

## RWPG Chairs Conference Call Meeting Notes

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**Type of Meeting:** RWPG Chairs Conference Call (CCC)

**Date of Meeting:** June 27, 2023

**Location of Meeting:** Microsoft Teams

**TWDB Staff in Attendance:** Matt Nelson, Temple McKinnon, Sarah Lee, Ron Ellis, Katie Dahlberg, Lann Bookout, Kevin Smith, Elizabeth McCoy, Heather Rose, Sabrina Anderson, Genera Navarra

**Number of Planning Group Members in Attendance:** 14 regions represented

**Senators/Representatives/Other VIPs in Attendance:** Chairwoman Brooke Paup, Chief of Staff Patrick Lopez

**Report filed by:** Sarah Lee

**Report filed on:** July 6, 2023

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### Agenda Items Discussed:

#### 1. Introductions and Opening Comments

Sarah Lee (TWDB) introduced TWDB staff on the call and noted RWPG attendance. Sarah informed attendees that the meeting was being recorded and written notes will be provided. TWDB Chairwoman Paup provided opening comments and thanked planning group members for their volunteer service and assistance this Legislative session. Chairwoman Paup recommended listening to upcoming TWDB work sessions for information on bill implementation.

Regional Water Planning Group (RWPG) participants:

A – Ben Weinheimer (Chair)

B – Randy Whiteman (Chair) and Stacey Green (Red River Authority)

C – Kevin Ward (Chair) and Howard Slobodin (Trinity River Authority)

D – Jim Thompson (Chair) and Kyle Dooley (Riverbend Water Resources District)

E – Scott Reinert (Chair)

F – Audra Hoback (Colorado River Municipal Water District)

G – Wayne Wilson (Chair)

H – Mark Evans (Chair)

I – John Martin (Chair)

J – None

K – Monica Masters (Vice-Chair) Annette Keaveny (Lower Colorado River Authority)

L – Tim Andruss (Chair)

M – Jim Darling (Chair)

N – John Byrum (Nueces River Authority)

O – Aubrey Spear (Chair) and Courtney McNeely (South Plains Association of Governments)

P – None

#### 2. Legislative Update

Ron Ellis, TWDB, provided an update on bills of interest relevant to the regional water planning program.

Bills of interest that passed include:

- **House Bill 1565:** TWDB Sunset Bill. This bill requires RWPGs to report on the implementation of large projects in their regional water plans (RWP) and allows RWPGs to optionally plan for conditions worse than the drought of record. Both provisions are already outlined in regional water planning grant contracts.
- **Senate Bill 28/Senate Joint Resolution 75:** Texas Water Fund. This bill establishes a \$1 billion Texas Water Fund, subject to voter approval in November. Money from this fund may be used to fund projects through existing TWDB financial assistance programs as well as a New Water Supply for Texas Fund, which will fund water supply projects for new sources for Texas. At least \$250 million of funds appropriated to the Texas Water Fund must be used for the New Water Supply for Texas Fund. The TWDB is directed to undertake financing of projects through the New Water Supply for Texas Fund that will lead to 7 million acre-feet of new water supply by 12/31/2033.
- **House Bill 1:** Budget Bill. State budget gives the TWDB additional funds for regional water planning. Sarah Lee will discuss this further under the next item.

Bills of interest that did not pass include:

- **House Bill 4373/Senate Bill 2108.** This bill was a TWDB legislative priority that would have removed the requirement to place a printed copy of the Initially Prepared Plans (IPP) in each county courthouse and public library in each county within the planning area. The bill would also have allowed notice of the IPP hearing to be posted on the planning group website in lieu of newspaper publications. Since this bill did not pass, existing statute and rules still apply to publishing the IPP and notices for the associated public hearing.

### 3. Sixth Cycle of Regional Water Planning Activities

Sarah Lee provided an update on the following current and upcoming planning activities.

Anticipated fall contract amendments: The TWDB will be receiving additional appropriations for regional water planning grants. TWDB's exceptional item request included an additional \$1.3 million annually for regional water planning grants to address new statutory requirements that have been added to the planning process since 2009, yet RWPG funds have not increased significantly since that time. TWDB staff plans to incorporate additional funds into contract amendments this fall. These amendments will increase the total project cost and committed funds amounts for all regions. A Board item requesting authorization of these amendments will be presented to the TWDB Board this summer.

Projections deadlines: Reminder of upcoming deadlines for submitting revision request to the TWDB (July 14 for non-municipal demands and August 11 for population and municipal demands). Most planning groups have acted on their non-municipal demand revisions. Planning groups are encouraged to submit these as soon as possible. There have been some questions recently about the origins of the populations. TWDB is developing an educational document on this topic that will be shared soon. Planning groups are strongly encouraged you to coordinate with Katie Dahlberg's team in advance of adopting revisions so that the

TWDB can provide preliminary feedback.

Jim Darling, Region M, asked how expansion or modifications of CCNs are addressed in population projections, particularly where areas are not well defined. Katie Dahlberg, TWDB, discussed how population could be shifted among water user groups in the planning area to address growth, for example, county-other population could be shifted to a discrete water user group. Mr. Darling also asked how water reuse from water treatment plants are addressed. Katie clarified that reuse water is not included in municipal demand projections. Regions can incorporate reuse into GPCDs as part of their revision requests.

Randy Whiteman, Region B, asked for clarification on the revision request process. Temple McKinnon, TWDB, provided an overview of the projections development and revision request submittal process. TWDB will consider local information submitted to the TWDB by the planning groups by the deadlines noted above.

John Martin, Region I, asked whether there was still a policy that is a net-zero gain in population for a region. Katie clarified that it depends on what the region is requesting, for example, a water user group expanding its service area would be shifting population rather than increasing it, additionally, build-out would result in shifting population among water user groups. Matt Nelson, TWDB, clarified that while it is the intent for population to stay within a regional total, the TWDB is open to hearing justifications for revisions from planning groups.

Upcoming RWPG tasks: 2026 Regional Water Plan working schedule is kept up to date on the TWDB's website. Contract deliverable deadlines include Technical Memorandum: 3/4/24; IPP: 3/3/25; and Final Plan: 10/25/25. Sarah provided a summary of items to be included in the Technical Memorandum. Sarah highlighted items that planning groups will need to address prior to approving their technical memorandum, including hydrologic variances, wholesale water providers and major water providers, identifying infeasible water management strategies in the 2021 RWPs, and presenting the process to identify potentially feasible water management strategies in the 2026 RWPs.

Jim Darling asked for clarification on the criteria to be considered for infeasible strategies and removing those. Statutory language outlines the feasibility criteria and it is related to affirmative actions by the project sponsor and whether the strategy will be online in accordance with the implementation timeline in the plan. If any infeasible strategies are identified, the planning groups are required to amend their 2021 RWPs to address the infeasibility.

Discussion occurred regarding the timing of the meetings to approve the technical memorandum and items regarding infeasible and potentially feasible strategies.

Regional water planning contract scope of works include a notice to proceed restriction on Task 5B (Evaluation and recommendation of water management strategies). Consultants may not commence work on this task prior to developing a region-specific scope of work, subject to planning group approval. The region-specific scope of work is submitted to the TWDB for review and approval. If approved, this is incorporated into the contract scope of work and a notice to proceed is issued. TWDB reimbursement for this task is strictly

prohibited until a notice to proceed has been issued by the TWBD. Planning groups must approve their methodology for identifying potentially feasible strategies prior to acting on a region-specific scope or work. Guidance on this process is documented in the regional water planning contract Exhibit C.

RWPG adopted amendments resulting from the infeasible strategy analysis are due to the TWDB June 4, 2024. Planning groups should take action to initiate the amendment process no later than when the planning group approves the Technical Memorandum.

TWDB's Water Supply and Strategy Analysis (WSSA) team has been coordinating with consultants on access and preparation for data entry into the RWP database. The WSSA team will hold informational sessions with each RWPG consultant.

IPPs and final plans this cycle are not required to include hard copies of the database reports, instead there will be hyperlinks included in the plans to the TWDB's new Secure Agency Reporting Application. WSSA team will demo this application at the next Chairs call.

TWDB has a contract in place to update the uniform costing model, which is a spreadsheet-based tool all planning groups are required to use for costing strategies and projects. The updated tool will be available in spring next year.

TWDB's coordination with State Climatologist: Temple McKinnon provided an update on this topic. The Sunset Bill directs TWDB to consult with the Office of the State Climatologist at Texas A&M University (John Nielson-Gammon) in the preparation of regional and state water plans to receive information and projections to identify regions of the state that are likely to experience severe drought or excessive rainfall. TWDB is currently assessing how to develop information to identify such areas in regular meetings with the State Climatologist. Further information on the work will be provided to RWPGs for review and input later this year.

#### **4. Interregional Planning Council**

Temple McKinnon provided an update on the work of the Interregional Planning Council. The Council for the 2022 State Water Plan made several recommendations to the RWPGs. TWDB distributed a survey out to RWPGs to check implementation of the recommendations and are following up regions that have not responded.

The report from the Council for the 2027 State Water Plan is due to TWDB in March 2024. This report deadline was established in rule so that RWPGs have Council recommendations in time to consider in the development of their RWPs.

Upcoming meetings of the Council are scheduled for August and November. Information on the Council meetings are available on the TWDB's website. Mark Evans, Region H, reiterated the request for planning groups to respond to the survey if they have not yet.

#### **5. Chairs Discussion**

None

#### **6. Wrap-up and next call topics and date**

Kevin Ward, Region C, suggested the next meeting to be held in late September or early October to continue discussion and expectations of upcoming tasks and deadlines. Sarah Lee (TWDB) will distribute a doodle poll with potential meeting dates.