in Texas, and would stack the deck against property owners, local governments, and businesses.

Status: SB 957 Natural Resources report printed and distributed (04/22/2013); HB 2082 referred to Environmental Regulation (03/05/2013)

✗ [HB 824 - Callegari](#) and [SB 584 - Hegar](#) – amends the Water Code to exempt from reporting requirements “accidental discharges or spills of 1,500 gallons or less from a waste water treatment facility or works or collection facility” that “does not reach waters of the State”. The bill sets the reporting threshold at 1,500 gallons, and has been amended to set the threshold at 1,000 gallons. Currently all spills are required to be reported. This bill would not only exempt sewage spills, but spills of treatment chemicals. Because it covers “treatment facilities” and “treatment works,” the bill would have a very broad coverage beyond what we would normally think of as a wastewater treatment plant, including disposal fields, lagoons, incinerators or any facility used for the purpose of stabilizing or neutralizing waste.

This bill would negatively impact the Sanitary Sewer Overflow initiative of the TCEQ because spills below 1,000 gallons will not be reported or remediated. GEAA is also very concerned that there is no way to determine if a spill reaches “the waters of the State” in the Edwards and Trinity aquifer Recharge and Contributing zones.

Status: HB 824 left pending in Senate Natural Resources; SB 584 referred to Natural Resources (02/20/2013)

✗ [HB 1377 - Kolkhorst](#) – This legislation prohibits cities from regulating clearing of vegetation in the municipal extraterritorial jurisdiction (ETJ), an area outside of the official city limits where the city can exercise some legal authority. This would prevent cities from preserving existing trees in the ETJ.

Status: Urban Affairs report sent to Calendars (05/04/2013)

✗ [HB 3087 - Workman](#) – requires the consent of the landowner or condemnation through the exercise of eminent domain for the application of any law, rule, policy, ordinance or regulation promulgated under the Government Code, Local Government Code, Water Code

OR Natural Resources Code that has the effect of requiring that more than 50% of the surface area of an owner's private real property remain in a natural or undeveloped state. If this bill is passed, San Antonio, Austin, and San Marcos would not be able to enforce their Aquifer Protection Ordinances.

Status: No action taken in Land & Resource Management (04/22/2013)

X [HB 3088 – Workman](#) – relating to liability of a political subdivision and potential penalties for a violation of certain laws relating to local permits for construction, plans for the development of real property, and plats. Under this bill, a political subdivision is liable for actual damages, consequential damages, and attorney's fees related to a violation of Chapter 245 of the Local Government Code. This additional exposure to liability may compromise a municipality's commitment to enforcement of local ordinances due to potential increases in the cost of litigation.

Status: Land & Resource Management report sent to Calendars (05/03/2013)

X [HB 3091 – Workman](#) - relating to uniformity of requirements of certain municipal regulations to local permits, limitations on the application of certain municipal regulations to local permits, and liability of a political subdivision for a violation of certain laws relating to local permits. This bill would facilitate “grandfathering” a project from a change to the zoning or property classification that adds or alters allowable uses of the property related to the project.

Status: Referred to Land & Resource Management (03/19/2013)

X [HB 1858 – Workman](#) – would prohibit a municipality, county, or other political subdivision from enacting or enforcing any ordinance, rule, or other regulation that restricts the ability of a property owner to remove a tree or vegetation on the owner's property that the owner believes poses a risk of fire to a structure on the property or on adjacent property, including a regulation that requires the owner to file an affidavit or notice before removing the tree or vegetation. Because a landowner's “beliefs” cannot be disputed, this bill creates a loophole that nullifies tree protection rules enforced by cities across Texas and opens the door for massive clear-cutting of development sites.

Status: Business & Industry report sent to Calendars (04/16/2013)

X [HB 335 – Stickland](#) – would substitute posting on the internet for all requirements that political subdivisions provide public notice by publication in a newspaper. Passage of this bill would require those concerned to constantly monitor web sites to learn of new and pending actions.

Status: Technology report sent to Calendars (05/03/2013)

X [HB 3646 – Harper-Brown](#) - has very similar language to Stickland's HB 335 bill, and would allow any public notice requirements to be met by posting on the entity's website.

Status: Left pending in Government Efficiency & Reform (04/01/2013)

X [HB 822 – Gutierrez](#) - relating to the Edwards Aquifer Authority's power to regulate the transportation of groundwater out of certain counties. The bill would allow water purveyors to skirt the current prohibition on interbasin transfers by giving the Edwards Aquifer Authority permission to “allow a person to construct, acquire, or own facilities for transporting groundwater out of Uvalde County if the person holds a permit authorizing the person to withdraw the water to be transported.”

Status: Referred to Natural Resources (02/18/2013)

X [HB 890 – Workman](#) – and [SB 508 – Watson](#) relating to the conversion of the West Travis County Public Utility Agency to the Hill Country Regional Water Authority and to the creation of the Hill Country Regional Water Authority; providing authority to issue revenue bonds or notes; granting the power of eminent domain; providing an administrative penalty; providing authority to impose fees. Impacted GEAA member groups oppose provisions in the bill that allow for an appointed board, for no election required to issue debt, and process for expansion of the district, among other things.

Status: HB 890 returned to Local & Consent Calendars Committee (05/17/2013); SB 508 no action taken in Natural Resources (03/26/2013)

X [HJR 105 – Taylor, Van](#) – amends the Texas Constitution to read “the legislature by general law may provide for legislative review or approval of rules adopted by agencies in the executive department” and may “prescribe procedures regarding rules; prescribe conditions for rules to take effect; provide for suspension, repeal, or expiration of rules; or delegate powers to either legislative house, including committees in those houses.”

Status: Referred to State Affairs (03/07/2013)

X [HB 147 – Burkett](#) and [HB 426 – Creighton](#) would require environmental rules be subject to various types of cost benefit analyses and economic impact studies.

Status: HB 147 failed to receive affirmative vote in Environmental Regulation (04/30/2013); HB 426 referred to Environmental Regulation (02/11/2013)

Disappointing Bills

[HB 3924 – Miller, Doug](#) – providing for the creation of a GWCD in Comal County. This bill was filed very late in the session and we are awaiting the substitute bill. GEAA supported the originally filed version of the bill as it reflected the report issued by the Comal County Stakeholders Committee. The substitute version has several substantial changes contrary to the recommendations of the Stakeholders, so GEAA does not support this bill in its current version. **Status: Left pending in Senate Natural Resources (05/16/2013)**

Bills to Watch

[SB 1532 - Zaffirini](#) –this bill would allow injection and storage of water for an engineered aquifer storage and recovery operation utilizing certain injection wells that transect or terminate in the Edwards Aquifer inside the boundaries of the Barton Springs Edwards Aquifer Conservation District. The Senate bill is a committee substitute for [HB 340 - Rodriguez of Travis](#), and we expect other committee substitutes to surface. **Status: Sent to the Governor (05/16/2013) (Cf. HB 340 referred to Senate Natural Resources [05/09/2013])**

[HB 2578 - Larson](#) – this bill, relating to the development of brackish groundwater, requires Regional Water Planning Groups to identify opportunities for and the benefits of developing large-scale desalination facilities for brackish groundwater or seawater that serve local or regional brackish groundwater production zones identified and to include identification of local or regional brackish groundwater production zones in areas of the state with moderate to high availability and productivity of brackish groundwater that can be used to reduce the use of fresh groundwater in biennial reports submitted to the State. Also see [HB 2752 - Larson](#) – relating to the development and operation of advanced brackish desalination projects and [HB 2334 - Callegari](#) - relating to the regulation, development, and treatment of brackish and marine water. **Status: HB 2578 referred to Senate Natural Resources (05/10/2013) (Cf. HB 2752 left pending in Natural resources [04/16/2013]; HB 2334 placed on General State Calendar [05/09/2013])**

[HB 2154 - Callegari](#) – applies the law governing innovative programs for environmental regulation administered by the Texas Commission on Environmental Quality to a program for the permitting of desalination facilities, including facilities that use reverse osmosis, nanofiltration, or electrodialysis reversal. **Status: Referred to Natural Resources (03/07/2013)**

[HB 2769 - Rodriguez, Justin](#) - relating to the process for appealing the desired future conditions adopted by a groundwater conservation district for an aquifer. While recognizing the impact of challenges on the budgets of GWCD's, we are concerned about the requirement that the petitioner pay all costs associated with the contract for the appeal hearing. Prior payment might not be an impediment to water marketers but, would discourage citizens from appealing a desired future condition. **Status: Left Pending in Natural Resources (04/23/2013)**

[HB 754 - Ashby](#) - relating to the use of eminent domain to take private property for recreational use. **Status: Referred to Land & Resource Management (02/18/2013)**

[HB 3250 - Callegari](#) - relating to protecting landowners against aquifer depletion provides for equal allocation of available groundwater based on annual production capability per acre of land that overlies an aquifer within the GWCD. Gives GWCD's the authority to: reduce permitted production of groundwater by the same percentage for all permit holders sufficiently to restore production capability; supply water to the particular location by

pipeline at the rate of proven production or the authorized production rate, whichever is less; revise established desired future conditions and modeled available groundwater and establish a common production rate for the particular aquifer subdivision throughout the management area as necessary to allow the affected landowner to produce at that rate. A district may charge a production fee to cover the cost of supplying water to landowners, and revise desired future conditions. **Status: Left pending in Natural Resources (04/16/2013)**

[HB 1796 – Isaac](#) – empowers Groundwater Conservation Districts (GCWD's) to consider a number of factors when granting or renewing a permit for water withdrawals, including whether the proposed use of water: unreasonably affects existing groundwater and surface water resources or existing permit holders; is dedicated to any beneficial use; is consistent with the district's approved management plan; and, if the well will be located in the Hill Country Priority Groundwater Management Area, whether the proposed use of water is to provide water to a pond, lake, or reservoir to enhance the appearance of the landscape. The GCWD should consider whether the applicant has agreed to avoid waste and achieve water conservation and has agreed that reasonable diligence will be used to protect groundwater quality. The bill further empowers GWCD's to manage water use by outlining conditions for amending a permit to prevent waste, achieve water conservation, and minimize drawdown of the water table or reduction of artesian pressure in order to respond to drought conditions, significant changes the condition of the aquifer, and groundwater availability. This bill also limits GWCD's from cutting historic use permits by more than 5%. **Status: Placed on General State Calendar (05/09/2013)**

[HB 890 – Workman](#) - relating to the conversion of the West Travis County Public Utility Agency to the Hill Country Regional Water Authority and to the creation of the Hill Country Regional Water Authority; providing authority to issue revenue bonds or notes; granting the power of eminent domain; providing an administrative penalty; providing authority to impose fees. **Status: Returned to Local & Consent Calendars Committee (05/17/2013)**

[HB 3317 – Keffer](#) - relating to the exemption of a water well from certain permitting by and compliance with rules of a groundwater conservation district. We support section d (1) allowing a GWCD to cancel a previously granted exemption and require an operating permit or restrict production if the well is located in the Hill Country Priority Groundwater Management Area and the groundwater withdrawals are no longer used solely for domestic use or to provide water for poultry or livestock. **Status: Left pending in Natural Resources (04/16/2013)**

[SB 1282 – Duncan](#) - relating to deadlines for proposals for adoption by certain districts or authorities of desired future conditions of relevant aquifers. **Status: Sent to the Governor (05/25/2013)**

[HB 2748 – Lewis](#) relating to the burden of proof in proceedings in district, statutory county court, and county courts; involving the determination of common carrier status. **Status: Judiciary & Civil Jurisprudence report sent to Calendars (05/06/2013)**

[HB 3903 – Isaac](#) – this attempt to address problems with the Hays Trinity Groundwater Conservation District’s flawed enabling legislation might actually prevent this GWCD from accomplishing its mission to conserve, preserve, recharge, and prevent waste of groundwater within western Hays County. The bill fails to address adequate funding mechanisms and excessive well exemptions. Failure to correct these problems with the bill and the HTGWCD could negatively impact the groundwater, springs and streams of Hays County. **Status: Sent to the Governor (05/27/2013)**

[HB 2747 – Workman](#) – would allow the governing body of a taxing unit to exempt from valuation the assessed value of property on which approved water conservation initiatives, including rainwater harvesting systems, have been implemented. **Status: Referred to Ways & Means (03/18/2013)**

Bills that Need Work

Bills to regulate Rainwater Catchment Systems, [HB 2062 – Davis, John](#) and [HB 2781- Fletcher](#) – are still being negotiated. HB 2781 in its current incarnation is particularly arcane. Look for committee substitutes on these two bills. GEAA supports legislation that facilitates rainwater catchment systems while protecting public health and safety. **Status: HB 2062 sent to the Governor (05/27/2013); HB 2781 sent to the Governor (05/25/2013)**

Funding the State Water Plan

Representative Allan Ritter’s [HB 4](#), and Senator Troy Fraser’s companion bill [SB 4](#), combined with Representative Ritter’s [HB 11](#) and [SB 22 - Fraser](#), would provide \$2 billion from the state’s rainy day fund, aka the Economic Development Fund, to create a new funding mechanism for water projects. Dubbed “SWIFT,” the State Water Implementation Fund for Texas would provide financing for projects from the State Water Plan as well as funding for education projects that relate to the development of water resources, water conservation, or water uses. **Status: HB 4 effective 09/01/2013, except Sections 2.01-2.07, 2.13-2.18, and 2.21-2.26 take effect only if SJR 1 is approved by the voters (05/28/2013); SB 4 referred to House Natural Resources (05/06/2013); HB 11 returned to Appropriations (04/29/2013); SB 22 left pending in Finance subcommittee on Fiscal Matters (03/11/2013)**

Thanks the unflagging work of a great team of environmental lobbyists, HB 4:

- Requires the TWDB to undertake to apply not less than 20% of the money disbursed in each five-year period to support projects, including agricultural irrigation projects, that are designed for water conservation or reuse
- Requires the TWDB to undertake to apply not less than 10% of the money disbursed in each five-year period to support projects for rural political subdivisions or agricultural water conservation

- Prohibits the use of state financial assistance for a water project if the applicant has failed to submit or implement a water conservation plan
- Requires regional water planning groups in their prioritization of projects for state financial assistance to consider at a minimum such factors as the feasibility, viability, sustainability, and cost-effectiveness of a project – factors which should work in favor of conservation projects
- Requires TWDB in its process for prioritization of projects to receive state financial assistance to consider (among other criteria) the demonstrated or projected effect of the project on water conservation, including preventing the loss of water (taking into consideration whether the applicant has filed a water audit that demonstrates the applicant is accountable with regard to reducing water loss and increasing efficiency in the distribution of water)

To further conserve water in the State, GEAA recommends that the TWDB grant funds to fix leaks to certain municipal water systems, specifically for rural jurisdictions that do not have the tax base to float bonds for this purpose. Figures on leak ratios for small service providers are very high, some has high as 25 – 40%. TWDB should also add funding for conservation projects for small municipalities and can explore whether there are Federal funds to augment these efforts. Making the water conservation programs, similar to those implemented by San Antonio, available to smaller systems statewide could yield significant savings and are worthy of funding at the State level. Likewise, water conservation efforts targeted at exempt well owners state wide could yield significant aggregate savings of groundwater.