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In Memoriam: James Earl Rice

At NRS, we see engineering as more than designing and building projects. Engineering better communities also means engineering innovation: new ways of approaching problems and solving them, using a toolkit that also encompasses financing alternatives, technological advances, and policy developments.

NRS **Texas Water News** is intended to help promote awareness of and dialogue on the important issues impacting water quantity and quality in the Lone Star State. Sharing information is the first step in working together to promote sustainable water resources for all Texans.

Back issues of **Texas Water News** are available at www.NRSengineers.com.

Please call us with comments or suggestions: 512.236.8500.



NRS managing principals Bill Norris and Jesús Leal.

Water Policy and Finance: Anticipating the 80th Legislature

The issue of interbasin transfers is likely to be on the agenda of the 80th Legislature when it convenes in Austin January 9. In separate remarks to two different meetings of water professionals in late October, the chair and vice-chair of the House Natural Resources Committee both called for amending restrictions on such transfers, commonly referred to as IBTs.

The Texas Water Development Board also is pushing for revisions to IBT policy.

The common theme: IBTs are appropriate tools for managing water resources and should be reinstated in the water planning toolbox.

Senate Bill 1 expanded considerably the notice and comment provisions required for interbasin transfers. In addition, the bill also specified that "any proposed transfer of all or a portion of a water right under this section [on interbasin transfers] is junior in priority to water rights granted before the time application for transfer is accepted for filing." Since passage of SB 1, only two applications for IBTs have been filed.

Consensus for Changing IBT Law

House Natural Resources Committee Chair Robert Puente referred to the restrictions placed on IBTs by Senate Bill 1 in 1997 as "roadblocks." At an Oct. 19 meeting of the Texas Water Conservation Association in San Antonio, Puente said that the sentiment among legislators now "is to at least try to amend it so that [IBTs] can be another planning tool." He predicted that legislation will be filed to allow for interbasin transfer of contract water, if not for water rights. He also said the Legislature is likely to consider allowing IBTs within the boundaries of a planning group.

Committee Vice-Chair Bill Callegari similarly told the Oct. 23 Dallas meeting of the Water Environment Federation that "there are too many legal barriers in place to allow for the more effective use of our water resources." Callegari called for "reducing those barriers in order to provide for better flexibility with



House Natural Resources Committee Chair Robert Puente

our resources." He said that he is working on legislation to address the transfer of water between river basins.

The problems with IBTs also are being cited by the Texas Water Development Board. In separate remarks to the TWCA meeting,



House Natural Resources Committee Vice-Chair Bill Callegari

TWDB Vice-Chair Jack Hunt stressed that the 2007 State Water Plan being finalized by the Board includes as a top legislative priority alleviating the restrictions on IBTs.

TWDB Calls for Increased Water Financing

Hunt, however, expressed even greater concern with the funding situation for water projects, particularly through the Texas Water Development Board. The Board's activities have been "seriously constrained"

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TWDB Vice-Chair Jack Hunt

by budget cuts in recent years. Over the last three biennia, the Board's budget has been cut by 25 percent, he noted. "We're being asked to do so much more for so less."

By 2060, the population of Texas will have increased to 46 million. Water demand will be up 27 percent but supplies will be down by 18 percent, in large part due to sedimentation in lakes and reservoirs, decreasing groundwater levels, and pumping restrictions. The 2006 regional water plans contain 4,500 water management strategies and projects that will go a long way to meeting increased demands. "It is time to stop planning and start doing," Hunt said. But the key to implementation is financing: an estimated \$31 billion for all the strategies identified.

Financing structures are in place at the TWDB and awaiting legislative appropriations, Hunt continued. "We really cannot afford NOT to implement the State Water Plan," he said.

"2007 will represent a critical decision-making time for the Legislature to help secure water supplies for our future generations. . . . Failure to implement the water plan is unimaginable and certainly unconscionable."

*Jack Hunt, Vice-Chair,
Texas Water Development Board*

Failure could mean substantial losses to the Texas economy, totaling \$9.1 billion in 2010, increasing to \$98.4 billion in 2060.

Hunt said the Board is working with the Texas Commission on Environmental Quality and the Legislative Budget Board on a list of potential funding sources that would be dedicated for water infrastructure. These include fees on water rights and reported uses and sales tax on water and wastewater fees and on bottled water. "We must get the funds somewhere," he stressed.

More Membrane News at NRS

BRA Contract . . .

NRS Consulting Engineers has been awarded a contract to perform membrane technology engineering services for the Brazos River Authority to retrofit its Lake Granbury surface water treatment facility. The plant uses both ultrafiltration (UF) and reverse osmosis (RO) technologies to treat water for municipal use. The BRA plans to modify and expand the plant's UF capabilities as well as expand its RO capacity.

NRS will provide general oversight and management of the construction process and develop necessary pilot testing protocols for regulatory review.

. . . SCMA Office

NRS President Bill Norris was recently re-elected Vice-President of the South Central Membrane Association (formerly the South Central Desalting Association). Norris is serving another two-year term on the SCMA Board of Directors. SCMA is a regional affiliate of the American Membrane Technology Association. More information on the organization at www.desalting.org



Other Legislative Predictions

Chairman Puente says:

- Groundwater districts and certificates of convenience and necessity will be the first issues taken up by the House Natural Resources Committee. The focus: is legislation from the previous session working?
- Water conservation "is the issue I am the most enthused about." The rumors about conservation mandates for cities and utilities are unfounded. "Not going to happen . . . [because] it's not good government." Instead, Puente will file bills that include incentives drawn from SB 3.

Vice-Chairman Callegari says:

- Wastewater re-use is constrained by too many legal barriers. "Texas law needs to be changed to give cities and utilities the ability to re-use their water resources" and "I am currently working on legislation addressing this issue."
- While in favor of water conservation in principle as a means of saving water and preventing waste, "I'm fundamentally opposed to legislative efforts that over-regulate, and would apply stringent conservation standards across the state." Texas needs to avoid measures that are too overreaching and restrictive.

IN BRIEF • IN BRIEF • IN BRIEF

The *Innovative Water Technologies* group at the Texas Water Development Board has launched a new website dedicated to alternative water supply sources in Texas. The site offers information on desalination, rain-water harvesting, and water reuse, including RFPs and TWDB-funded project reports. Access the site through the TWDB homepage or directly at the following link: www.twdb.state.tx.us/iwt/iwt.asp.

A *blue-ribbon Task Force on Bacteria TMDLs* (Total Maximum Daily Loads) has been established by the Texas Commission on Environmental Quality and Texas State Soil and Water Conservation Board. According to the TCEQ, bacteria accounted for 47 percent of the impairments listed in the 2002 Texas Water Quality Inventory and 303(d) List. Among other duties, the Task Force is charged with evaluating the variety of models and bacteria-source-tracking

methods available for developing TMDLs and implementation plans and recommending under what conditions certain methods are more appropriate. The Task Force also will develop a roadmap for further scientific research needed to reduce uncertainty about how bacteria behave under different water conditions in Texas. The Task Force will issue a report on its activities by the end of January 2007.

The *Environmental Flows Advisory Committee* will issue a draft report on its findings and legislative recommendations Nov. 6. The report will be posted on the Texas Water Development Board's website; log on to www.twdb.state.tx.us then follow the links under "Hot Topics." The Committee will take public testimony on and consider approving the draft at a meeting scheduled for Monday, Nov. 13, at 1 pm in Room E1.012 of the Capitol Extension in Austin.

The *NRS Government Affairs Office in Austin* is pleased to offer complimentary meeting space for Texas water practitioners at our new location: 919 Congress Ave., Suite 460, one block south of the Capitol. Please call us at 512.236.8500 to reserve the space. No meeting but need to check your email or just take a break from pounding the corridors? Come on by . . . no reservation needed!

Rio Grande Authority Holds November Forum

The state's newest river authority invites all interested parties to participate in an educational Forum and networking reception Thursday, Nov. 30, in McAllen, at the Quinta Mazatlan World Birding Center.

The Rio Grande Regional Water Authority, created in 2003, covers the counties of Willacy, Cameron, Hidalgo, Starr, Zapata, and Webb (excluding Laredo). The Authority is governed by a 15-member Board structured to fairly represent the diverse interest of the region and its water users.

Special guests at the Forum are Sen. Eddie Lucio, Jr., and Sen. Juan "Chuy" Hinojosa.

Speakers include Texas Water Development Board Executive Administrator Kevin Ward and Rio Grande Watermaster and Director of TCEQ Border Field Operations Carlos Rubinstein.

The Forum will provide an opportunity to discuss the opportunities and challenges facing the Authority, meet the Board of Directors, and hear first-hand about proposed legislation for enhancing the Authority's ability to help water suppliers

plan and implement water projects throughout the region.

Actions already being taken by the RGRWA to develop projects in the basin include:

- forming an industrial development corporation that can issue tax-exempt bonds for water-related entities;
- reviving the on-line Water Market; and
- developing a master plan of needed water projects throughout the region.


NRS Consulting Engineers is developing the master plan project.

Registration is \$55, and covers all materials plus the networking reception. Sponsorships also are available. Proceeds will be used to match state and federal grants pending for the Authority.

More information at www.rgrwa.org or call Linda Fernandez at 512.477.5445.



IN MEMORIAM



James Earl Rice
1957 – 2006
Founding Partner,
NRS Consulting Engineers



Not your average engineer.



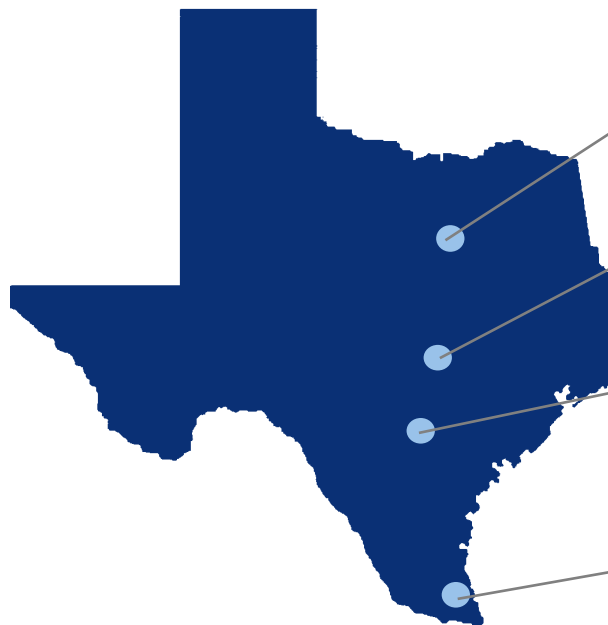
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NRS offices are strategically located along the IH-35 corridor in Texas, with associated offices in Oklahoma and Arkansas.



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