

## STATE

# Will Texas have its 'biggest water session' in history? Here's why a senator says yes.



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More than 8 million Texans live in areas affected by drought, according the National Drought Mitigation Center. And without significant legislative appropriations, water shortages are expected to worsen as the population grows.

But the critical infrastructure that supports the state's water supply — underground pipes, groundwater reservoirs and water treatment facilities — lacks a dedicated funding source from state coffers, unlike the state's highways and roads, which benefit from a steady stream of revenue from gas taxes, sales taxes and other automatic funding mechanisms.

A state senator from Lubbock, however, is seeking to shore up Texas' funding for water, and he's confident the Legislature will back him.

“We will leave this session with a significant sum to jump-start water supply development and have a constitutional vote in November for perpetual funding going forward,” Republican Sen. Charles Perry told the American-Statesman in a phone interview Tuesday.

Perry said he has secured commitments from Gov. Greg Abbott, Lt. Gov. Dan Patrick and numerous members of the House and Senate to support a new funding plan, though he said the details are still fluid.

The sixth-term senator is among several lawmakers and advocates who have sounded the alarm in recent years about gaps in Texas' water system as the state continues to attract new businesses and residents.

Insufficient water supply has forced South Texas citrus growers to shrink their orchards and shut down the last remaining sugar mill in the Valley, costing hundreds of workers their jobs. And concerns over water supply and infrastructure have led at least three Texas cities —

Dripping Springs, Conroe and Magnolia — to put the brakes on new development, cutting off potential economic growth in the process.

Furthermore, Mexico has made inconsistent deliveries of water promised in a 1944 federal treaty, contributing to shortages in South Texas in particular.

The Austin area and the Hill Country are also struggling, with most of Travis and Hays counties in “extreme drought,” according to the U.S. Drought Monitor.

These effects are just the tip of the iceberg, Perry said, because shortages now portend far greater scarcity in the future without state intervention. He chairs the Senate Water, Agriculture and Rural Affairs Committee, which in a September report concluded that the state’s water system is chronically underfunded.

“People, because the tap comes on, they don’t see the need for a sense of urgency,” Perry said. But “anything in water is typically a 20-year challenge. If you need water 20 years from now, you got to be developing today.”

Texas is “about 25 years behind” on developing water supply, Perry added.

Sarah Kirkle, legislative director for the Texas Water Association, said some businesses are hesitant to put down roots in Texas because of water supply concerns.

"Any economic development is critical to the growth of the state, and jobs with it," Kirkle said. "And we don't want water to be what holds the state back."

She said she is also hopeful that this could be a marquee year for water legislation. The Texas Water Association is among several organizations that are lobbying for a dedicated funding source to replace the one-off capitalizations that have been the norm in recent years.

"Unless we have some kind of consistent funding, it really makes it hard for us to plan appropriately," said Perry Fowler, director of the Texas Water Infrastructure Network, which advocates for general contractors specializing in water infrastructure construction.

Surveys show Texans, too, support changes to state policy on water. More than 85% of likely voters support the state making “strategic long-term investments in reliable water infrastructure,” and the same amount are concerned about future water shortages, according to a poll of 1,001 respondents by nonpartisan policy think tank Texas 2036.

## How Texas water funding could be used

Although voters authorized the state to create the Texas Water Fund in 2023 with a \$1 billion jumpstart, advocates say billions in additional money is needed to fix the state's aging infrastructure and improve drought resilience — with Texas 2036 estimating that the state needs to invest at least \$154 billion in the water system by 2050.

That estimate includes \$59 billion for water supply projects, \$74 billion for leaky pipes and infrastructure maintenance, and \$21 billion to fix broken wastewater systems, which are important for mitigating flood damage.

Perry is hoping his colleagues approve putting forth a constitutional amendment that would dedicate at least \$1 billion per year to the Texas Water Fund. The Texas 2036 poll found 68% of likely voters support this approach.

Money that goes into state programs like the Texas Water Fund and the State Water Implementation Fund for Texas finance low-interest loans to communities for approved water projects. As those projects are completed — which can take as long as 40 years — local utilities pay the state back by charging ratepayers for the additional water they're supplying.

The Texas Water Development Board is responsible for approving applications for these projects.

Perry's primary focus is on supporting the creation of new water sources. A promising method is desalination of marine water and brackish groundwater, he said, with the latter being the easiest to clean up.

"In every corner of the state, there's water supply from undeveloped brackish aquifers," Perry said, adding that the state is in talks to potentially acquire water from neighboring states.

The Senate Water, Agriculture and Rural Affairs Committee also recommended in its interim report that the state increase cybersecurity requirements for water systems. This would help local communities protect against foreign attacks like those that targeted the cities of Muleshoe and Abernathy in 2024.

The committee also suggested that the Public Utility Commission transition to digital case management and that the state help grow the "water workforce" by "encourag(ing) additional partnerships between Texas water systems, state agencies responsible for licensing occupations in the Texas water workforce, and Texas technical and community colleges that

train students for those occupations." Another recommendation is that small communities consolidate their water systems.

Other state and federal money dedicated to water could go to emergency flood management and the maintenance of the state's pipe system, which leak tens of billions of gallons of water each year according to the Texas Living Waters Project, a collaboration of conservation nonprofits.

Right now, Texans are benefiting from water supply planning that began nearly a century ago. Work to create Lake Livingston, for example, began more than a decade before it was completed in 1971.

"If it was not for Lake Livingston, there would probably not be a Houston, Texas," Perry remembers a colleague telling him.

With the work of his forebears in mind, Perry thinks that the upcoming Legislature could be "the biggest water session we've had in the history of this state."

Of course, lawmakers, industry groups and advocates have pushed for years to dedicate continuous funding to the water system, without success. And the details of the legislation could vary widely.

But Perry says lawmakers recognize the state is at a critical point, as he has faced little to none of the pushback he expected he would get over his plan. He's also confident the state will find ways to fill gaps even if the funding doesn't meet his hopes.

"The sky's not falling, we will get there, and we have some triage to do until we get this thing rolling," Perry said. "In 30 or 40 years, people are going to say, 'Man, I'm glad they did this.'"

***Correction: This article has been updated to reflect that Perry is in his sixth term, to correct the name of the Senate Committee on Water, Agriculture and Rural Affairs.***

