

Advocacy in Action: Where We're At and Where We're Going

Policies Impacting Rainwater and Stormwater Collection



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Key Messages

- Texas policy landscape for rainwater and stormwater harvesting
- National trends and approaches from other states
- Codes, standards, and regulatory drivers shaping the industry
- The role of industry and practitioners in advocacy and policy development

Texas Policy Landscape: Where We're At



Texas Water Stresses

Climate variability

- Unpredictable weather patterns
- Longer droughts and more frequent storm events
- These shifts strain reservoirs, groundwater supplies, and water infrastructure



Population growth

- Rapid population and industry growth means increasing demand for water

Flood–drought paradox

- Texas swings between extreme rainfall and severe drought



Texas' Early Leadership on RWH

2001

Legislature advanced long-term planning and implementation strategies through SB 1 which focused on funding and carrying out regional water plans. Also authorized property-tax and sales-tax exemptions to incentivize water conservation measures such as rainwater harvesting.



2003

Law was amended to prohibit property owners' associations from adopting or enforcing rules that restrict a property owner from installing rain barrels or rainwater harvesting systems.



2005

The Texas Water Development Board was directed to establish a Rainwater Harvesting Evaluation Committee to study the feasibility of using rainwater as a source of water supply.

Texas' Early Leadership on RWH

2007

Law required that any structure connected to a public water supply system and utilizing a rainwater harvesting system for indoor use must include appropriate cross-connection safeguards and limits such systems to non-potable indoor uses.



2011

Law removed the restriction limiting rainwater harvesting systems to non-potable indoor use, allowing potable indoor use with appropriate cross-connection safeguards and requiring installation and maintenance by licensed plumbers.



2015

Law expanded allowable indoor uses of graywater and established a definition of "alternative onsite water" to include sources such as rainwater, stormwater, condensate, and other nontraditional water sources deemed appropriate by the commission.

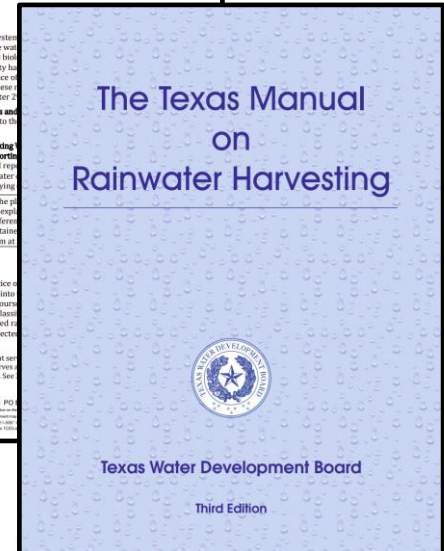
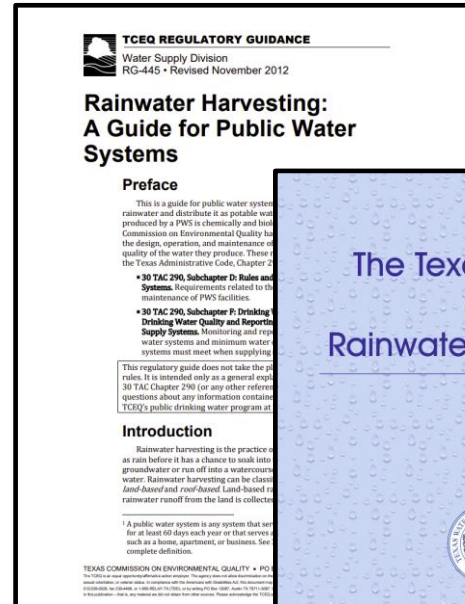
Texas RWH Guidance Documents

Texas Water Development Board

- ARCSA contributed to the 2005 edition
- Primer on the basics of residential and small-scale commercial rainwater harvesting systems design

Texas Commission on Environmental Quality

- For public water systems that collect, treat, and distribute rainwater as potable water
- To ensure the water is safe, the TCEQ has adopted regulations governing system design, operation, maintenance, and water quality, which are contained in Title 30 of the Texas Administrative Code, Chapter 290.



Texas Water Fund

- The Texas Water Fund is a special fund outside general revenue, administered by the Texas Water Development Board
- It was created in 2023 by SB 28 and SJR 75, and approved by voters through Proposition 6
- The Fund supports financing for water projects
- It enables funding through existing TWDB programs and the New Water Supply for Texas Fund



Additional Action Needed: From Creation to Funding

- The Texas Water Fund relied primarily on a one-time \$1B appropriation
- The initial funding was a down payment, not a long-term solution to the state's growing water infrastructure needs
- The fund lacked a dedicated, sustainable revenue stream to support ongoing investment



2025 Legislative Action: Setting the State for Proposition 4

- Following the creation of the Texas Water Fund in 2023, lawmakers recognized the need for sustained, long-term funding beyond the initial appropriation
- Legislature advanced SB 7 to expand the scope, priorities, and eligible uses of the Texas Water Fund to address evolving needs
- HJR 7 was advanced to provide constitutionally dedicated funding tied to sales tax revenue
- Marks a shift toward a more scalable, long-term water financing strategy



Texas Proposition 4

- Proposition 4 passed in November 2025 with ~70% voter approval
- It will dedicate up to \$1B annually in sales tax revenue to the Texas Water Fund through 2047
- But... at least 50% of constitutionally dedicated funds must be allocated to the New Water Supply for Texas Fund and/or SWIFT Eligible projects include water reuse, alternative water supplies, aquifer storage, desalination, and **conservation strategies**



Funding for Water Projects

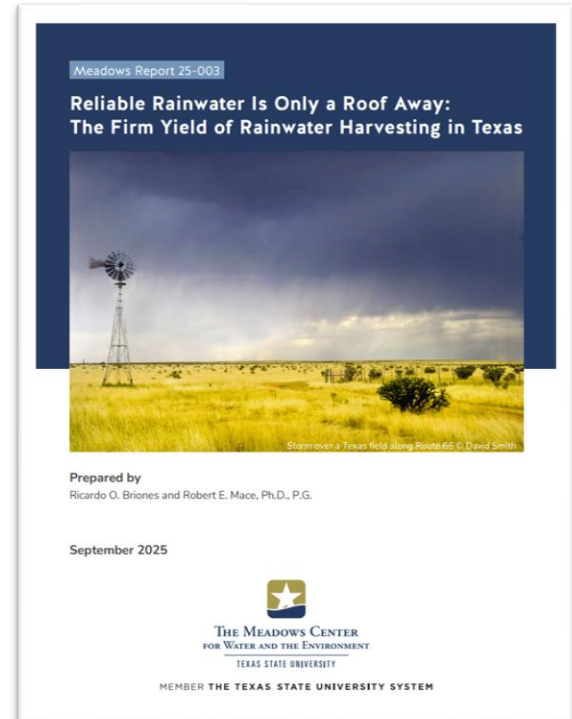
- New report shows that Texas needs at least \$174B to avoid water crisis
- Statewide water supplies are expected to decline 10% between 2030 and 2080, while population and demand continue to grow
- Recommended strategies include **water conservation**, **reuse**, aquifer storage and recovery, desalination, and alternative supplies
- Even recent voter-approved funding (\$20 billion) falls well short of projected needs, highlighting a major funding gap



Rainwater Harvesting as Supply Strategy

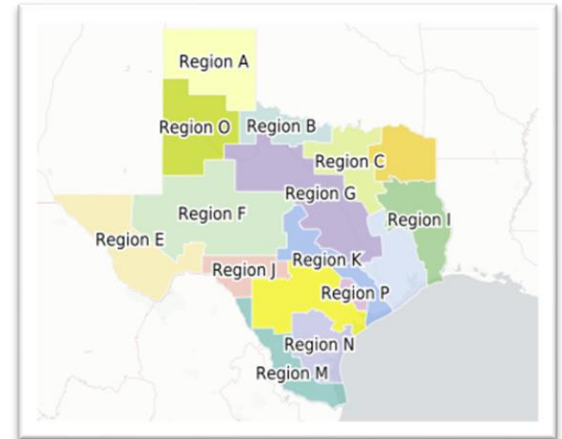
- A recent report from The Meadows Center for Water and the Environment establishes a method for determining the firm yield (reliable supply through the drought of record) for rainwater harvesting systems
- The report includes calculation spreadsheets tailored to each regional water planning area to support consistent evaluation
- The study demonstrates that reliable rainwater harvesting is achievable statewide, including in Far West Texas

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Rainwater Harvesting as Supply Strategy

- During the 2027 State Water Plan regional planning process, three Regional Water Planning Groups identified rainwater harvesting as a recommended Water Management Strategy
- Across these regions, 29 rainwater harvesting projects were recommended as Water Management Projects
- Region L accounted for the majority, recommending 27 rainwater harvesting projects. The total estimated capital cost for the 29 recommended rainwater harvesting projects is approximately \$418 million



Beyond Texas: Other States in Action



Water Use in Data Centers

Kentucky

SB 319 encourages data centers to conserve and reuse water through rainwater harvesting; did not pass into law

Virginia

Legislation introduced to mandate rainwater catchment systems on data centers over a certain size; did not pass into law

Louisiana

HB 1206 urges data centers to consider water reuse technologies, alternative non potable water sources, and cooling water substitution; did not pass into law

Colorado

HB26-1030 would require data centers to implement water stewardship strategies in alignment with state resource considerations; did not pass into law



Water Use in Data Centers

Iowa

- HF 2001 balanced water consumption, agriculture, and new construction (no data center legislation had a hearing)
- Language pertaining to water usage focused on "encouraging" best water use practices rather than mandates

Illinois

- SB 4016 is able to be more specific and stringent in their assembly language by proposing stipulations and standards as a precursor to all future data center construction

In both instances and in conjunction with ARCSA, we were able to provide clear definitions of "rainwater catchment" and;

- Relay the following proven and established rainwater harvesting standards to act as scaffolding in both bills:
 - (a) ARCSA/ASPE/ANSI Standard 63
 - (b) ARCSA/ASPE/ANSI Standard 78
 - (c) ASSE/ARCSA/ANSI Series 21000-2022



Washington

- Pending rule that directs risk-based standards for onsite nonpotable water systems
- Drought conditions driven by historically low snowpack, with significant risks to summer water supply, especially in Eastern Washington
- Water conservation answers the call for long-term drought response strategies – from rainwater to efficiency incentives
- Fragmented framework limits broader water efficiency and reuse adoption amid growing needs
- Tight fiscal conditions, including multi-billion-dollar budget gaps and competing service priorities, which limits funding for infrastructure, enforcement capacity, and new capital programs



Massachusetts

- The Massachusetts Senate included water reuse language in this year's Environmental Bond Bill (EBB)
- The language would establish a study commission to evaluate options for water reuse and develop legislative recommendations
- The water reuse amendment was offered and approved during Senate consideration of the EBB on April 15
- Next step: secure inclusion of identical language in the House version of the EBB
- Inclusion in both bills increases the likelihood the provision survives conference committee



Arizona

- Third consecutive legislative session for efforts to establish a rainwater harvesting grant program
- HB 2650 would have provided a reimbursement for both passive and active systems
- ARCSA shared recommendations with the bill sponsor to increase grant funding and to require grant recipients to adhere to ARCSA standards
- The bill failed to pass into law



Codes and Standards



Standards for Resilient Systems

Water Efficiency and Sanitation Standard (WeStand)

- Recognizes rainwater as an alternate water source, alongside graywater, reclaimed water, and onsite treated non-potable water
- Includes provisions addressing water quality, collection surfaces, storage tanks, and treatment criteria for potable rainwater systems
- Addresses stormwater and blackwater treatment systems

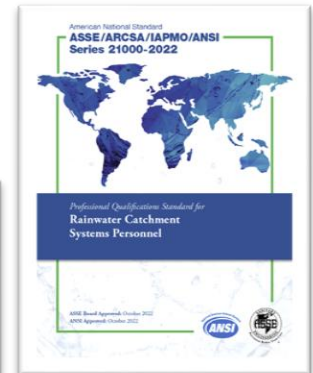
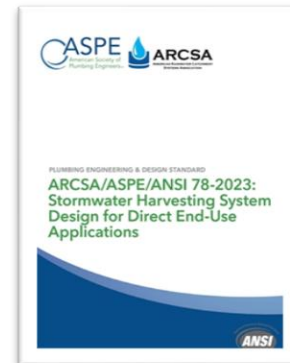
Uniform Plumbing Code (UPC)

- The UPC allows rainwater harvesting for non-potable indoor and outdoor uses, and for potable use where additional treatment and regulatory approvals are met



Standards for Resilient Systems

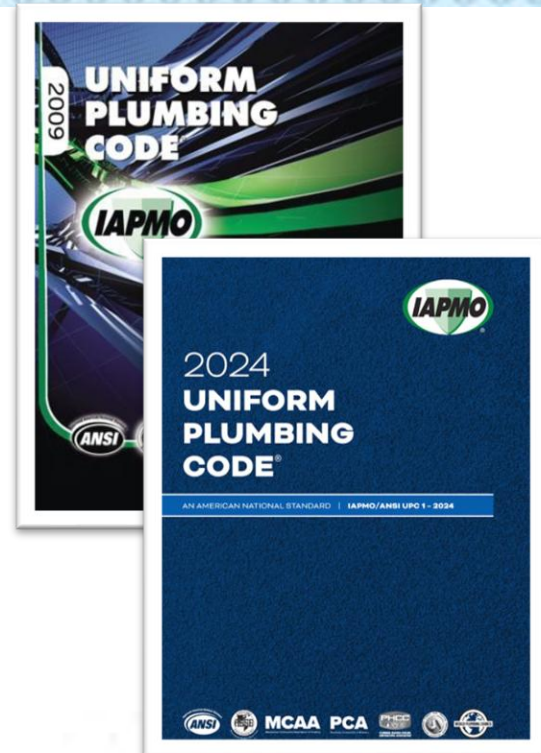
- **ARCSEA/ASPE/ANSI 63:**
rainwater catchment systems
- **ARCSEA/ASPE/ANSI 78:**
stormwater harvesting systems
- **ASSE/ARCSEA/IAPMO 21000:**
defines qualifications for designers, installers, inspectors



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Building Forward While Codes Move Backward

- As an industry, we encourage policymakers to adopt and maintain the most up to date construction codes, including ARCSA standards, as reflections of current technology and best practices
- Industry endorsed benchmarks that promote efficiency, safety, and long-term system performance and to maximize ROI
- Yet, even as these conversations continue, numerous states are rolling back or freezing construction codes, creating regulatory uncertainty.
- Outdated codes risk stifling innovation, slowing market adoption of proven solutions, and undermining water conservation and resilience goals.



Regressive Codes

Several legislatures have seen bills modifying building, electrical, and plumbing codes that "update" model codes to previous versions dating back to 2009

Missouri HB 1796 sought to prohibit:

- (a) Sustainable building standards or features;
- (b) High-performance standards or features;
- (c) Energy efficiency standards or features;
- (d) Environmentally responsive standards or features;
- (e) Standards/features exceeding those defined in the 2009 IRC or
- (f) Standards established in the 2009 IECC

Nebraska LB 1134 specifically called back to 2009 standards:

- (a) The International Residential Code (IRC), 2009 2018 edition
- (b) 2009 2018 International Energy Conservation Code

Regressive Codes

North Carolina

Froze certain residential code updates until 2031, leaving some requirements effectively based on 2009 standards. Also shifted authority from the Building Code Council to a newly created Residential Code Council barred from modernizing codes during the freeze

Vermont

Governor issued an executive order allowing use of 2020 energy standards instead of adopting 2024 codes

California

Paused statewide and local building code updates for six years

Michigan

Courts paused implementation of updated construction codes following legal challenges



Advocacy in Action: What's Next



Federal Update: National Water Reuse Action Plan 2.0

- The Administration is advancing a more proactive water agenda, highlighted by EPA's Water Reuse Action Plan 2.0
- The Plan elevates water reuse, stormwater capture, and alternative water supplies as national priorities—particularly for data-center growth
- Parallel activity on PFAS regulation, drinking water standards, and infrastructure resilience is shaping a more complex policy landscape
- Together, these efforts are increasing momentum for integrated water management approaches
- This is a key moment for ARCSA to reinforce rainwater harvesting as a practical, scalable solution that reduces demand on centralized systems, supports regulatory compliance, and strengthens long-term water security



Federal Update: Advancing Water Reuse Act

- Bipartisan legislation filed earlier this month by U.S. Senators Ben Ray Lujan (D-N.M.) and Katie Britt (R-Ala.) to strengthen water security and economic growth
- Creates a 30% federal tax credit to incentivize investment in water reuse projects
- Encourages industry adoption of recycled water to reduce reliance on freshwater supplies
- Supports installation and expansion of onsite water recycling systems (industrial, manufacturing, data centers, food processing)
- Promotes use of municipal recycled water in place of groundwater or other freshwater sources
- Enables public-private partnerships to finance and scale water reuse infrastructure
- Expands municipal recycling systems to supply reused water for economic activity



Texas Update:

Where RWH and SWH Fit in Texas Interim Charges

House Committee on Natural Resources

- *Innovative Water Supply Strategies: Study the feasibility of the various project types eligible under the New Water Supply for Texas Fund. Identify project impediments and strategies to increase their implementation and contribution to the state's overall water supply.*
- *Data Center Water Use and Conservation: Examine the total water usage of data center operations in Texas, including direct and indirect uses. Evaluate regulatory, permitting, and infrastructure considerations for water-efficient data center development, particularly in water-stressed regions. Consider policy options to optimize water resources and enhance water stewardship in the data center sector*
- *Monitoring: Monitor the implementation and associated rulemaking of all legislation passed by the Committee and enacted by the 89th Legislature to ensure that legislative purposes are properly implemented, including the following: HJR 7, proposing a constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund and to provide for the allocation and use of that revenue.*

Senate Committee on Water, Agriculture, and Rural Affairs

- *Assessing the Water Demands of Energy-Intensive Technologies: Examine the current water consumption rates for high-consumption cooling technologies, including data centers. Make recommendations to improve transparency for local water providers and ensure industrial growth does not compromise the affordability of water for Texas residents and agricultural producers.*

Why Advocacy Matters Now more Than Ever

Infrastructure funding moment

- States and federal agencies are investing billions of dollars in water infrastructure, resilience, and conservation projects. Advocacy helps ensure rainwater harvesting is included in funding priorities, building codes, incentive programs, and long-term water planning efforts

Climate and population pressures

- Growing populations, recurring droughts, and more extreme weather events are increasing stress on traditional water systems. Advocacy is critical to promote decentralized, sustainable solutions like rainwater harvesting that improve water security and strengthen community resilience



Role of Industry

Technical expertise

- Industry professionals play a critical role in advancing system design, water quality standards, installation practices, and operational reliability
- Your expertise can help shape regulations

Data and demonstration projects

- Pilot projects and real-world performance data are essential for validating rainwater and stormwater harvesting as reliable water supply strategies
- Practitioners help generate the case studies and economic analyses that policymakers, utilities, and communities need to support broader adoption

Get Involved

- IAPMO facilitates Industry Days throughout the country to connect policymakers directly with the industry
- These Industry Days create a forum to educate legislators on emerging technologies, best practices, and on-the-ground impacts
- We've helped to convene Industry Days in Texas, New Jersey, Massachusetts, Iowa, and Missouri
- Legislators want to hear from YOU
- Industry participation drives better policy outcomes and moves the cause forward



Thank You!

If you have any questions or comments, please reach out

 Policy@IAPMO.org



Commercial Rainwater Systems in Texas

Presented by: Christy Langendoen



Commercial = Public Water System

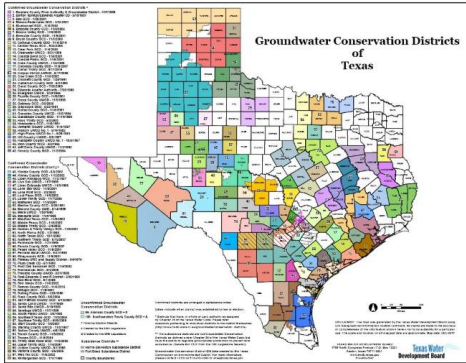
- A Public Water System (PWS) in Texas is any system that provides water for human consumption to at least 15 connections or at least 25 individuals for at least 60 days per year.
- EVEN multipurpose structures. Based on a shared source.



The hang up



- How do I get water for my business?



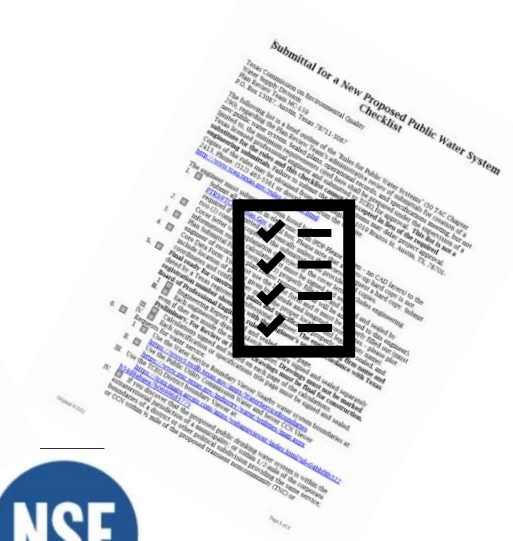
DEVELOPMENT
REGULATIONS
County Permits
TCEQ Permits

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Commercial = Public Water System

- What does that mean?
 - Licensed PE must submit plans
 - All plans must comply to current TCEQ rules
 - Comply to all checklists



No Checklist for Rainwater

- What is the process?
- **What Are TCEQ Exceptions?**
- A **TCEQ exception** is a formal request to deviate from a specific TCEQ rule or design standard. Exceptions are typically used when a public water system (PWS) cannot meet a TCEQ design standard but can propose an alternative method that still meets the intent of the rules and ensures safe drinking water.




The hang up

Money and Time



Cost Comparison: Groundwater vs Surface Water Treatment

(Normalized cost index)

System Type	Relative Cost	Meaning
Groundwater (wells)	 100	Baseline (simpler treatment)
Surface Water (rivers/lakes)	 200-500	2x to 5x higher typical cost



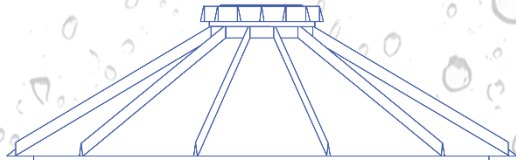
Creating success in the industry

- Work with an engineer who understands the basics to checklist.
- Contact your legislator and request change.
- More submissions increase demand, demonstrating the need for a checklist or process.



Questions:

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