

- SUBJECT:** Requiring a biennial report on green stormwater infrastructure
- COMMITTEE:** Natural Resources — favorable, without amendment
- VOTE:** 9 ayes — Larson, Metcalf, Farrar, Harris, T. King, Lang, Nevárez, Oliverson, Ramos
- 0 nays
- 2 absent — Dominguez, Price
- WITNESSES:** For — Luke Metzger, Environment Texas; Karen Bishop, San Antonio River Authority; (*Registered, but did not testify*: Brie Franco, City of Austin; TJ Patterson, City of Fort Worth; Daniel Womack, Dow; Sandra Haverlah, Environmental Defense Fund; Ender Reed, Harris County Commissioner Court; Cyrus Reed, Lone Star Chapter Sierra Club; Adrian Shelley, Public Citizen; Chris Mullins, Save Our Springs Alliance; Ryan Skrobarczyk, Texas Nursery & Landscape Association; Julia Parenteau, Texas Realtors; Chloe Lieberknecht, The Nature Conservancy; Alexis Tatum, Travis County Commissioners Court; David Matiella, U.S. Green Building Council; Shaylan Rounds, U.S. Green Building Council; Ty Embrey, Water Environment Association of Texas; Kenneth Flippin)
- Against — None
- BACKGROUND:** It has been suggested that a comprehensive study on green stormwater infrastructure could help improve stormwater infrastructure in Texas and help prevent runoff pollution during flooding events.
- DIGEST:** HB 1059 would require the Texas Commission on Environmental Quality (TCEQ) to appoint a 10-member group each fiscal biennium to prepare a report on the use of green stormwater infrastructure and low impact development in the state.
- The group would consist of members representing counties, municipalities, special districts with land development authority or that

provide water or wastewater services, academic university programs related to land development, businesses engaged in real estate development, civil engineers, landscape architects, environmental groups, professional organizations focused on water conservation, and vendors and providers of green stormwater infrastructure and low impact development systems or practices.

TCEQ would solicit nominations for group members from these entities, and the commission could not appoint a person to serve as a group member representing a type of entity unless the person was nominated by a representative of that entity type.

Reports prepared by the group would include a list of each county, municipality, and special district with land development authority that allowed the use of green stormwater infrastructure and low impact development in land development projects. Reports also would have to include:

- estimates of the number of private and public projects and sites that used green stormwater infrastructure and low impact development;
- estimates of the amount of stormwater managed by these features;
- estimates of the amount of money invested in the features;
- a monetized assessment of the social, economic, and environmental benefits realized by the use of these features in the state;
- an assessment of typical impediments in local development codes and state law and policies to the use of these features; and
- recommendations to encourage the increased use and deployment of green stormwater infrastructure and low impact development in the state.

TCEQ would have to publicly solicit information to support the preparation of the report and cooperate with the group in providing information or access to information.

The group would conduct at least one meeting to receive input on the preparation of the report, prepare and publish a draft report and solicit

comments on the draft, and prepare a response-to-comments document and finalize the report.

Reports would have to be submitted to each member of the commission, the governor, the lieutenant governor, the House speaker, and each member of the Legislature by January 1 of the second year of each state fiscal biennium.

The first report would be due by January 1, 2021, and would have to include only information described in the bill that TCEQ required to be included.

The bill would take effect September 1, 2019.