



Date: June 2, 2023
To: Houston Public Works Staff and Interested Parties
From: Suhail Kanwar, MS, P.E., CFM, City Engineer
Subject: Application of City Design Standards on Water and Wastewater Projects

The purpose of this memorandum is to clarify the application of the City's Infrastructure Design Manual and Code of Ordinances on all water and wastewater projects within the City of Houston (COH) city limits and extra-territorial jurisdiction (ETJ) boundaries.

Under the Title 30, Section 290.39(j) and Section 217.8 of the Texas Administrative Code (TAC), the Texas Commission on Environmental Quality (TCEQ) granted authority to municipalities to review design drawings for water and wastewater projects to ensure compliance with state regulations and local design standards and specifications to reduce redundant reviews between the state and the City. Furthermore, under City Ordinance Sec. 47-163, the City of Houston has established the City's Infrastructure Design Manual and Design Specifications to be the minimal design standard within the municipality's boundaries. These regulations apply to all publicly maintained water and wastewater systems located within the City limits and ETJ, regardless if the system will be presently maintained by the City of Houston (i.e. Municipal Utility District (MUD), Regional Water Authority, etc.). This will help ensure public health and safety as well as proper annexation of those systems by the City of Houston in the future, if requested or required.

House Bill 3476 from the 87th Legislative Session modified Texas Water Code (TWC) Section 13.245. The House Bill 3476 altered that the Public Utility Commission can grant a certificate of convenience and necessity (CCN) to a retail public utility by establishing TCEQ's design criteria as a minimal standard statewide. House Bill 3476 does not impact TCEQ's jurisdiction in Title 30, Sections 217.8 & 290.39(j) or in Texas Health and Safety Code (THSC) Chapter 341. Per current agreements between the City of Houston and TCEQ, the City's design criteria would still apply to these retail public utility developments as it is the established design criteria within the city limits and ETJ. The more restrictive criteria shall govern when there is a conflict between design criteria.

Respectfully,

Suhail Kanwar

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C: Carol Ellinger Haddock, P.E., Houston Public Works Director
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memo.