

Section 5A

Identification, Evaluation, and Selection of Water Management Strategies

5A.1.7 Funding and Permitting by State Agencies of Projects Not in the Regional Water Plan

Senate Bill 1 requires water supply projects be consistent with approved regional water plans to be eligible for TWDB funding and to obtain TNRCC permits. Regarding TNRCC permitting, the Texas Water Code¹ provides that the TNRCC shall grant an application to appropriate surface water, including amendments to existing permits, only if the proposed action addresses a water supply need in a manner that is consistent with an approved regional water plan. TNRCC may waive this requirement if conditions warrant.

For TWDB funding, the Texas Water Code² states that the TWDB may provide financial assistance to a water supply project only after TWDB determines that the needs to be met by the project will be addressed in a manner that is consistent with the appropriate regional water plan. The TWDB may waive this provision if conditions warrant.

The Brazos G Regional Water Planning Group has considered the variety of actions and permit applications that may come before the TNRCC and the TWDB and does not want to unduly constrain projects or applications for small amounts of water that may not be specifically included in the adopted regional water plan. “Small amounts of water” is defined as involving no more than 1,000 acft/yr, regardless of whether the action is for a temporary or long term action. The Brazos G RWPG provides direction to TNRCC and TWDB regarding appropriations, permit amendments, and projects involving small amounts of water that will not have a significant impact on the region’s water supply as follows: such projects are consistent with the regional water plan, even though not specifically recommended in the plan.

The Brazos G RWPG also provides direction to the TWDB regarding financial assistance for repair and replacement of existing facilities. Water supply projects not involving the development of or connection to a new water source are consistent with the regional water plan, even though not specifically mentioned in the adopted plan.

¹ Texas Water Code, Section 11.134

² Texas Water Code, Section 16.053(j)

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