

Desalination for Texas

Bill Analysis: House Bill 2334

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Findings

- Desalination has potential to open up vast amounts of water for Texas.
- HB 2334 would minimize the regulatory obstacles to the development and deployment of desalination technology.
- This bill should be part of a broader effort to remove regulatory impediments to private development of the state's water resources.

House Bill 2334 (HB 2334) provides important and strategic focus on desalination, a process that could make a virtually endless contribution to Texas water supply. Desalination has potential to open up vast amounts of water for Texas: Texas has access to approximately 880 trillion gallons of brackish groundwater, in addition to 600 quadrillion gallons of brackish marine water from the Gulf of Mexico. And although there have been several pilot projects on sea water and several meaningful projects on brackish groundwater in the Brownsville and El Paso regions, Texas has barely begun to develop these water resources and particularly in commercial or municipal use of desalinated marine water. HB 2334 lays a strategic foundation for more concerted and pragmatic efforts to refine the emerging technologies to make desalination a major water supply option for Texas.

Ensuring that Texas' growing water needs continue to be met is an increasing challenge for this state. Yet all too often vital projects to develop water resources are blocked by federal and state regulatory impediments. HB 2334 will provide needed regulatory flexibility to allow the private sector to respond to this important challenge. HB 2334 wisely recognizes the extent to which regulation and permitting hinder the development of emerging technologies and creatively provides for some regulatory flexibility without undermining basic regulatory oversight. Likewise, the process for getting a "banks and bed" permit (which allows diversion and reuse of water previously added at another point in the state water courses) requires a lengthy hearing process. HB 2334 would exempt permits for transporting treated brackish and marine water from the hearing requirement. This would save time and money that is vital in refining emerging technologies.

Similarly, authorizing "evergreen" renewals for brackish groundwater permits from local groundwater districts—renewals which maintain the same terms as the original permit—provides regulatory certainty and efficiency often vital to investors and to the development of commercial viability. And provisions for integrating desalination projects with electric generation facilities could kick-start long-term conservation of freshwater now used for cooling water in most power plants. ★