



**TACWA Virtual Meeting Minutes
City of Fort Worth
January 29, 2021
9:00 a.m.**

The Texas Association of Clean Water Agencies (TACWA) meeting on January 29, 2021 was hosted virtually by the City of Fort Worth and sponsored by Plummer, Arcadis, CP&Y, Garver, Black and Veatch, Gupta & Associates, Inc, Perkins Engineering, Brown and Caldwell, Jacobs, LNV, Hazen, Parsons, Pacheco Koch, RPS Group, Carollo, Freese and Nichols, CDM Smith, AECOM, Lloyd Gosselink Attorneys at Law, Jones Carter, LAN Inc., Weston Solutions, Wastewater Training & Consulting Services.

Those in attendance included:

Julie Nahrgang - WEAT/TACWA; Alondra Hernandez - WEAT/TACWA; Ron Patel - City of Dallas; Bill Gase - City of Garland; Brianna Morales - GCA; Heather Cooke - City of Austin; Tammy West - City of Austin; Steven Nutter - City of Fort Worth; Stacy Walters - City of Fort Worth; Migdalia Jackson - City of Fort Worth; Jesse J White - City of Fort Worth; Wes Kucera - City of Garland; Carol La Breche - City of Houston; Phillip Goodwin - City of Houston; Ogadinma Onyebuchi - City of Houston; Aubrey Spear - City of Lubbock; Rick Shaffer - City of Weatherford; Denise Ehrlich - GCA; Gordon Pederson - GCA; Leonard Levine - GCA; Jonathan Sandhu - GCA; Alissa Lockett - SAWS; Mustapha Muhammad - SAWS; Tad Eaton - SAWS; James McDonald - TRA; Patty Cleveland - TRA; Jody Zabolio - UTRWD; Larry Patterson - UTRWD; Ben Kuhnel - Arcadis; Charles Schoening - Arcadis; Tye Jordan - Ardurra; Randel West - Ardurra; Ignacio Cadena - Black & Veatch; Sri Koduri - Brown & Caldwell; Jose Jimenez - Brown & Caldwell; Adam Evans - Brown & Caldwell; Hutch Musallam - Carollo Engineers; Andrew Gilmore - Carollo Engineers; Troy Laman - Carollo Engineers; Amy Robinson - CDM Smith; Rajendra P. Bhattarai - Clean Water Strategies; Donna Renner - CP&Y; Terry Winn - CP&Y; Chad Simmons - FNI; David Jackson - FNI; V.K. Gupta - GAI; Dan Olson - Garver; Heather Wootton - Garver; Justin Rackley - Garver; Tina Hanson - Garver; Marcela Sion - Hazen & Sawyer; Scott Hardy - Hazen & Sawyer; Jerry Snead - HDR; Joel Cantwell - HDR; Jonathan Vorheis - Jacobs CH2M; Matt Berg - Jacobs CH2M; Rahman, Arifur - Jacobs CH2M; Kathy Fretwell - Kennedy/Jenks; Paul Wood - LAN Inc; Scott Harris - LAN Inc; Temple Williamson - LNV, Inc; Clint Bissett - Pacheco Koch; Jainil Shah - Parsons; James McMillen - Perkins Engineering; Heather Goins - Perkins Engineering; Janet Sims - Perkins Engineering; Mark Perkins - Perkins Engineering; Chris Pasch - Plummer; Ellen McDonald - Plummer; Peggy Glass - Plummer; Rex Hunt - Plummer; Ryan Pierce - Plummer; Ana Pena-Tijerina - Plummer; Aldo Sotelo - Stantec; Balasubramanian Vairavan - Synagro; Sherri van der Wege - Tetra Tech; Patrick Lopez - Texas Water Development Board; Brooke Paup - Texas Water Development Board; Cory Dow - V&A Consulting Engineers; Pavel Mayfield - The Walsh Group; Hannah Mercado-Carrillo - The Walsh Group; Sam Irrinki - Weston Solutions;



Business Meeting:

- Vice President Gase opened the meeting, welcomed guests and thanked the City of Fort Worth for hosting and thanked the sponsors.
- Approved the November 13, 2020 Meeting Minutes.

Gordon Pederson:

NACWA received twenty-one submissions to The National Environmental Achievement Award Program. Out of the twenty-one submissions, three submissions are from Texas; one in UTRWD and two in the City of Garland. The results from the award committee should be released at the Winter Conference. NACWA's Utility Leadership Conference was held on January 27, 2021. This meeting was to determine critical strategy for NACWA for the next year specifically, water regulatory changes, climate resiliency and issues with managing the pandemic in the workplace. The Leadership Meeting will result in the development of a strategic plan. NACWA's Board Meeting will be held on February 4th & 5th, 2021.

Wes Kucera:

-The Consolidated Appropriations Act of 2021 was signed on December 27, 2020. This will allow \$638 million to prevent, prepare for, and respond to coronavirus, for necessary expenses for grants to carry out a Low-Income Household Drinking Water and Wastewater Emergency Assistance Program. The Department of Health & Human Services will appropriate these funds, no timeline is currently available.

-The Drinking Water Treatment System Infrastructure Resilience and Sustainability Program is active, and it is a grant program to help utilities adapt to climate change.

NACWA is circulating the Biosolids Survey, it is due at the end of February 2021. The Winter Conference is virtual this year on February 24th – 25th. The Winter Conference is free, make sure to register online.

Peggy Glass:

No updates on TDS. The EPA has been working on PFAS and at the end of 2020 the EPA put out two documents; one document provided guidance on treatment techniques and the other document was a memo detailing how to deal with PFAS in NPDES Permits. The NPDES permits guidance is only legally applicable to states where the EPA is the permitting authority. The EPA of course encourages the delegated states to follow the same policies. Presently the memo focuses on permitted industries that may potentially have PFAS in their effluent and MS4's and it is not directly effecting municipal permits yet. Exposure pathways for PFAS are being studied and the EPA is looking at ways to manage adverse impacts both the environment and human health.

The EPA might begin working on developing revised chloride criteria and working on implementation guidance for the aluminum criteria that was adopted. Regulatory work in 2021 is highly focused on nutrients at both the State and National level.



Peter Reale:

WEAT has formed a Nutrient Working Group, the purpose is to evaluate potential options in response to the EPA and the TCEQ's interest in nutrient criteria; nitrogen & phosphorous. WEAT and TACWA are forming a nutrient criteria ad-hoc committee to provide input on the criteria as it is developed. Please email Julie@weat.org if you are interested in joining this committee.

Janet Sims:

Revisions to the 2021 Water Quality Standards will not be posted to the Commissioners Agenda for proposal until at least September of 2021. TCEQ is working to incorporate prohibitions for plastic discharges. No additional significant changes have been made to these revisions previously discussed with stakeholder.

Methods Update Rule: A second set of comments from TACWA/WEAT for the proposed revisions to the minimum analytical levels (MAL) based on the Methods Update Rule for Federal Clean Water Act Analyses were submitted to the TCEQ for review on August 17, 2020. TCEQ is in the process of preparing responses to the submitted comments and plans to issue the response letter on January 29, 2021.

Stormwater Multi-Sector General Permit for Industrial Facilities: Domestic wastewater treatment facilities that have a permitted discharge of 1MGD or greater are supposed to have some sort of coverage for stormwater discharges. The general permit is a form of coverage and it will expire on August 14, 2021. The renewal permit has been approved by TCEQ so existing facilities are required to submit an application within 90 days after the effective date of the renewed permit. Applications will not be accepted prior to August 14, 2021.

Electronic Reporting Program: TCEQ can track the submission of permit applications. Some TPDES permits have a provision that requires renewal applications to be submitted prior to 180 days of the expiration date. If the renewal application is not submitted on time, then a Notice of Violation will be issued. The TPDES permits that have that provision are individual TPDES permits for domestic facilities, industrial facilities, industrial stormwater permits and Phase I MS4 permits.

Julie Nahrgang:

Please refer to the attached presentation for legislative and regulatory updates.

2021 National Environmental Achievement Award Honorees

OPERATIONS & ENVIRONMENTAL PERFORMANCE

- **Milwaukee Metropolitan Sewerage District, WI**
Improving Our Neighborhood One Tree at A Time

PUBLIC INFORMATION & EDUCATION: E-MEDIA

- **City of Garland, TX**
Garland Water Utilities Story Map
- **Lynchburg Water Resources, VA**
Water Wonders
- **Milwaukee Metropolitan Sewerage District, WI**
Water Drop Alert™
- **South Platte Renew, CO**
SPR Education and Outreach Program

PUBLIC INFORMATION & EDUCATION:
EDUCATIONAL PROGRAM

- **Beaufort-Jasper Water & Sewer Authority, SC**
Trick or Treatment: A Guided Tour of BJWSA's Water Reclamation Facilities
- **East Bay Municipal Utility District, CA**
EBMUD Virtual Tour Program

PUBLIC INFORMATION & EDUCATION:
PRINTED MATERIALS

- **City and County of Honolulu, HI**
Anatomy of Wastewater (Children's Book)

PUBLIC INFORMATION & EDUCATION: VIDEO

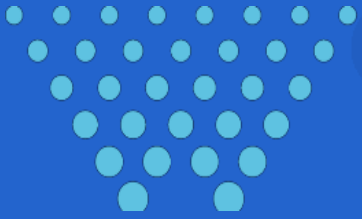
- **Great Lakes Water Authority, MI**
Flushables: Educating and Influencing Public's Behavior
- **NEW Water, WI**
"Thank You, Farmers!" Video - NEW Water Team

WATERSHED COLLABORATION

- **Capital Region Water, PA**
Joint Pollutant Reduction Plan with the Paxton Creek Cooperative
- **Des Moines Public Works, IA**
Restoring Easter Lake
- **East Bay Municipal Utility District, CA**
Regional Monitoring Program for Water Quality in San Francisco Bay
- **South Platte Renew, CO**
SPR Watershed Collaboration: SPCURE and Barr Milton

WORKFORCE DEVELOPMENT

- **Alexandria Renew Enterprises, VA**
Urban Alliance Workforce Development Partnership
- **North Texas Municipal Water District, TX**
Waterworks Program



Water Environment
Association of Texas

87th Texas Legislative Session: Law in the Time of Coronavirus

Julie Nahrgang, WEAT | TACWA
julie@weat.org

TACWA, January Meeting
January 29, 2021
Fort Worth *Virtual*



87th Session of the Texas Legislature: Law in the Time of Coronavirus

Water Environment Association of Texas

Key Dates:

November 3 – Election Day
November 9 – 1st day of prefiling
January 12 – 1st day of 87th Lege
March 12 – Last day to file
May 31 – Sine Die – Final Day





87th Texas Legislature: The Big Three

- Governor Greg Abbott
- Lt Governor Dan Patrick
 - Senate Interim Reports
 - Senate Rules
 - Committee Assignments
- Speaker of the House Dade Phelan
 - House Interim Reports
 - House Rules
 - Committee Assignments





87th Texas Legislature: The Priorities

- Budget
- Redistricting
- Responding to the pandemic





Bills Filed(1/8):

87 th	1335
86 th	1006
85 th	1273
84 th	887
83 rd	567



House Committees and New Leadership

Natural Resources –

Chair: Lyle Larson is out

Issues: Flood planning and funding, ASR, brackish groundwater, wide array of water issues

Environmental Regulation –

Chair: JM Lozano - uncertain

Issues: HB 2771 produced water discharge permit delegation from EPA

Energy Resources –

Chair: Chris Paddie

Issues: Produced water and reuse





Senate Committees

New and Familiar Faces

Senate Water, Agriculture & Rural Affairs Committee

Position

Member

Chair:

[Sen. Charles Perry](#)

Vice Chair:

[Sen. Drew Springer](#)

Members:

[Sen. Sarah Eckhardt](#)

[Sen. Roland Gutierrez](#)

[Sen. Nathan Johnson](#)

[Sen. Lois W. Kolkhorst](#)

[Sen. Brandon Creighton](#)

[Sen. Larry Taylor](#)

[Beverly Powell](#)





87th Texas Legislature

Water Quality-ish

HB 186 (Zwiener) – Relating to the authority of the TCEQ to require water pollution abatement plans from certain facilities regulated by the Railroad Commission of Texas

HB 271 (Murr) – Relating to the procedure by which a state agency may issue an opinion that a watercourse is navigable

HB 1289 (Reynolds) – Relating to notice of certain accidental discharges or spills to local government officials by the TCEQ





87th Texas Legislature

Lead in Drinking Water

Water Environment Association of Texas

HB 303 (Collier) – Relating to testing for lead contamination in public school drinking water

HB 605 (Garvin-Hawkins) – Relating to the adoption of healthy and safe school water plan by public schools



87th Texas Legislature

Transparency and Notice

HB 70 (Swanson) – Relating to legislative review and approval of certain state agency rules

HB 348 (Zwiener) – Relating to a requirement to make certain environmental and water use permit applications available online

HB 355 (Lopez) – Relating to providing notice to a state representative and senator of an admin penalty assessed by the TCEQ

HB 327 (Howard) – Relating to the internet broadcast or audio recording of certain open meetings

HB 768 (Patterson) – Relating to the requirement that certain governmental bodies make audio and video recordings of open meetings available on the internet





87th Texas Legislature

Groundwater

HB 152 (Harris) – Relating to a study by the TWDB of groundwater conditions in certain counties

HB 666 (Harris) – Relating to regulation of groundwater conservation districts

HB 668 (Harris) SB 152 (Perry) – Relating to regulation of groundwater conservation districts

HB 966 (Burns) – Relating to the award of attorney's fees and other costs in certain suits involving a groundwater conservation district



87th Texas Legislature

Reuse

HB 186 (Zwiener) – Relating to the exemption from ad valorem taxation of the portion of the appraised value of a person's property that is attributable to the installation in or on the property of certain water conservation systems

HB 964 (Darby) – Relating to the treatment recycling for beneficial use, or disposal of drill cuttings

Perry (Yet to file but possible) – DPR Legislation directing TCEQ to create a guidance document on DPR



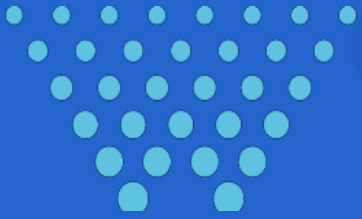


87th Texas Legislature

Hot Button and Hodgepodge Bills -

HB 749 (Collier) SB 234 (Hall) – Relating to the use by a political subdivision of public funds for lobbying activities

- Above ground Storage tank standards
- Disaster alert systems
- Nonsubmetered billing for water wastewater services
- (Refiled) Environmental justice bills
- Climate variability bills
- Workforce bills



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