

# Texas Water Conservation Association

## Fall Conference

Federal Affairs Committee

October 6, 2022

Dave Mitamura



# UPDATE

- Since October 2021, NWSA has added seven New Members, enhancing our geographic diversity and expanding the types of organizations in our group:

Anderson Regional Joint Water System (SC)

Dallas Water Utilities (TX)

San Bernardino Valley Municipal Water District (CA)

State of South Dakota (SD)

New York City Department of Environmental Protection (NY)

Burns & McDonnell (MO)

Texas Water Conservation Association (TX)



# UPDATE

- Policy Statements to reinforce the authority for States to grant water rights and to clarify the Corps of Engineers' role in water supply (<https://www.nationalwatersupply.org/policy-principles>)
- Implementation of NOAA/USACE memo related to Sec. 7 consultations
- “Corps for Dummies” document
- Changes in Corps leadership and water supply team
- Continue to focus on addressing policy issues proactively and administratively
- Upcoming meetings:
  - DC Roundtable, April 2023
  - NWSA Annual Meeting, Denver, September 2023

# Texas Environmental Infrastructure Program

- Program authorized in 2007 Water Resources Development Act, section 5138 (Public Law 110-114)
- Authorization is \$40,000,000
- Texas EI is cost shared at 75% federal/25% non-federal; O&M is 100% non-federal
- Stand-alone EIP; it is not included in the list of Section 219 projects
- Covers planning, design and construction for “water-related environmental infrastructure and resource protection and development”

# “water-related environmental infrastructure and resource protection and development”

What is eligible under Texas EI?

Planning, design, and construction assistance for:

- Water supply, storage, treatment, and related facilities;
- Water quality protection, wastewater treatment, and related facilities; and
- Surface water resource protection and development.

# EI Appropriations

- Texas EI has not received federal funds since enactment of the program
- Congress has funded general EI authorization (Section 210), including via IJA:
  - 2020 \$100 million
  - 2021 \$100 million
  - 2022 IJA \$200 million
- Corps allocates funding to Section 219 EI programs via workplan
- El Paso EI has had success in obtaining federal funding
- Current House approps bill includes \$3.6 million under Texas EI for Bear Branch Dam modifications

# How to access federal funding

- Two primary approaches:
  - For general appropriations to Environmental Infrastructure projects under Section 219, contact your Corps District and Division to request that your project be included in the workplan; and
  - For stand alone EI programs, reach out to your Congressional offices and submit an appropriations request for your specific project under one of the authorized EI programs for Texas. Texas EI falls under this approach.

# Modifying EI Authorizations

- Texas EI and similar programs can be modified through the Corps of Engineers Section 7001 process.
- The Section 7001 report feeds into WRDA
- Modifications can include amending eligible project types, increasing the authorization amount, and expanding the location for local or regional EI programs.
  - \*As identified by TWDB
- Regional and local EI programs include El Paso, Bosque River Watershed, Dallas County Region, Central Texas, Fort Bend County



THANK YOU!