

## **Agenda**

### **Interregional Planning Council**

August 15, 2023, 1:00 p.m.

The 2027 State Water Plan Interregional Planning Council (Council) will meet virtually via Microsoft Teams and in person in Room 510H of the Stephen F. Austin Bldg., 1700 North Congress Avenue, Austin, TX. The meeting will be open to the public. Use the following access information to attend the meeting virtually: [Click here to join the meeting](#). Meeting ID: 230 416 891 583; Passcode: K26Wck. Audio access only: 512-298-6360; phone conference ID: 210 602 382#

*Per Texas Water Code §16.052(c), the purposes of the Council are to:*

- (1) improve coordination among the regional water planning groups, and between each regional water planning group and the board, in meeting the goals of the state water planning process and the water needs of the state as a whole;*
- (2) facilitate dialogue regarding water management strategies that could affect multiple regional water planning areas; and*
- (3) share best practices regarding operation of the regional water planning process.*

The Council will discuss the following items with action as appropriate:

- 1) **Welcome**
- 2) **Public comment**
- 3) **Consider minutes from May 30, 2023 meeting**  
[http://www.twdb.texas.gov/waterplanning/rwp/ipc/docs/2023\\_05\\_30\\_mtg/DRAFT%20IPC\\_MeetingMinutes\\_053023.pdf](http://www.twdb.texas.gov/waterplanning/rwp/ipc/docs/2023_05_30_mtg/DRAFT%20IPC_MeetingMinutes_053023.pdf)
- 4) **Review implementation status of previous Council recommendations**
- 5) **Discussion and potential action on Council recommendations and observations**
- 6) **Discuss report preparation**
- 7) **Schedule and potential agenda items for next meeting**
  - a) Identify background materials needed for future meetings
  - b) Discuss items needed to be accomplished before future meetings
  - c) Discuss potential agenda items
  - d) Next meeting date
- 8) **Public comment**
- 9) **Adjourn**

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Brittany Condry at [brittany.condry@twdb.texas.gov](mailto:brittany.condry@twdb.texas.gov) or at (512) 463-6478 two (2) work days prior to the meeting so that appropriate arrangements can be made.

**Direct links to this information can be found on our website at**

<https://www.twdb.texas.gov/waterplanning/rwp/ipc/2027IPC.asp>

Additional Information may be obtained from: Temple McKinnon, Director of Water Supply Planning, Texas Water Development Board, (512) 475-2057 [temple.mckinnon@twdb.texas.gov](mailto:temple.mckinnon@twdb.texas.gov)

Emergency Mtg: No

Agenda item 3. Consider minutes from May 30, 2023 meeting

**DRAFT**

**Interregional Planning Council Meeting Minutes**

May 30, 2023, 1:00 p.m. to 2:37 p.m.

Held in person in the Stephen F. Austin Building, Austin TX and virtually via Microsoft Teams  
*Council decisions bolded and italicized in document*

**Participation: Number of Interregional Planning Council members present 12 of 16**

A	Ben Weinheimer	E	Scott Reinert – absent	I	Kelley Holcomb – absent	M	Jim Darling
B	Randy Whiteman	F	Scott McWilliams – absent	J	Jonathan Letz - absent	N	Carl Crull
C	Jenna Covington	G	Gail Peek	K	David Van Dresar	O	Melanie Barnes
D	Jim Thompson	H	Mark Evans	L	Jonathan Stinson (alternate)	P	Patrick Brzozowski

**Presiding Officer:** Council Chair Mark Evans

**Senators/Representatives/Other VIPs in Attendance:** None

**Texas Water Development Board (TWDB) Board Members and Staff:** Temple McKinnon, Elizabeth McCoy, Yun Cho, Katie Dahlberg, Brittany Condry, Heather Rose, Michele Foss, Kevin Smith, Ron Ellis, Sarah Lee, Matt Nelson, Lann Bookout, Sabrina Anderson

**Council alternates present in addition to participating members:** Janet Guthrie (Region A) and Dan Buhman (Region C)

**MEETING GENERAL**

Temple McKinnon (TWDB) called roll and determined that a quorum was present. Council Chair Mark Evans (Region H) called the meeting to order.

**AGENDA ITEMS**

**1. Welcome**

Mr. Evans welcomed the Council to the meeting.

**2. Public Comment**

Mr. Evans asked if there were any comments from members of the public. No comments were provided.

**3. Minutes from March 9, 2023 Meeting**

The Council considered the minutes of the March 9, 2023 meeting. Jim Thompson (Region D) made a motion to approve the minutes as presented. Patrick Brzozowski (Region P) seconded the motion. ***The minutes were unanimously approved.***

#### 4. Overview of Background Information

Ms. McKinnon introduced meeting materials that provide background information on the following subjects:

- *Interregional conflict* – TWDB was asked to define and describe interregional conflict. The supporting attachment defines interregional conflict and outlines the associated process that is followed when an interregional conflict occurs, as defined in TWDB rules. An interregional conflict is defined as an overallocation of a source supply or when there is a potential for a substantial adverse effect from a recommended strategy that would be supplied from a different regional water planning area. The TWDB's state water planning database checks for potential conflicts associated with over-allocation of sources. Within 60 days of the submission of the initially prepared plans to the TWDB Executive Administrator (EA), regional water planning groups (RWPG) may submit in writing to the EA and the other affected RWPG(s) the identification of potential interregional conflict. Upon receiving an assertion of an interregional conflict, the EA reviews the materials submitted by the RWPG and takes a recommendation on the potential conflict to the TWDB Board. If the TWDB Board determines that an interregional conflict exists, then the RWPGs work to resolve the conflict. If the conflict is not resolved, the EA will take additional recommendations back to the TWDB Board.
- *Population and water demand methodologies* – Methodologies for how TWDB develops population and water demands are included in the meeting materials. RWPGs are currently reviewing draft population and water demands. Non-municipal water demand revision requests are due July 14, 2023. Revision requests for draft population projections and municipal water demands are due August 11, 2023. Approximately 30 percent of planning groups have already submitted revision requests.
- *Rural population projections and water use estimation* – The corresponding handout describes how the TWDB estimates population and water use for rural areas and transient populations.
- *Declining Population Projections* – The corresponding handout addresses why some water user groups are projected to decline in population. The TWDB uses the Texas Demographic Center (TDC) county-level projections as the basis for regional water planning population projections. If the TDC projections show a decline in population, which is common, the TWDB projections will also reflect this decline. TWDB will no longer hold declining populations constant as has been done in the past. The TWDB has distributed two county-level population projection scenarios using the TDCs full and half migration rates for RWPG review.
- *Gallons per capita per day (GPCD)* – The corresponding handout defines different ways GPCD is calculated across TWDB programs. A key difference between planning GPCDs and other GPCDs is that the planning GPCD calculation is reconciled to census population counts and removes contracted supply, industrial, or other non-municipal water use. Other GPCDs calculations consider water use by reported connection counts from the TWDB Water Use Survey.
- *Water loss* – The associated handout summarizes TWDB water loss audit reporting requirements and outlines how that information is provided to RWPGs for consideration in the development of their plans.

Mr. Evans asked the Council members if they had any comments about the supporting materials. Gail Peek (Region G) asked if there is a place for regions to see the process for what to do if they disagree with the TWDB methodologies. Ms. McKinnon responded encouraging the regions to reach out to the TWDB projections team and regional water planners with their concerns about projections if issues are not solved within the RWPG meeting forum.

#### **5. Process for Report Preparation**

Ms. McKinnon provided an overview of the draft outline of the Council's report. The intent is to build out the outline with content at the Council's direction. Mr. Evans asked if there are any comments about the table of contents on the draft report outline. Ms. McKinnon noted that an observation section is included, as requested, for any observations of the Council. Mr. Evans clarified that the observations section will be a place for the Council to document any discussions that do not rise to the level of a recommendation. Jenna Covington (Region C) agreed with the structure of the report and how it aligns with the Council's legislative charges.

#### **6. Review Implementation Status of Previous Council Recommendations**

Mr. Evans asked Ms. McKinnon to provide an update on any recent legislative action on past Council recommendations. Ms. McKinnon noted that there was not any legislation introduced in the recent legislative session that directly pertained to the previous Council's legislative recommendations. Two bills were filed that peripherally related to the previous Council's recommendations. Senate Bill 28 pertains to a new source of funding called the Texas Water Fund and is somewhat aligned to the previous Council recommendation that the legislature provide financial incentives for local sponsorship of innovative, visionary, multi-benefit projects. Senate Bill 42 would amend the Open Meetings Act to add additional requirements for open meetings for the majority of the members participating virtually, which relates to previous Council recommendations that the legislature authorize the use of remote conferencing or webinars and amend the Open Meetings Act to allow virtual participation during the regional water planning process. Senate Bill 42 would have applied to RWPGs and the Interregional Planning Council, but the bill did not get a committee hearing. Mr. Evans asked if there were any comments on the legislative action. No comments were provided.

The Council reviewed the status of recommendations made to the TWDB, RWPGs, and future Councils. Recommendations to TWDB have been implemented. TWDB surveyed RWPGs on how they have or plan to implement recommendations made to RWPGs. From responses received from nine regions, most regions have or plan to implement the Council's recommendations.

Mr. Evans asked members how they would like to review the recommended actions for future Councils. Mr. Evans also asked for members to consider if this Council should make recommendations to the legislature, TWDB, RWPGs, and future Councils. He noted that the Council is not required by statute to make recommendations.

Melanie Barnes (Region O) asked if the RWPG survey could be reopened so that the Council could obtain a response from all of the RWPGs. Ms. McKinnon noted that only 9 regions responded to the initial survey and the survey could be reopened. Mr. Evans stressed that the Council is working on a tight

timeline and survey responses would need to be timely. David Van Dresser (Region K) stated that hearing from the regions that did not respond would be valuable. Mr. Evans stated that Council members should facilitate a response from their region. Mrs. Barnes stated that this will help the Council review progress on the previous Council's recommendations and monitor the effectiveness of enhanced efforts to promote interregional coordination. Mr. Evans stated that the survey would be sent out again to the regions that did not originally respond.

Dan Buhman (Region C) asked for the origin of the recommendations being discussed. Mr. Evans clarified that these recommendations came from the 2022 State Water Plan Interregional Planning Council.

Mr. Evans asked if members if the Council should make recommendations to the legislature, RWPGs, or TWDB based on the status of the recommendations previously made. Mrs. Covington noted there were a lot of recommendations made in the previous Council report. She proposed that the Council focus on making recommendations to the TWDB, which might allow for an obtainable, uniformed response.

Jim Darling (Region M) commented that the Council could repeat the future Interregional Planning Council recommended actions every cycle because the actions are broad.

Ms. Barnes explained why the last Council chose to make recommendations to the legislature, TWDB, and RWPGs. She stated that there were some actions that the TWDB could take to improve the planning process and other actions required legislative action. Mr. Evans responded that the Council could reissue the previous Council's recommendations to the legislature. Ms. Peek agreed with Ms. Barnes' recollection and noted that the previous Council made recommendation actions for future Council's broad to allow flexibility.

Mr. Darling asked if work sessions had been held to "deep dive" into more complicated topics, which is a recommended action for future Councils. Ms. Barnes responded that such work sessions have not been held, noting that there have been time constraints since the recommendation was made. Mr. Evans added that this action could be addressed by the regular RWPG chairs calls. Ms. McKinnon mentioned that the target is for RWPG chairs to meet at least three times a year. Mr. Evans suggested that the Council could consider more specifics related to this recommendation. Ms. Barnes agreed with Mr. Evans. Ms. Covington asked if this action would fall under the third Council charge related to best practices. Ms. Barnes suggested it might fall under the second charge since the action effects multiple regional water planning areas. Ms. Covington and Mr. Evans agreed. Ms. Barnes agreed that RWPG chairs should be involved and stated that the Council should think big when it comes to involvement. Mr. Evans added that since the Council works on a short timeframe, it would be good to have the chairs involved in the "deep dive" work sessions. The Council may not have the capacity to think big about the broader recommended actions and complete its report.

Ms. McKinnon stated that the Council report is due in about a year; however, the Council continues to exist until the next state water plan is adopted. Mr. Evans shared that the Council could meet after the report is submitted to consider these broader recommended actions. Ms. Barnes asked for clarification on the timeline for the Council. Ms. McKinnon noted that the Council is appointed every 5 years. Within

those 5 years, the Council has two years to develop a report so that RWPGs can take into consideration any recommendations as they prepare their plans. Ms. Barnes proposed that the Council's report could recommend that the Council have a deep dive session and information from the deep dive session can be passed on to the next cycle. Mr. Darling asked if reuse permitting process issues could be an example of a topic that could be addressed in a "deep dive" meeting. Ms. Barnes agreed. Carl Crull (N) noted that Region N has experienced the same permitting issues as Region M. Mr. Darling suggested these meetings could provide a venue for discussion on other statewide issues.

Jim Thompson (Region D) noted his support for Ms. Covington's suggestion to streamline and reduce the number of recommendations the Council makes. Ms. Peek commented that the Council should review and work within its statutory charges while making recommendations. Mr. Evans agreed. Mr. Crull noted his support for focusing on a few recommendations.

Ms. McKinnon asked if the Council wants the TWDB to add unaddressed recommendations from the previous Council to the report outline sorted by the Council's three legislative charges. Patrick Brzozowski (Region P) stated that he thinks that would be ideal. Ms. Barnes agreed. Ms. McKinnon stated that TWDB will prepare this and share the document with Mr. Evans and Ms. Peek before distribution to the entire Council. Mr. Evans and Ms. Peek agreed.

#### **7. Discussion and Potential Action on Recommendations**

Beyond action items identified in agenda item 6 above, Mr. Brzozowski asked if the Council should discuss the unaddressed legislative recommended actions. Mr. Evans asked members for their thoughts on if unaddressed legislative recommendations should be restated in the Council's report or narrowed. Ms. Barnes suggested reviewing relevant bills related to recommendations to see why they were not passed. Mr. Evans expressed hesitation due to the consideration that many bills that are filed do not get passed. Ms. McKinnon stated that she can work with the TWDB Government Relations to identify bills that may have address the previous Council's legislative recommendations. Mr. Evans proposed that maybe those recommendations that had bills filed could become the focus for the Council. Ms. Barnes agreed.

Ms. Covington asked what the expectation is of who will carry bills for the Council's legislative recommendations. Mr. Evans stated that it was a good question. He suggested that if the Council chose to recommend legislative actions, this should include recommendations for additional funding for the planning process. Ms. McKinnon noted that the TWDB does not have a finalized budget yet, but the TWDB exceptional item request for additional funding for planning groups appears to be in the budget. Mr. Evans referred to Ms. Covington's question and stated that he does not recall that there was any expectation that a specific member of the legislature would carry bills on the Council's recommended actions. Ms. Barnes asked if it would be appropriate for the Council to ask legislators to share their views about the Council's recommendations. Mr. Evans stated that the Council has the flexibility to do this. Ms. Peek suggested a first step could be to review the legislative record to identify legislators that have supported water issues and contact those legislators about the Council's legislative recommendations. This could be a first step to implementing the Council's legislative recommendations.



### **8. Discuss Schedule Potential Agenda Items for Next Meeting**

Mr. Evans asked members if the following dates and times worked to schedule future Council meetings: Tuesday, August 15th from 1:00pm–3:00pm and Thursday, November 30th from 1:00pm–3:00 pm. Members agreed.

Mr. Evans asked Ms. McKinnon to review what TWDB staff will prepare for the August Council meeting. Ms. McKinnon stated that TWDB will review final actions of bills that were filed and add unaddressed recommendations to the report outline sorted by the Council's three legislative charges. TWDB will re-open the RWPG survey and reach out to regions that have not responded. TWDB will also send out appointments for the Council's August and November meetings. Mr. Evans asked for the TWDB to help with language in the observations section of the report. Ms. McKinnon stated that she will confirm how Council members should submit information for the report to TWDB to ensure that the Open Meetings Act is followed. Mr. Evans noted that three observations have been suggested by Council members, including water loss by Jim Thompson, rural water use by Jonathan Letz, and population projections by Kelley Holcomb. Mr. Evans asked for these Council members to email a brief summary of their concerns to the TWDB to add to the Council's draft report.

Mr. Evans asked the Council if they needed any further background materials. No additional materials were requested.

Ms. Barnes asked how members should submit ideas for recommendations and the Council's report. Mr. Evans suggested that members email this information to Ms. McKinnon and Ms. McCoy and cc Ms. Peek and Mr. Evans. Information will be reviewed and compiled before it is distributed to the rest of the Council. Ms. Peek suggested that Council members should not copy her and Mr. Evans in any emails to adhere to the Open Meetings Act. Ms. McKinnon will work with the TWDB Office of General Counsel to ensure that the Open Meetings Act is followed. TWDB will follow up with the Council via email on how to submit information. For now, send all thoughts to only Ms. McKinnon and Ms. McCoy.

Mr. Evans asked if there were other potential agenda items for the next meeting besides report preparation, discussion on observations, and discussion on recommendations. Ms. McKinnon suggested reviewing the RWPG survey results. Mr. Evans agreed and asked that the survey results be due by July 14, 2023.

Mr. Evans asked if there are any further comments from the Council. No comments were provided.

### **9. Public Comment**

Mr. Evans asked if there were any comments from members of the public. No comments were provided.

### **10. Adjourn**

Mr. Evans adjourned the meeting at 2:37 p.m.

Agenda item 4. Review implementation status of previous Council recommendations

**Status of the 2022 State Water Plan  
Interregional Planning Council Report (2020)<sup>1</sup> Recommendations**

**I. TWDB recommended actions**

<b>TWDB recommended actions</b>	<b>Status of recommendation</b>
<p>1. Revise planning requirements (contract and rules, as appropriate) so that</p> <ul style="list-style-type: none"> <li>a) RWPGs identify, in their final adopted regional water plans, a list of strategies to become the basis for RWPGs to further coordinate in the following planning cycle (2.1.a.1);</li> <li>b) RWPGs consider strategy information provided by the TWDB early in the planning cycle, including specifically identifying those strategies sourced in other RWPGAs (2.1.a.2);</li> <li>c) RWPGs document early consideration and coordination associated with the early identified projects and involve RWPG liaisons and project sponsors (2.1.a.3).</li> </ul>	<p><i>Planning rules (§357.12(a)(1)) and contracts have been revised to require that RWPGs discuss how they will conduct interregional coordination and collaboration regarding water management strategies (WMS) at their preplanning public meeting. In June 2021, the TWDB provided an initial list of regional WMSs to all planning groups to assist in this effort. Sixth cycle planning contracts also require RWPGs to document interregional coordination efforts in the Technical Memorandum, Initially Prepared Plan (IPP), and final adopted regional water plan (RWP).</i></p>
<p>2. Support and facilitate the RWPGs in identifying issues or opportunities for interregional coordination, including how to better assist liaisons. (2.1.a.4)</p>	<p><i>Sixth cycle planning contracts include several requirements related to RWPG interregional coordination throughout the planning cycle. RWP staff have developed a <a href="#">best practice resource for RWPG liaisons</a>, which was distributed to RWPGs on April 5, 2023. Staff will continue to assist RWPGs with identifying issues or opportunities for interregional coordination, including additional resources for liaisons.</i></p>
<p>3. Develop and maintain an aggregate listing of each RWPG’s active committees and share with all RWPGs for informational purposes. (2.2.a.1)</p>	<p><i>TWDB developed <a href="#">a list of active committees utilized by RWPGs</a>. This information was provided to RWPGs on April 5, 2023 and is available as a resource on the Council’s webpage.</i></p>
<p>4. Require that RWPGs initiate direct coordination discussions. (2.2.a.2)</p>	<p><i>Recommendation has been incorporated into sixth cycle planning contracts. Contracts require RWPGs to ensure necessary communication, coordination, and facilitation occurs with other RWPGs to develop WMS recommendations.</i></p>

<sup>1</sup>[https://www.twdb.texas.gov/waterplanning/rwp/ipc/docs/2020\\_09\\_30\\_mtg/IPC\\_FinalReport-Apps\\_091620.pdf](https://www.twdb.texas.gov/waterplanning/rwp/ipc/docs/2020_09_30_mtg/IPC_FinalReport-Apps_091620.pdf)

<b>TWDB recommended actions</b>	<b>Status of recommendation</b>
5. Require that the Technical Memorandum document interregional coordination efforts. (2.3.a.1)	<i>Recommendation has been incorporated into regional water planning rule (§357.12(c)(8)) and contract requirements. RWPGs are now required to include a summary of the region's interregional coordination efforts to date in the Technical Memorandum.</i>
6. Require that the Technical Memorandum document the consideration of and coordination about interregional water management strategies. (2.3.a.2)	<i>The Technical Memorandum is required to include a list of potentially feasible water management strategies identified to date and documentation of interregional coordination efforts as of the date of the submittal.</i>
7. Support or facilitate RWPGs with technical or administrative resources during interregional coordination. (2.3.a.3)	<i>TWDB provided an initial list of regional WMSs to all planning groups to support early interregional coordination discussions. As able, TWDB will provide additional support to RWPGs as they collaborate on interregional strategies. RWP staff plan to further develop existing or create new educational or other materials to support interregional coordination.</i>
8. Require RWPGs to conduct work on a high-level view of planning, beyond the 50-year planning horizon and beyond drought-of-record conditions, and not necessarily focused on water management strategy evaluations. (3.1.a.1)	<i>Recommendation requires legislative direction and additional appropriations. However, in response to the Sunset Advisory Commission recommendation, TWDB has increased its coordination with the State Climatologist to explore the potential to project forward certain drought-impacting parameters (e.g., evaporation) that could worsen future drought conditions as potential information to be made available for consideration during the regional plan development process.</i>
9. Utilize RWPG Chairs conference calls to consider multi-regional projects. (3.1.a.2)	<i>To be considered, as appropriate, for future RWPG Chairs conference calls.</i>
10. Evaluate alternatives to the current simplified planning process that address timing and data concerns. (4.1.a)	<i>The simplified planning process was previously thoroughly evaluated and addressed through a rulemaking to the extent considered allowable and reasonable under statute. RWPGs are not required to pursue simplified planning, and none have chosen to. Allowing further reductions in planning effort would likely require revisions to statutory requirements.</i>
11. Provide Council recommendations to all RWPGs to inform their planning process. (4.2.a.1)	<i>Recommendation incorporated into regional water planning contract requirements. Exhibit A of the contract requires that RWPGs receive and consider recommendations from the Interregional Planning Council to the RWPGs. TWDB will provide the Council's report to RWPGs for consideration.</i>

TWDB recommended actions	Status of recommendation
12. Provide a distilled policy recommendations report from all adopted regional water plans, sorted by topic, to the RWPGs and the Council. (4.2.a.2)	<a href="#">Policy Recommendations in the 2021 Regional Water Plans</a> is a compilation of the policy recommendations from the 2021 regional water plans that provides the status of each recommendation as of December 2022. This document was provided to the Council in March 2023 and RWPGs on April 5, 2023. The document is also available on the Council's webpage and the 6th cycle planning webpage.
13. Provide the implementation status of policy recommendations to the RWPGs and the Council. (4.2.a.3)	<a href="#">Policy Recommendations in the 2021 Regional Water Plans</a> is a compilation of the policy recommendations from the 2021 regional water plans that provides the status of each recommendation as of December 2022. This document was provided to the Council in March 2023 and RWPGs on April 5, 2023. The document is also available on the Council's webpage and the 6th cycle planning webpage.
14. Develop standardized, easy to adopt practices and protocols that apply to all RWPGs. (4.2.a.4)	The <a href="#">Administrative Guidance for RWPG Sponsors (Designated Political Subdivisions)</a> was updated for the sixth planning cycle and provides best practices that can be utilized to enhance engagement. The guidance includes best practices for communicating with RWPG members, new member orientation, RWPG websites, and use of committees. As needed, RWP staff will further develop existing or create new materials on improving engagement.
15. Provide feedback to RWPGs regarding TWDB funding for water supply and water conservation projects that are recommended in the regional water plans. (4.2.a.5)	Regional water planners provide annual updates on State Water Implementation Fund for Texas (SWIFT) applications and funding commitments during RWPG meetings. Additional information can be provided upon request.
16. Require RWPGs to receive member orientation services and documents provided by the TWDB at the beginning of each cycle. (4.3.a.1)	Recommendation incorporated into regional water planning contract requirements. Exhibit A of the contract requires that RWPGs support and accommodate periodic presentations by the TWDB for the purpose of orientation, training, and retraining as determined and provided by the TWDB during regular RWPG meetings.
17. Require RWPG Chairs and Administrative Agents to follow recommendations in the Best Management Practices Guide document prepared and updated by the TWDB. (4.3.a.2)	Recommendation incorporated into regional water planning contract requirements. Exhibit A of contract requires RWPG administrators to consider recommendations in <a href="#">the Administrative Guidance for RWPG Sponsors</a> as prepared and updated by TWDB.

TWDB recommended actions	Status of recommendation
<p>18. Invest in media consultants to assist in effectively delivering messages and review current practices for email for providing material. (4.3.a.3)</p>	<p><i>RWP staff have coordinated with internal agency Communications staff to develop more effective strategies for improving the RWPG member consumption of information, including reviewing current TWDB practices around the use of email, social media, program newsletters and external communications distributions for providing information to RWPGs. As a result, a regional water planning email address has been created for broadcast communications. Broadcast emails are now sent directly to all RWPG stakeholders rather than to RWPG political subdivisions for further distribution. Communications staff have also provided social media pushes when relevant regional water planning content is available to share. Staff will continue to work with Communications on improvements and specific feedback from the IPC and RWPG members is welcome.</i></p>
<p>19. Require RWPGs to add TCEQ as a non-voting member. (4.4.a.1)</p>	<p><i>There are existing provisions for RWPGs to add voting and non-voting members, and six RWPGs have chosen to add TCEQ as a non-voting member. TWDB developed and distributed <a href="#">supporting materials</a> to facilitate RWPG consideration of adding TCEQ as a non-voting member in April 2023.</i></p>
<p>20. Review and make a recommendation to the legislature regarding additional non-voting members that affect statewide regional water planning stakeholders. (4.4.a.2)</p>	<p><i>No action. Provisions already exist for RWPGs to add additional voting and non-voting members. Each RWPG must weigh the tradeoffs between the size of planning group membership and the governance and decision-making of their group, the engagement level of members as groups grow larger, and logistical difficulties like finding suitable meeting spaces.</i></p>
<p>21. Consider allowing for the reimbursement of labor costs for the RWPG’s designated administrative agency. (4.5.a.1)</p>	<p><i>Recommendation has been incorporated into agency rules and planning contracts.</i></p>

TWDB recommended actions	Status of recommendation
22. Revise rule and contract limitations to accommodate these expenses. (4.5.a.2)	<i>Recommendation has been incorporated into agency rules and planning contracts. 31 TAC § 355.92(c)(5) has been amended to allow for reimbursement of certain eligible administrative costs as specifically limited by the regional water planning grant contract. Sixth cycle planning contracts include a new expense budget category that allows for limited reimbursement of RWPG Political Subdivision personnel costs for the staff hours that are directly spent providing, preparing for, and posting public notice for RWPG meetings and hearings. No additional legislative appropriations have been made to cover such administrative costs. Existing funds for regional water plan development may be redistributed to cover these expenses.</i>
23. Evaluate the fiscal impacts associated with technology required for virtual meetings. (4.6.a)	<i>In 2021, TWDB conducted a Regional Water Planning Stakeholder Survey, which collected limited information on the support needed for RWPGs to successfully hold hybrid meetings. Sixth cycle planning contract expense budgets now allow for reimbursement of pre-approved, proportional costs of purchasing audio/visual equipment for hybrid RWPG meetings. A complete fiscal impact assessment has not been completed.</i>
24. Incorporate a set of management practices to improve efficiency and effectiveness by eliminating waste in the regional water planning process. (4.7.a.1)	<i>At the start of the sixth planning cycle, staff reviewed regional water planning rules and contract materials to identify planning activities that could be removed to improve efficiency in the regional water planning process. As a result, 31 TAC §357.42 was revised to align the rules more closely with statute and reduce unessential reporting requirements. Staff conduct these reviews at the start of each planning cycle.</i>
25. Evaluate the RWPG voting and non-voting membership costs of time and funding. (4.7.a.2)	<i>TWDB has compiled and distributed <a href="#">available information on RWPG membership costs</a>.</i>

## II. Legislative recommended actions

Legislative recommended actions	Status of recommendation
<p>1. Some specific recommendations for additional funds to be appropriated for the planning process are</p> <ul style="list-style-type: none"> <li>a) for additional planning group work for interregional coordination (2.1-3.b);</li> <li>b) for additional planning group work associated with long range, visionary planning (3.1.b.3);</li> <li>c) for better methods of disseminating information for the regional water planning process (4.2.b.1);</li> <li>d) funding enhanced communications between RWPGs, the TWDB, and RWPG members (4.3.b);</li> <li>e) to accommodate labor costs for administering RWPGs (4.5.b).</li> </ul>	<p><i>TWDB's 88th Session Legislative Appropriations Request included an exceptional item request for additional funding to support the regional water supply planning process.</i></p> <p><i>In HB 1, the 88th Session General Appropriations Act, the TWDB received all requested funding for this item, including baseline funding for the regional water supply program; funds for regional water planning grants to address 10 new statutory requirements that have been added to the water planning process since 2009; and funds for rural and other outreach to be conducted by regional water planning groups and their technical consultants.</i></p>
<p>2. Return to providing initial sponsorship of projects by the State without financial guarantees from local sponsors. (3.1.b.1)</p>	<p><i>No legislative action.</i></p>
<p>3. Provide financial incentives for local sponsorship of innovative, visionary, multi-benefit projects. (3.1.b.2)</p>	<p><i>No legislative action.</i></p>
<p>4. Establish a process for coordination amongst state agencies, at the state level, related to installation of infrastructure during planning and construction of large-scale projects. (3.1.b.4)</p>	<p><i>No legislative action.</i></p>
<p>5. Discontinue the requirement to update groundwater and surface water availability values in the regional water plan if those availability numbers have not changed significantly (TWC Sec. 16.053(i)) (4.1.b.1) or strike simplified planning from the statute. (4.1.b.2)</p>	<p><i>No legislative action.</i></p>
<p>6. Authorize the use of remote conferencing or webinars. (4.2.b.2)</p>	<p><i>No legislative action.</i></p>
<p>7. Amend TWC Sec. 16.053(c) to add TCEQ as an ex-officio member of each RWPG. (4.4.b)</p>	<p><i>No legislative action.</i></p>



Legislative recommended actions	Status of recommendation
8. Amend the Texas Open Meetings Act to allow virtual participation during the regional water planning process. (4.6.b)	<i>No legislative action. This recommendation was included in the TWDB's Legislative Priorities Report for the 87th Legislative Session. The Texas Open Meetings Act currently permits RWPGs to hold hybrid meetings that allow for virtual participation in accordance with video conference requirements in Texas Government Code §551.127.</i>

### III. Regional Water Planning Group recommended actions

The status of RWPG recommended actions provided below is based on the results of an RWPG survey conducted in January 2023. Responses were received from representatives of all 16 regions.

RWPG recommended actions	Status of recommendation
1. Enhance interregional coordination efforts and include standing agenda items for reports from interregional liaisons. (2.1.c)	<i>15 of the 16 regions responded that they have a standing agenda item to receive reports from interregional liaisons.</i>
2. Receive the early input from project consultants and sponsors, planning liaisons, and stakeholders to improve interregional coordination and mitigate future interregional conflict. (2.2.c)	<p><i>13 of the 16 regions responded that they have or plan to receive early input from project consultants and sponsors, planning liaisons, and stakeholders to improve interregional coordination and mitigate future interregional conflict. Two regions responded that they may receive this early input.</i></p> <p><i>Note: RWPGs are required to discuss how they will conduct interregional coordination at the preplanning meeting and to ensure necessary communication, coordination, and facilitation occurs to develop WMS recommendations.</i></p>
3. Involve the appropriate parties and coordinate timely on potentially feasible interregional water management strategy opportunities and issues. (2.3.c)	<i>14 of the 16 regions responded that they have or will involve the appropriate parties and coordinate timely on potentially feasible interregional water management strategy opportunities and issues. Two regions responded that they may do this.</i>

<b>RWPG recommended actions</b>	<b>Status of recommendation</b>
4. Collaborate with other RWPGs early in the planning process for multi-regional project opportunities. (3.1.c)	<i>13 of the 16 regions responded that they have or will collaborate with other RWPGs early in the planning process for multi-regional project opportunities. Three regions responded that they may collaborate with other RWPGs early in the planning process on multi-regional project opportunities.</i>
5. Provide new member orientations. (4.2.c.1)	<i>14 of the 16 regions responded that they provide new member orientations.</i>
6. Utilize educational programs and subject matter speakers at RWPG meetings. (4.2.c.2)	<i>12 of the 16 regions responded that they utilize educational programs and subject matter speakers at RWPG meetings.</i>
7. Develop better methods to encourage public participation. (4.2.c.3)	<i>16 of the 16 regions responded that they use one or more of the following methods to encourage public participation: surveys, targeted email blasts, website updates, and phone calls.</i>
8. Follow recommendations in the Best Management Practices Guide. (4.3.c.1)	<i>14 of the 16 regions responded that they follow the recommendations in the Administrative Guidance for Regional Water Planning Group Sponsors. Technical consultants submitted responses for two regions and indicated that this document was not applicable to them as technical consultants.</i>
9. Read and disseminate the Best Management Practices Guide and New Member Guide. (4.3.c.2)	<p><i>8 of the 16 regions confirmed that the Administrative Guidance for Regional Water Planning Group Sponsors and Regional Water Planning Group Member Overview been sent to members in your region to read. Eight regions indicated they were not sure if this information had been disseminated.</i></p> <p><i>Note: Links to these documents were included in the TWDB's October 2022 Regional Water Planning Newsletter that was emailed to all RWPG members, sponsors, and technical consultants.</i></p>
10. Consider adding TCEQ as an ex-officio member if not required by the Legislature. (4.4.c)	<i>13 of the 16 regions indicated they had or would consider adding TCEQ as a non-voting member. Three regions did not know if the RWPG would consider adding a TCEQ non-voting member.</i>

RWPG recommended actions	Status of recommendation
<p>11. Include requests for funding in Chapter 8 recommendations of the regional water plans. (4.5.c)</p>	<p><i>Out of the 16 regions, 6 regions indicated they were very likely, 8 regions indicated they were somewhat likely, and 2 regions indicated they were somewhat unlikely to include requests for funding as a Chapter 8 recommendation in the regional water plan.</i></p>

**IV. Future Interregional Planning Council recommended actions**

1. Review progress on all of the recommendations in this report and submit its assessment to the TWDB.
2. Monitor the effectiveness of enhanced efforts to promote interregional coordination and review the role of interregional liaisons. (2.1-3.d)
3. Consider whether the Council or RWPGs are the appropriate mechanism for planning for water resources for the state as a whole. (3.1.d.1)
4. Utilize state agencies’ expertise to assist RWPGs in developing a vision of planning resources for the state as a whole. (3.1.d.2)
5. Hold work sessions to “deep dive” into more complicated topics. (4.2.d.1)
6. Require RWPG Chairs to meet at minimum on an annual basis to evaluate and document best practices. (4.2.d.2)
7. Review existing technology and recommend appropriate changes. (4.3.d)
8. Review materials and meeting notes from TWDB’s lessons learned technical meetings with RWPG consultants. (4.7.d)

Agenda item 5. Discussion and potential action on Council recommendations and observations

- Draft IPC Report Outline – Microsoft Word version available online at [https://www.twdb.texas.gov/waterplanning/rwp/ipc/docs/2023\\_08\\_15\\_mtg/Draft\\_IPC\\_ReportOutline\\_081523.docx](https://www.twdb.texas.gov/waterplanning/rwp/ipc/docs/2023_08_15_mtg/Draft_IPC_ReportOutline_081523.docx)

# **Draft Interregional Planning Council Report Outline**

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# Executive Summary

In 2019, the 86<sup>th</sup> Texas Legislature created the Interregional Planning Council (Council), composed of one member from each regional water planning group (RWPG), and charged the Council to

1. improve coordination among the regional water planning groups, and between each regional water planning group and the Board, in meeting the goals of the state water planning process and the water needs of the state as a whole;
2. facilitate dialogue regarding water management strategies that could affect multiple regional water planning areas; and
3. share best practices regarding operation of the regional water planning process.<sup>1</sup>

This second report to the Texas Water Development Board, summarizes the activities of the 2027 State Water Plan (SWP) Council’s activities in relation to their three statutory charges. The Council has put forward X recommendations, summarized below in no particular order. These recommendations represent the majority opinion of Council members, but do not necessarily reflect the views of each entity or interest group.

## 1. *Recommendation 1*

As relates to Legislative Charge X, the Council recommends that.....

## 2. *Recommendation 2*

As relates to Legislative Charge X, the Council recommends that.....

## 3. *Recommendation 3*

As relates to Legislative Charge X, the Council recommends that.....

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<sup>1</sup> Texas Water Code Section 16.052(c)

# Introduction

Texas Water Code Section 16.052 requires the Texas Water Development Board (TWDB) to appoint an Interregional Planning Council during each five-year state water planning cycle. This 2027 SWP Interregional Planning Council was appointed by the TWDB Board on July 7, 2022, with terms to expire upon adoption of the 2027 SWP. The Council, composed of one member from each RWPG (Appendix A), is charged by statute to

- (1) improve coordination among the regional water planning groups, and between each regional water planning group and the Board, in meeting the goals of the state water planning process and the water needs of the state as a whole;
- (2) facilitate dialogue regarding water management strategies that could affect multiple regional water planning areas; and
- (3) share best practices regarding operation of the regional water planning process.<sup>2</sup>

The Council shall (1) hold at least one public meeting; and (2) prepare a report to the Board on the Council’s work.<sup>3</sup> TWDB rules require that the Council’s report, at a minimum, include a summary of the dates the Council convened, the actions taken, minutes of the meetings, and any recommendations for the Board’s consideration, based on the Council’s work.<sup>4</sup>

The Council’s report shall be delivered to the TWDB no later than one year prior to the draft regional water plan due date for the corresponding SWP cycle, as set in regional water planning contracts.<sup>5</sup> For this cycle of regional water planning, that date is March 4, 2024.

## *Council Meetings and Deliberations*

The Council met **five** times between July 7, 2022, and **March 4, 2024**. All meetings were conducted in a hybrid format with options to attend in person at the Stephen F. Austin Building in Austin, TX, and virtually via Microsoft Teams. Meeting minutes are included in Appendix B, and specific policy recommendations are presented by statutory charge in

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<sup>2</sup> Texas Water Code Section 16.052(c)

<sup>3</sup> Texas Water Code Section 16.052(d)

<sup>4</sup> 31 Texas Administrative Code §357.11(k)(4)

<sup>5</sup> 31 Texas Administrative Code §357.11(k)(5)



subsequent sections of this report. A summary of actions taken by the Council is also provided below. Additional materials from Council meetings are available on the Council's webpage at <http://www.twdb.texas.gov/waterplanning/rwp/ipc/2027IPC.asp>.

**November 9, 2022:** At its first meeting, the Council reviewed its responsibilities, agreed on operational procedures, reviewed the status of recommendations made by the previous Council, and appointed Mark Evans (Region H) as Council Chair and Gail Peek (Region G) as Council Vice-Chair.

The Council decided to prioritize recommendations made by the previous Council as a starting point for their work effort. The Council requested that the TWDB survey RWPGs to assess how they have implemented or plan to implement recommendations from the previous Council.

The Council agreed to the following operational provisions:

1. Quorum – A simple quorum (nine members) will be required to conduct business.
2. Regional representation - During the roll call at the start of each Council meeting, each region will designate the member or alternate who will represent that region during the meeting. Only one representative of each region will be allowed to speak for a region during the meeting.
3. Decision making – Decisions will be accomplished by a simple majority vote of at least nine members. Regions may have one vote by either the member or designated alternate.
4. Chair and Vice-Chair – Members elected that the Council have a chair and vice-chair position.
5. Use of committees – Members felt that committees were not necessary at this time, but the Council may establish committees later if needed.

**March 9, 2023:** The Council reviewed supporting materials prepared by the TWDB, the Council's prioritization of the previous Council's recommendations, and the results of the survey to assess how RWPGs have implemented or plan to implement recommendations from the previous Council. The Council discussed logistics for report preparation.

**May 30, 2023:** The Council reviewed the implementation status of the previous Council's recommendations, discussed a draft report outline, and considered recommendations.

**August 2023:**

**November 2023:**

### *Status of Previous Council Recommendations*

The 2022 SWP Council's [Interregional Planning Council Report to TWDB \(2020\)](#) provides recommendations for future actions by the TWDB, legislature, RWPGs, and future Councils. As part of its work, the 2027 SWP Council reviewed recommendations made by the previous Council and assessed the implementation status of these recommendations.

To support the Council's work, TWDB compiled the status of recommendations made to the TWDB and legislature into a summary document. At the Council's request, TWDB conducted a survey of RWPG chairs, sponsors, and technical consultants to assess how the RWPGs had or planned to implement the recommendations made to RWPGs. RWPG survey results were added to the summary document for the Council's consideration. A summary of the status of the 2022 SWP Council's recommendations is included in Appendix C.

# Charge 1. Improve coordination among the regional water planning groups, and between each regional water planning group and the Board, in meeting the goals of the state water planning process and the water needs of the state as a whole

## *Recommendations*

### **1.1 Identifying Issues and Opportunities**

In response to recommendations from the 2022 SWP Council, TWDB and RWPGs have taken steps to identify and coordinate on project development, including strategies that are proposed to develop or use water resources in another region and that would impact the region of origin, **at the beginning** of the planning cycle. This effort was intended to help expedite the identification of opportunities for coordination and collaboration, as well as potential interregional conflict concerns and help ensure that there are deliberate actions taken by the RWPGs at the beginning of the planning process to identify **and coordinate on interregional project issues and opportunities**.

The Council makes the following recommendations in support of these enhanced efforts by RWPGs to facilitate interregional coordination.

#### **A. Legislature**

The Council recommends that the legislature appropriate additional funds to the planning process specifically to support a required task of the RWPG to identify and facilitate interregional coordination, to allow for the additional RWPG work recommended by this Council. (IPC priority: high)

#### **B. Future Interregional Planning Councils**

Future Interregional Planning Councils should monitor the effectiveness of enhanced efforts to promote interregional coordination and review how best to utilize interregional liaisons in the development or use of shared water resources. (IPC priority: high/medium)

## **1.2 Defining Roles for Participants in the Planning Process**

Identify the appropriate parties (RWPG consultants, sponsors, stakeholders, liaisons) and define their roles in an interregional coordination process at the beginning of the planning cycle. Implementing this recommendation would assist the RWPGs in understanding how each region considers water management strategies, as well as earlier engagement of consultants, sponsors and stakeholders to identify and consider potential collaboration, coordination, or conflict between or among regions.

### **A. Legislature**

The Council recommends that the legislature should appropriate additional funds to the planning process to allow for the additional planning group work recommended by this Council. (IPC priority: high)

### **B. Future Interregional Planning Councils**

Future Interregional Planning Councils should monitor the effectiveness of enhanced efforts to promote interregional coordination. (IPC priority: high/medium).

## **1.3 Documenting Coordination Between Planning Groups**

Documenting the identification of feasible water management strategies, opportunities and issues, and the coordination between planning groups should occur **in the middle** of the planning cycle. Implementing this recommendation will help ensure that there are deliberate actions taken by the RWPGs in the middle of the planning process, yet prior to the development of the draft plans, to identify and coordinate on interregional project **issues and opportunities**.

### **A. Legislature**

The Council recommends that the legislature should appropriate additional funds to the planning process to allow for the additional planning group work recommended by this Council. (IPC priority: high)

### **B. Future Interregional Planning Councils**

Future Interregional Planning Councils should monitor the effectiveness of enhanced efforts to promote interregional coordination. (IPC priority: high/medium)

## Charge 2. Facilitate dialogue regarding water management strategies that could affect multiple regional water planning areas

### *Recommendations*

#### **2.1 Long Range and Visionary Planning**

The Council makes the following recommendations on long range and visionary planning.

##### **A. Legislature**

The Council recommends that the legislature

1. return to providing initial sponsorship of projects by the State without guarantees from local sponsors; (IPC priority: medium)
2. provide financial incentives for local sponsorship of innovative, visionary, multi-benefit projects; (IPC priority: high)
3. provide additional funding for the regional water planning process to accommodate tasks associated with long range, visionary planning; (IPC priority: high)
4. establish a process for coordination amongst state agencies, at the state level, related to installation of infrastructure during planning and construction of large-scale projects. (IPC priority: medium)

##### **B. Future Interregional Planning Councils**

The Council recommends future Interregional Planning Councils

1. utilize state agencies' expertise to assist regions in developing a vision of planning resources for the state as a whole; (IPC priority: high)
2. consider whether the Interregional Planning Council or RWPGs are the appropriate mechanism for planning for water resources for the state as a whole. (IPC priority: low)

# Charge 3. Share best practices regarding operation of the regional water planning process

## *Recommendations*

### **3.1 Simplified Planning**

The Council makes the following recommendations on simplified planning. Implementing these recommendations would allow full updates of the state water plan following updated census data, better align the regional water plans with the groundwater management area process, and potentially redirect State resources to solving water planning issues through funding special studies or other water resource challenges in the region.

#### **A. Legislature**

The Council recommends that the legislature amend the language in TWC Section 16.053(i) to either:

1. discontinue the requirement to update groundwater and surface water availability values in the regional water plan if those availability numbers have not changed significantly, or
2. strike simplified planning from the statute. (IPC priority: medium)

### **3.2 Enhancing Engagement of the RWPG Membership and the General Public**

The Council makes the following recommendations on enhancing engagement. Implementing these recommendations will enable RWPG membership and the public to be more engaged and increase their understanding of the process.

#### **A. Legislature**

The Council recommends that the legislature

1. provide funding for better methods of disseminating information for the regional water planning process; (IPC priority: high)
2. authorize the use of one-way conferencing or webinars. (IPC priority: high)

#### **B. Future Interregional Planning Councils**

The Council recommends future Interregional Planning Councils

1. require RWPG Chairs to meet on an annual basis, at minimum, for the purposes of evaluating and documenting best practices. (IPC priority: high)
2. hold work sessions to “deep dive” into more complicated topics; (IPC priority: medium)

### ***3.3 Communication Between the TWDB, RWPGs, and Members***

The Council makes the following recommendations on communication between the TWDB, RWPGs, and members. Implementing these recommendations will enable RWPG membership to make informed decisions by increasing members’ understanding of the process and resources available.

#### **A. Legislature**

The Council recommends that the legislature provide funding to enhance communication between the TWDB, RWPGs, and members. (IPC priority: high)

#### **B. Future Interregional Planning Councils**

The Council recommends future Interregional Planning Councils review existing technology and recommend appropriate changes. (IPC priority: medium)

### ***3.4 TCEQ as an Ex-Officio Member***

The Council makes the following recommendations on TCEQ membership on the RWPGs. Implementing these recommendations would consistently provide RWPGs a subject matter expert and resource for water issues addressed by the TCEQ or other state agencies. In addition, this recommendation could increase coordination between the TWDB and the TCEQ on planning vs. regulation issues and requirements.

#### **A. Legislature**

The Council recommends that the legislature amend TWC Section 16.053(c) to add TCEQ as an ex-officio member of each RWPG. (IPC priority: medium)

### ***3.5 Reimbursement of Labor Costs for Regional Water Planning Administrative Agents***

The Council makes the following recommendations on reimbursement of administrative labor costs. Implementing these recommendations would encourage political subdivisions to take on the role of the administrative agency for regional water planning. The agencies would no longer be penalized for accepting the responsibility of administering the regional water planning process.

#### **A. Legislature**

The Council recommends the legislature provide additional funding for the regional water planning process to accommodate labor costs for administering RWPGs rather than permitting a reallocation of existing planning resources, as that would reduce the funding required to meet other required planning tasks. (IPC priority: high)

### **3.6 *Open Meetings Act Modification of Video-Conference Restrictions***

The Council makes the following recommendations on modification of TOMA video-conferencing restrictions related to regional water planning. Some regions are large and require traveling great distances. Implementing these recommendations would decrease regional water planning and lost opportunity costs to state and local governments and private stakeholders as well as create a more efficient process by allowing greater governmental transparency during consideration of items on an agenda and provide the public an avenue for increased meeting participation. Additionally, video conferencing can promote improved interregional coordination for liaisons to attend meetings. However, a digital divide does exist, and some regions might not have good internet access to ensure quality connectivity.

#### **A. Legislature**

The Council recommends that the legislature amend the Texas Open Meetings Act to allow virtual participation during the regional water planning process as an alternative or in addition to requiring the public to be physically present to make public comment or as an option for a RWPG member that cannot physically attend a meeting resulting from any issue the legislature believes appropriate. (IPC priority: high/medium)

### **3.7 *Improving the Regional Water Planning Process***

The Council makes the following recommendations on improving the regional water planning process. Implementing these recommendations would improve efficiency and effectiveness by eliminating waste in the planning process as well as improve productivity of the RWPG membership.

#### **A. Future Interregional Planning Councils**

The Council recommends future Interregional Planning Councils

1. Review progress on all of the recommendations in the 2022 SWP Council's report and submit its assessment to the TWDB. (IPC priority: high)
2. Review materials and meeting notes from the TWDB's lessons learned technical meetings with RWPG consultants. (IPC priority: medium)



# Additional Observations

In the course of its work, the Council made the following observations on topics not directly related to its statutory charge but that it felt are important to acknowledge in this report.

## 4.1 Water Loss

Consider actions to decrease water loss through improved infrastructure, better management of water resources, awareness, appropriate and thorough water loss studies, and other measures. Water is a valuable and vital commodity. Having water losses reported of X% or more is unacceptable. This is particularly true for entities showing unmet future water demands that are proposing new projects to meet those demands.

Possible recommendations for consideration:

- 1) making funds more readily available for infrastructure improvements;
- 2) having the regional water planning process place more emphasis on the reporting of water losses and efforts to reduce those losses;
- 3) requiring entities with unmet future water demands report water loss rates, efforts to reduce those rates, and consider reducing future water demands of those entities to reflect a reduction in water losses.

## 4.2 Rural water use

At the March 9, 2023 meeting of the Interregional Planning Council, questions and concerns were raised around the topics of transient populations in rural areas and their associated water use. This is placeholder information on a rural water use observation by council member Jonathan Letz. Region J has put forth the following three policy recommendations in their 2021 Regional Water Plan

**Transient Population Impact on Water Demand.** Municipal water use reports capture the total amount of water produced and distributed by the city. In concept, this volume includes water consumed by both permanent and transient populations within the community. However, the counties of the Plateau Region have a high transient influx of vacationers and hunters that frequent the more remote areas and are not likely included in the water demand estimates. Likewise, there are a high percentage of second-home owners in the rural counties that is also not accounted. Officials in the most rural counties in the Region estimate that as much as 70 percent of landowners are not permanent residents. This transient water demand likely has a

significant impact on water demand estimates used by the planning group. The PWPG encourages the TWDB to consider this water-use category and develop a method for estimating its impact. **Status:** If the transient residents are part of a utility, the water use is captured in the system's annual water use reported and the water use would be captured in municipal demand projections through the baseline gpcd. If the transient residents are on their own wells, then water use is captured in the demand projections through the 'County-Other' water user group gpcds.

**County-Other Demand Distribution.** In the regional water planning process, water supply demand is determined on a county and river basin basis and is then evenly distributed over the designated area. In some cases, this results in a misrepresentation of the actual rural density within segments of the county-river basin area. The primary disadvantage of this is that a high-density rural area may have a legitimate need of water supply management even though the county-river basin statistical numbers do not indicate a supply shortage. A recommended water management strategy in an area such as this does not register as high of a priority as it realistically should. The PWPG therefore recommends that the TWDB develop a planning process that will justifiably recognize the high-priority needs of such County-Other areas.

**Status:** The TWDB drafts projections by water user group using statewide methodologies and every water user group is split by region, county, and river basin. The projections as well as the region, county, basin split percentages are reviewed and potentially revised by the RWPG. RWPGs may develop projects and strategies for County-Other water user groups even if no water supply need is identified as a result of the current demand projection methodologies.

**Impact of Transient Water Demand in Rural Counties.** The concern pertaining to transient population water demand in rural counties was expressed in Section 8.1.8. A study is needed to quantify this impact that is not based solely on the resident population but rather considers the total count of individuals within the respective area. **Status:** No TWDB-funded research on this topic as of December 2022.

To assess water use and demand, the TWDB annually estimates population of water user groups based upon the permanent (e.g., non-transient) residents within utility service boundaries and those outside of utility service boundaries. Unlike the U.S. Census estimates for cities, there is no one data source that can be solely relied upon for estimating the permanent population served by water utilities because each data source has its limitations. Additionally, due to the nature of the self-reported WUS data and small systems, historical estimates can fluctuate considerably for some PWSs even though considerable efforts are made to correct any inconsistencies in reported population and net use data.

1. **Transient populations in areas served by PWS and associated water use** (e.g., tourism, commerce / commuting populations, etc.)

- a. **Population estimation** – TWDB does not estimate transient populations in any part of the state due to data limitations. TWDB annually estimates population of permanent (e.g., non-transient) residents based upon utility service boundaries. These estimates are developed using a combination of sources, including WUS reported population and residential connections, Census county growth, Census Place, and historical PWS growth.
- b. **Water use estimation**
  - i. Transient population water use is considered captured in the self-reported water use from community PWSs that TWDB collects in the annual WUS (e.g., hotels and other commercial facilities served by PWSs).
  - ii. For systems that do not respond to the annual WUS, TWDB estimates the system water use by carrying forward historical WUS data or using relevant data from other sources, such as groundwater conservation districts or water right use data reported to the TCEQ.

**2. Rural area permanent populations in areas NOT served by a community PWS and associated water use** (e.g., primary residence not serviced by a water system / on private exempt well)

- a. **Population estimation** – No WUS or other data is available for rural domestic-use areas of the state. TWDB estimates rural area permanent population using PWS population and Census county total population estimates. The annual rural area permanent population outside of PWS service boundaries is calculated by subtracting the sum of all PWS populations by county from the Census county total population of each county. County-Other population estimates include this rural area population.
- b. **Water use estimation** – Estimated county-level rural population is multiplied by the statewide average rural gallons per capita per day (GPCD) to estimate county-level rural water use. The statewide average per-person water use for rural households and rural transient populations has historically been between 95-105 GPCD<sup>6</sup>.

**3. Rural area transient populations in areas NOT served by a community PWS and associated water use** (e.g., second home or Airbnb properties on exempt wells)

- a. **Population estimation** – Transient populations are not estimated by the TWDB. To estimate transient populations that are relying on non-system / private wells only is difficult due to the lack of data to support the estimations, as no WUS or other data

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<sup>6</sup> The historic statewide average of 95-105 GPCD was determined from the TWDB WUS and includes average per-person water use (as available) for Water Supply Corporations, mobile home parks, and investor-owned utilities to represent what rural households and rural transient populations might use, including RV parks or other commercial water use activities. This statewide average is higher than the 77 GPCD suggested by USGS for national rural domestic use estimation. The USGS figure may only include rural domestic wells for residential populations but no other types of commercial uses for transient population. It is assumed that the higher state average rural GPCD includes commercial activities for transient population even though transient populations are not included in the population estimates.

- is available for rural domestic-use areas of the state. The methodologies described above rely on permanent population data reported by water systems and the Census.
- b. Water use estimation** – It is difficult to estimate the per capita water use of rural transient populations because the number of people coming and going is unknown and the total water use is not metered and reported. Water use for transient population is captured through a statewide GPCD estimation described above in 2b. TWDB County-Other water use estimates include both water use for small system served populations and rural domestic areas, including assumed rural area transient population use. It is possible that a groundwater conservation district could have pumping data of each subdivision (with private wells) and rural water user, but the TWDB is not aware of any data collected by a district at that level of detail.

### 4.3 *Population projections*

# Conclusions

The members of the Council dedicated a significant number of hours in Council meetings to deliberate, develop, and present this second report to the TWDB...

# Appendices

- A. List of Council Members and Designated Alternates**
- B. Minutes from Council Meetings**
- C. Status of the 2022 State Water Plan Interregional Planning Council Report (2020) Recommendations**