

# INTERREGIONAL PLANNING COUNCIL



**2024**

REPORT TO THE TEXAS WATER DEVELOPMENT BOARD

# **Interregional Planning Council**

*Report to the Texas Water Development Board*

**Submitted by the**

**Interregional Planning Council**


**Mark Evans, Chair**


**Gail Peek, Vice Chair**

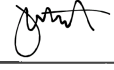
**March 4, 2024**


**Adopted and approved for submittal to the Texas Water Development Board on February 8, 2024, by the undersigned members of the Interregional Planning Council.**


Signature  Date 2/8/2024  
**Mark Evans, Council Chair**  
Region H


Signature  Date 2/11/2024  
**Kelley Holcomb**  
Region I

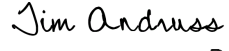
Signature  Date 2/8/2024  
**Gail Peek, Council Vice-Chair**  
Region G

Signature  Date 2/8/2024  
**Jonathan Letz**  
Region J

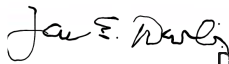
Signature  Date 2/8/2024  
**Ben Weinheimer**  
Region A

Signature  Date 2/8/2024  
**David Van Dresar**  
Region K

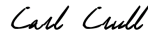
Signature  Date 2/8/2024  
**Randy Whiteman**  
Region B

Signature  Date 2/8/2024  
**Tim Andruss**  
Region L

Signature  Date 2/8/2024  
**Jenna Covington**  
Region C

Signature  Date 2/10/2024  
**Jim Darling**  
Region M

Signature  Date 2/9/2024  
**Jim Thompson**  
Region D

Signature  Date 2/9/2024  
**Carl Crull**  
Region N

Signature  Date 2/16/2024  
**Scott Reinert**  
Region E

Signature  Date 2/12/2024  
**Melanie Barnes**  
Region O

Signature  Date 2/8/2024  
**Scott McWilliams**  
Region F

Signature  Date 2/8/2024  
**Patrick Brzozowski**  
Region P

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# Executive Summary

In 2019, the 86th 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 (TWDB), summarizes the activities of the 2027 State Water Plan (SWP) Council’s activities in relation to its three statutory charges. The Council makes several recommendations, summarized below, to the legislature, TWDB, and future Councils. These recommendations represent the majority opinion of Council members but do not necessarily reflect the views of each RWPG member entity or interest group.

Additionally, in the course of its work, the Council made observations on topics not directly related to its statutory charges that it considers important to acknowledge in this report and worthy of consideration.

## 1. *Recommendations to the Legislature*

The Council makes the following recommendations for legislative action:

1. As relates to all three legislative charges, the Council recommends that the legislature appropriate additional funds to the planning process specifically to
  - a. support a required task of the RWPGs to identify and facilitate interregional coordination;
  - b. accommodate tasks associated with long-range, visionary planning;
  - c. fund better methods of disseminating information for the regional water planning process; and

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

- d. 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.
2. As relates to Legislative Charge 2, the Council recommends that the legislature:
    - a. provide financial incentives for local sponsorship of innovative, visionary, multi-benefit projects;
    - b. provide initial sponsorship of projects by the State without guarantees from local sponsors; and
    - c. 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. As relates to Legislative Charge 3, the Council recommends that the legislature:
    - a. amend the language in Texas Water Code Section 16.053(i) to strike simplified planning from the statute; and
    - b. authorize the use of one-way conferencing or webinars.

## *2. Recommendations to the Texas Water Development Board*

As relates to Legislative Charge 3, the Council recommends that the TWDB develop protocols to incorporate annual discussions to evaluate and document best practices for regional water planning in Chairs' conference calls.

## *3. Recommendations to Future Interregional Planning Councils*

The Council recommends that future Interregional Planning Councils:

1. 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;
2. utilize state agencies' expertise to assist regions in developing a vision of planning resources for the state as a whole;
3. consider holding work sessions as needed to "deep dive" into more complicated topics;
4. review materials and meeting notes from the TWDB's "lessons learned" technical meetings with RWPG consultants; and
5. review progress on all recommendations in the 2027 SWP Council's report and submit its assessment to the TWDB.

# Introduction

Texas Water Code Section 16.052 requires the 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 (see 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 six times between July 7, 2022, and approval of this report on February 8, 2024. All meetings were conducted in a hybrid format with options to attend in person at the Stephen F. Austin Building in Austin, Texas, and virtually via Microsoft Teams. Meeting minutes are included in Appendix B, and specific policy recommendations are

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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)

presented by statutory charge in 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](#).

**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 its 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 15, 2023:** The Council reviewed the implementation status of the previous Council's recommendations, discussed potential recommendations, and acted on recommendations and observations to include in the report.

**November 30, 2023:** The Council discussed potential recommendations and observations and approved a draft report.

**February 8, 2024:** The Council adopted a final report and approved submittal of the report to the TWDB.

### *Status of Previous Council Recommendations*

The 2022 SWP Council's [Interregional Planning Council Report to the 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.

At the Council's request, the 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. The status of recommendations made to the TWDB, legislature, and RWPGs were then compiled into a summary document for the Council's consideration. The Council determined that recommendations made to the TWDB and RWPGs had been implemented and recommendations made to the legislature remained unaddressed.

A detailed 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*

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

In response to recommendations from the 2022 SWP Council, the 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**.

### ***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 in facilitating earlier engagement of consultants, sponsors, and stakeholders to identify and consider potential collaboration, coordination, or conflict between or among regions.

### ***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***.

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:

1. appropriate additional funds to the planning process specifically to support a required task of the RWPG to identify and facilitate interregional coordination and allow for the additional RWPG work recommended by this Council; and
2. provide additional funding for the regional water planning process to accommodate labor costs for administering RWPGs rather than permitting RWPGs to reallocate existing planning resources, as such reallocation would reduce the funding available to meet other required planning tasks. This additional funding to the planning group sponsors for administrative support work would encourage political subdivisions to take on the role of the administrative agency for regional water planning.

#### **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.

# 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. provide financial incentives for local sponsorship of innovative, visionary, multi-benefit projects;
2. provide additional funding for the regional water planning process to accommodate tasks associated with long-range, visionary planning;
3. provide initial sponsorship of projects by the State without guarantees from local sponsors; and
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.

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

The Council recommends future Interregional Planning Councils utilize state agencies' expertise to assist regions in developing a vision of planning resources for the state as a whole.

# Charge 3. Share Best Practices Regarding Operation of the Regional Water Planning Process

## *Recommendations*

### **3.1 Simplified Planning**

The Council recommends that the legislature amend the language in Texas Water Code Section 16.053(i) to strike simplified planning from the statute. Implementing this recommendation would allow full updates of the state water plan.

### **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; and
2. authorize the use of one-way conferencing or webinars.

#### **B. Texas Water Development Board**

The Council recommends that the TWDB develop protocols to incorporate annual discussions to evaluate and document best practices for regional water planning in the Chairs' conference calls.

#### **C. Future Interregional Planning Councils**

The Council recommends that future Interregional Planning Councils consider holding work sessions as needed to "deep dive" into more complicated topics, such as the observations presented in this report.

### **3.3 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 recommendations in the 2027 SWP Council's report and submit its assessment to the TWDB; and
2. review materials and meeting notes from the TWDB's lessons learned technical meetings with RWPG consultants.

# 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 significant water losses 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 include the following:

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

## **4.2 Unaccounted Water Use**

Planning groups have identified unaccounted water demands from variable factors such as transient population, exempt wells, other unreported wells, and population demographics and recommend that the TWDB conduct a study to quantify this impact. The TWDB should receive additional funding to conduct this work, considering the factors above, to improve the accuracy of estimated water use and demand. Filling these data gaps, especially for entities relying on groundwater, could improve planning and groundwater modeling data and thus groundwater availability estimations for many rural areas of the state relying solely on limited, exempt groundwater resources.

## **4.3 Long Range and Visionary Planning**

Determine the appropriate mechanism to facilitate dialogue for large-scale, multi-regional water resource projects.

## 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. Water planning, cooperation, and coordination are all necessary for Texas to use its water resources effectively and efficiently. The Council members hope that this report will help Texas meet the water planning challenges to come.

The Council could not have accomplished its work without the dedicated staff of 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**

## Appendix A - List of Council Members and Designated Alternates

In September 2021, the TWDB's Executive Administrator requested each of the state's 16 RWPGs to submit at least one nominee and one designated alternate to serve on the 2027 SWP Council. At its July 7, 2022 meeting, the TWDB appointed the Council's members and designated alternates. The TWDB appointed additional members and alternates to the Council in November 2022 and March 2023 to fill vacant positions.

Members and designated alternates appointed to serve on the Council include:

*A, Member - Ben Weinheimer*

*A, Alternate - Janet Guthrie*

*B, Member - Randy Whiteman*

*B, Alternate - Russell Schreiber*

*C, Member - Jenna Covington*

*C, Alternate - Dan Buhman*

*C, Alternate (former) - Drew Satterwhite*

*D, Member - Jim Thompson*

*D, Alternate - Fred Milton*

*E, Member - Scott Reinert*

*E, Alternate - David Etzold*

*F, Member - Scott McWilliams*

*F, Member (former) - Allison Strube*

*F, Alternate - Tommy Ervin*

*G, Member - Gail Peek (Council Vice-Chair)*

*G, Alternate - Luci Dunn*

*H, Member - Mark Evans (Council Chair)*

*H, Alternate - Jace Houston*

*I, Member - Kelley Holcomb*

*I, Member (former) - John Martin*

*I, Alternate - David Alders*

*J, Member - Jonathan Letz*

*J, Alternate - Tara Bushnoe*

*J, Alternate (former) - Ray Buck*

*K, Member - David Van Dresar*

*K, Alternate - Ann McElroy*

*L, Member - Tim Andruss*

*L, Alternate - Jonathan Stinson*

*M, Member - Jim Darling*

*M, Alternate - Tomas Rodriguez*

*N, Member - Carl Crull*

*N, Alternate - Teresa Carrillo*

*O, Member - Melanie Barnes*

*O, Alternate - Kevin Rainwater*

*P, Member - Patrick Brzozowski*

*P, Alternate - Richard Ottis*

## **Appendix B - Minutes from Council Meetings**

## Interregional Planning Council Meeting Minutes

November 9, 2022, 1:00 p.m. to 3:00 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 15 of 16

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

**Facilitator:** Temple McKinnon

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

**Texas Water Development Board (TWDB) Board Members and Staff:** Matt Nelson, Temple McKinnon, Sarah Lee, Ron Ellis, Brittany Condry, Lann Bookout, Jean Devlin, Kevin Smith, Annette Mass

Council alternates present in addition to members: Janet Guthrie (A), Fred Milton (D), Jonathan Stinson (L), Teresa Carrillo (N). Kelley Holcomb attended as a member of the public but had been appointed by Region I to replace David Martin as their Council member.

### MEETING GENERAL

Temple McKinnon (TWDB) called the meeting to order. Ms. McKinnon called roll and determined that a quorum was present. Ms. McKinnon reviewed the agenda and supporting materials.

### AGENDA ITEMS

#### 1. Welcome and Orientation

Ms. McKinnon introduced TWDB staff present and called roll. Ms. McKinnon noted that Regions C and I have taken action to nominate planning group members to fill their vacant Council positions. The TWDB Board will consider appointment of the nominees to the Council at the November 17 meeting.

#### 2. Operational Responsibilities

Ms. McKinnon informed Council members that as a best practice Council meetings should follow the requirements of the Texas Open Meetings Act. A summary of relevant Texas Open Meetings Act issues was provided to members as a reference. Key issues discussed included avoiding serial communications, accepting public comment at meetings, and allowances for hybrid meetings as long as a presiding officer is present in a physical location that is accessible to the public. Ms. McKinnon noted that TWDB can

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assist with meeting locations as long as a Council presiding member is present, with preparation of Council meeting minutes, and can serve as the repository for Council records.

Gail Peek (Region G) asked if Council committee meetings are subject to the Texas Open Meetings Act. Ms. McKinnon noted that it is a best practice for committee meetings to abide by the Texas Open Meetings Act.

Ms. McKinnon reviewed TWDB's foreseen role with the Council and noted that TWDB has limited resources to support Council operations. TWDB can prepare Council meeting minutes, assist with agenda preparation and posting in Texas Register, provide information and data to support Council deliberations, assist with report preparation and schedule milestone meetings, seek Board appointment of new members or alternates, and reimburse for travel to attend meetings, if appropriate.

Members discussed how TWDB can support Council operations. Mark Evans (Region H) asked if TWDB could support the Council if they decided to operate with committees, similar to the previous Council. Ms. McKinnon responded that TWDB has fewer planning staff available to support the Council and she is unable to commit to the previous level of support at this time. Jenna Covington (Region C) asked if there is a budget to support the Council. Ms. McKinnon noted that there are not dedicated funds to support Council operations.

Ms. Peek asked if Council committees would be required to take their own minutes if a committee approach is utilized. Ms. McKinnon noted that TWDB could transcribe committee meeting minutes from recordings. Mr. Nelson added that the TWDB support provided to the previous Council was not funded and emphasized that the TWDB is not redirecting Council funding elsewhere. TWDB never received additional funding to support the Council.

Melanie Barnes (Region O) asked if a specific region could host a Council meeting at their own headquarters to help alleviate funds. Ms. McKinnon stated that this would be up to the Council and clarified that travel for meetings is reimbursable to Council members. Ms. McKinnon mentioned that possible facility rental costs could be reimbursed, but there is no guarantee that all costs incurred by sponsoring a meeting would be reimbursable.

### **3. Functional Responsibilities**

Ms. McKinnon introduced the agenda item and presented the purposes of the Council as outlined in Texas Water Code 16.052. Ms. McKinnon noted that the Council is required to hold at least one public meeting and prepare a report to the TWDB Board on the Council's work. 31 Texas Administrative Code 357.11(k) outlines additional requirements for the Council's report.

The report format may be determined by the Council. At a minimum, the report must include a summary of the dates that the Council convened, actions taken, minutes from meetings, and recommendations for the Board's consideration. Meeting frequency, location, and additional report

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content shall be determined by the Council. The Council's report is due to the TWDB no later than one year prior to the initially prepared plan due date. This cycle the Council's report is due to the TWDB by March 3, 2024. Ms. McKinnon suggested the Council consider holding milestone meetings in early Summer 2023 and Fall 2023 to assess their progress. TWDB would be available to provide support for two milestone meetings.

Ms. McKinnon oriented members to Council resources that are available on the TWDB website. Ms. McKinnon then introduced the *Status of 2020 Interregional Planning Council Report Recommendations* document included in the meeting materials and highlighted the status of recommendations made by the previous Council to the TWDB, legislature, regional water planning groups, and future Councils. TWDB is still working to implement several recommendations, and no legislative action has been taken on recommendations made to the legislature.

Mr. Evans asked if the Council could consider removing recommendations from the previous Council. Ms. McKinnon confirmed that the Council could do so. Janet Guthrie asked who is responsible for carrying on the Council's legislative recommendations to the legislature. Ms. McKinnon responded that TWDB provided the previous Council's 2020 Report to Senator Charles Perry, chair of the Senate Committee on Water, Agriculture & Rural Affairs, and Representative Lyle Larson, chair of the House Natural Resources Committee. Mr. Evans asked if the TWDB had heard anything back from Senator Perry or Representative Larson. Ms. McKinnon noted that to her knowledge the agency had not received a response, but she would confirm with Government Relations staff.

Ms. Peek shared that in the previous planning cycle she kept her region informed of the Council's work and received planning group input on potential recommendations. Ms. Peek proposed that in their review of the previous Council's recommendations, the Council should prioritize recommendations based on what they want to accomplish.

#### **4. Discussion and possible action taken on operational preferences**

Ms. McKinnon introduced the agenda item. Members discussed how they would like to make decisions as a group. David Van Dresar (Region K) stated that motions, seconds, and simple majority vote is a good way to make decisions in large groups. Carl Crull (Region N) and Ms. Barnes agreed. Mr. Crull added that the Council may want to consider using committees to complete their work. Jim Darling (Region M) noted that materials should be sent in advance of meetings so that the Council is prepared to vote.

***Mr. Van Dresar made a motion for the Council to use a simple majority of at least 9 members for decision making. Mr. Crull seconded the motion. The Council unanimously approved the motion.***

Ms. McKinnon asked for opinions on quorum establishment. ***Mr. Evans made a motion for the Council to use a simple majority of at least 9 members for quorum. Patrick Brzozowski (Region P) seconded the motion. The Council unanimously approved the motion.***

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Ms. Peek asked for clarification on if Council members and alternates can both vote if present. Ms. McKinnon clarified that each region has one vote. Alternates may vote if their region's member is not present. Mr. Evans added that only members and alternates appointed by the TWDB can vote. If a region sends a public representative, they are unable to vote because they are not appointed. Ms. Barnes agreed.

Scott McWilliams (Region F) asked if the Council has bylaws that outline how alternate members vote and count toward quorum. Ms. McKinnon noted that the Council does not have bylaws, but bylaws could be established. Ms. Covington stated that she is comfortable with simply documenting the role of alternates in the meeting minutes. Mr. McWilliams agreed.

***Mr. Brzowski made a motion that on Council decisions each region may have one vote by either the member or the alternate. Mr. Van Dresar seconded the motion. The Council unanimously approved the motion.***

Ms. McKinnon asked for operational preferences on officers. She mentioned that previous Council had a chair and a vice chair position. ***Mr. Crull made a motion to have both a chair and a vice chair position. Mr. Brzowski seconded this motion. The Council unanimously approved the motion.***

Members discussed establishing committees at a later date after the Council identifies specific issues to address. ***Mr. Brzowski made a motion that the Council may establish committees at a later date if needed. Ms. Covington seconded the motion. The Council unanimously approved the motion.***

#### **5. Nomination and selection of officer(s)**

Ms. McKinnon introduced the agenda item and opened the floor for nominations for Council chair.

***Ms. Peek nominated Mark Evans as Council chair. Mr. Brzowski seconded the motion. The Council unanimously approved the motion. Mr. Evans accepted the position.***

Ms. McKinnon opened the floor for nominations for Council vice chair. ***Mr. Evans nominated Gail Peek as Council vice-chair. Jonathan Letz (Region J) seconded the motion. The Council unanimously approved the motion. Ms. Peek accepted the position.***

#### **6. Discussion and possible action taken on schedule and potential agenda items for next meeting**

Mr. Evans introduced this agenda item and asked what background materials the members need for future meetings. Ms. Covington shared that she utilized the previous Council's materials on the TWDB website to orient herself. Ms. McKinnon noted that Council members are welcome to reach out to herself and other TWDB points of contact for any needed information. Point of contact information will be sent out following the meeting.

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Mr. McWilliams asked how the agenda is developed for Council meetings. Mr. Evans noted that the previous Council discussed future action items at the end of each Council meeting. Ms. McKinnon noted that in the past TWDB staff would meet with the chair and vice chair to finalize what needs to be on the agenda. Council members can email their suggestions for agenda items to the chair, vice chair, or TWDB points of contact. Mr. Evans encouraged members to bring up suggestions in the meetings so that all members can hear and contribute to the discussion. Ms. McKinnon noted that Council meeting agendas are posted and sent to members no later than 8 days prior to the meeting date.

Mr. Evans asked what items the Council needs to accomplish before the next meeting. Ms. McKinnon suggested that as a starting point members might review the *Status of 2020 Interregional Planning Council Report Recommendations* document and the Council's statutory requirements in Texas Water Code 16.052. Ms. Peek and Ms. Barnes agreed with Ms. McKinnon's suggestion and wanted to hear goals of the newer members. Mr. Evans encouraged members to familiarize themselves with Texas Water Code 16.052 and the previous Council's recommendations. He encouraged members to consider the viability and relevance of the recommendations. Ms. Barnes introduced the idea of assessing liaison roles and how Council could support those roles.

Ms. Covington noted that there are 52 recommendations in the 2020 Council Report and proposed prioritizing the recommendations. Mr. Evans, Ms. Barnes, and Ms. McKinnon agreed. Ms. Barnes suggested that each member decide their top 10 recommendations for discussion at the next meeting. Ms. McKinnon offered to send a poll to Council members to prioritize their top recommendations and bring the results to the next meeting. Ms. Peek agreed with the prioritization approach and suggested members consider which recommendations might need to be taken off the list.

Mr. Evans suggested the Council start by focusing on the 25 recommendations made to the TWDB. Ms. Barnes asked for clarification on the previous Council's recommendations. Ms. McKinnon and Mr. Evans provided additional information on how the previous Council's recommendations were directed to the TWDB, legislature, planning groups, and future Councils. Mr. Evans indicated the need to review recommendations to future Councils as part of the review/prioritization assignment.

Ms. Barnes proposed that members review recommendations made to planning groups, see if their respective regions are implementing the recommendations, and report back to the group. Mr. Evans responded saying that he believes regions have already reviewed and considered the recommendations.

Ms. Barnes asked if it would be helpful for the Council to know if the planning groups have or have not taken the recommendations into consideration. Ms. McKinnon mentioned that the TWDB may have some information on the planning groups that could be gathered and shared, but the TWDB does not know the degree to which regions have considered the recommendations. Mr. Darling suggested that members rank 2-5 recommendations each and then go from there.

Mr. Van Dresser commented that the previous Council had to navigate COVID-19 and relied on virtual meetings. The regional water planning groups also had to meet virtually. This may have limited the flow



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of information to the planning groups. It would be good to see which recommendations are being implemented and then consider putting procedures in place for planning groups to implement the recommendations. Mr. Evans noted that the Council does not have the jurisdiction to do anything other than make recommendations. Ms. McKinnon noted that TWDB could help gather implementation information from planning group chairs and sponsors.

Mr. Brzowski stated that he thought the previous Council's recommendations regarding planning groups was something that would be considered by the TWDB in this next planning round. Ms. McKinnon responded that those recommendations were made to TWDB directly and have been incorporated into rules or contracts as outlined in the *Status of 2020 Interregional Planning Council Report Recommendations* document.

Ms. Brzowski asked if items 1 through 11 under the regional water planning group recommended actions were made available and are to be adopted by the planning groups. Ms. McKinnon noted that the Council's 2020 Report was sent out to every planning group member. The Council's recommendations to regional water planning groups have been implemented differently in each region. Mr. Brzowski suggested the Council create a questionnaire to be sent to the regions to see how they are addressing the recommendations. This can help inform Council recommendations. Ms. McKinnon noted that TWDB can assist the Council with this if needed.

Mr. McWilliams asked for the date that the recommendations were sent to planning group members. Ms. McKinnon noted that recommendations were sent out as part of the Council's 2020 Report, which was emailed to planning group members in the fall of 2020.

Mr. Evans suggested adding a new section to the Council's report that follows up on the implementation of previous Council recommendations. Mr. Brzowski and Ms. Peek agreed with the suggestion.

The Council discussed potential agenda items for their next meeting. Mr. Evans suggested the Council review and discuss the previous Council's recommendations, determine where to go from there, and consider if committees are needed. Mr. Evans proposed the Council meet again in March 2023. Ms. McKinnon asked if Doodle poll is a good application to use to determine the next Council meeting date. No issues noted. Ms. McKinnon will poll members for their availability.

Ms. Covington asked if Ms. McKinnon was going to create a survey for members to prioritize recommendations prior to the next meeting. Members discussed the survey and agreed that it should be limited to recommendations that have not been implemented. Ms. Peek suggested identifying if recommendations are duplicative of others. Mr. Thompson suggested including a few blank lines to allow for any additions. Members agreed. Ms. McKinnon will work with the Council chair and vice-chair to develop and conduct the survey. The Council will review the survey results at their next meeting in March or early April 2023.

## **7. Public comment**

No public comments were provided.

Approved March 9, 2023

**8. Adjourn**

Mr. Evans adjourned the meeting at 3:16 p.m.

## Interregional Planning Council Meeting Minutes

March 9, 2023, 1:00 p.m. to 2:30 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 13 of 16

A	Ben Weinheimer	E	Scott Reinert – absent	I	Kelley Holcomb	M	Jim Darling – absent
B	Randy Whiteman	F	Scott McWilliams	J	Jonathan Letz	N	Carl Crull
C	Dan Buhman (alternate)	G	Gail Peek	K	David Van Dresar – absent	O	Melanie Barnes
D	Jim Thompson	H	Mark Evans	L	Tim Andruss	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, Heather Rose, Sarah Lee, Ron Ellis, Brittany Condry, Michelle Foss, Jean Devlin, and Kevin Smith

**Council alternates present in addition to participating members:** Fred Milton (D), David Alders (I), and Jonathan Stinson (L)

### 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 and Orientation

Ms. McKinnon noted that the TWDB Board appointed the following new members to the Council to fill vacant positions: Scott McWilliams (Region F member), Tommy Ervin (Region F alternate), and Tara Bushnoe (Region J alternate). Mr. Evans reviewed the meeting agenda.

#### 2. Public Comment

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

#### 3. Minutes from November 9, 2022 Meeting

The Council considered the minutes of the November 9, 2022 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. TWDB Overview of Supporting Materials

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Ms. McKinnon provided an overview of materials that TWDB prepared to support the Council. New supporting materials are available under the General Resources section of the Council's webpage: <http://www.twdb.texas.gov/waterplanning/rwp/ipc/2027IPC.asp>.

Ms. McKinnon reviewed the following materials:

- *Operational Procedures and TWDB Support Summary Document* is a reference document for Council members that outlines how the Council has agreed to operate.
- *2027 SWP Council Board Appointment March - 2023* is the TWDB board item to appoint new members to the Council to fill vacant positions.
- *Policy Recommendations in the 2021 Regional Water Plans* is a compilation of the policy recommendations from the 2021 regional water plans that provides the status of each recommendation as of December 2022. The previous Council recommended TWDB prepare this document and distribute it to the regional water planning groups (RWPG). Ms. McKinnon asked that members review the document and provide feedback by the end of March 2023. The TWDB will then distribute the document to the RWPGs.
- *Active RWPG Committees* is a list of active committees for each RWPG, as of January 2023, that was created in response to a recommendation from the previous Council and is intended to support interregional coordination.
- *Supporting Information on TCEQ Non-Voting Membership* is a resource document for RWPGs interested in adding a TCEQ non-voting member as recommended by the previous Council. The document includes information on which RWPGs have a TCEQ non-voting member and contact information for the central and regional TCEQ offices.
- *RWPG Voting Membership Costs* summarizes RWPG membership costs.
- *RWPG Liaison Materials* is a best practice resource for RWPG liaisons. Ms. McKinnon encouraged the Council to review the document with their regional liaisons and provide feedback to TWDB.

Mr. Evans asked Council members if they had any comments about the supporting materials. There were no comments.

##### **5. Prioritized Recommendations from Previous Council**

Ms. McKinnon presented results from the IPC Recommendation Prioritization Survey and RWPG IPC Recommendation Status Survey. Each survey received nine responses. Survey results are summarized in the meeting materials and available on the Council's webpage.

Mr. Brzozowski asked about the Original Order column in the survey results. Ms. McKinnon explained that the Original Order column orders survey results from highest to lowest priority based on the number of High/Medium/Low votes received.

Kelly Holcomb (Region I) asked if the legislature has taken up any of the previous Council's legislative recommendations. Ms. McKinnon stated that legislation has been filed related to the Council recommendation to authorize the use of remote conferencing or webinars (House Bill 390). Several bills

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have been filed related to the Open Meeting Act, including Senate Bill 42, House Bill 3225, and House Bill 3440. Mr. Evans proposed that the next Council meeting be held after the close of the legislative session so members can consider any legislative action.

## **6. Process for Report Preparation**

Mr. Evans suggested that the Council operate without committees to develop its report. The Council's report is due to the TWDB on March 4, 2024. Mr. Evans proposed that the Council meet quarterly in 2023 to complete its work. Johnathan Letz (Region J), Carl Crull (Region N), Gail Peek (Region G), and Melanie Barnes (Region O) agreed with the proposed approach.

Mr. Evans requested that TWDB staff poll Council members for their availability to meet again in June. Ms. McKinnon stated that she will poll members for their availability soon.

Mr. Evans proposed starting with an outline to develop the Council's report and suggested including a new report section on the implementation of previous Council recommendations. Mr. Holcomb asked if this Council is working under the same legislative mandates as the last Council. Mr. Evans responded that he was not aware of any new legislative directives and the Council should focus on its existing statutory requirements.

Ms. Peek suggested that getting feedback from the regions on the prioritized recommendations may identify other areas of focus for the Council's report, including additional resources needed and best practices. Ms. Barnes asked for clarification on feedback needed from RWPGs. Ms. McKinnon clarified that the RWPGs were surveyed on how they have or plan to implement the previous Council's recommendations to RWPGs. Ms. McKinnon noted that the survey is closed but could be reopened if needed. Mr. Evans added that Attachment 4 from the Council's November 9, 2022 meeting is a helpful resource to review in conjunction with the survey results. Attachment 4 from the previous meeting is available on the Council's website.

Ms. Peek noted that Region G has a committee that is looking at several projects. One of the projects is in Region K. Region G wondered if this is a point of conflict. Ms. Peek stated that situations like these might come up when the members speak with their RWPGs. These situations are helpful for the Council to discern where it can be a resource for the planning groups to avoid conflict and work better together.

Mr. Holcomb suggested that the Council report include a section that reviews the implementation status of recommendations from the previous Council. Mr. Evans agreed.

Ms. McKinnon asked if the Council would like the TWDB to develop an outline in line with the previous Council's report. Mr. Evans requested that TWDB develop an outline with an added section as Mr. Holcomb suggested.

## **7. Discuss Schedule and Possible Agenda Items for Next Meeting**

Mr. Evans asked if the Council had any suggested materials for the next meeting. Carl Crull suggested looking at the regions and seeing if the Council could help facilitate interregional coordination. Mr.

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Evans mentioned that some regions might not have interregional conflict and that they might just need interregional coordination. Ms. Peek requested background information on what constitutes an interregional conflict along with the steps to take if one ensues. Ms. McKinnon responded that TWDB can provide that information.

Mr. Holcomb asked if the TWDB could provide the legislation or statute that outlines Council's purpose and requirements. Ms. McKinnon will send members the requested information. It is also available on the Council's webpage.

Mr. Holcomb asked if significant population changes are considered interregional conflict. Ms. McKinnon stated that population changes are not considered an interregional conflict, as defined by the TWDB. Mr. Holcomb noted that Region I's population is projected to significantly decrease.

Mr. Evans requested that Council members review the 2020 Council Report before the next meeting. A report outline, with headers and bullet points, will be developed before the next meeting.

Mr. Thompson requested that the next meeting include an agenda item for the Council to discuss recommendations to address water loss and an agenda item to discuss gallons per capita per day (GPCD) values used in planning. Ms. Barnes noted that some smaller communities in Region O did not know that TWDB has a program to assist them with addressing water loss. The Council may consider making observations or recommendations on water loss.

Mr. Holcomb asked if discussion of water loss and planning GPCD is part of the Council's statutory function. If so, his population question from earlier is relevant. Ms. Barnes asked if water loss might fall under the Council's review of best practices. Mr. Holcomb suggested that this discussion may be more appropriate for the RWPGs. Ms. Barnes asked if one RWPG starts a benefiting practice, is it the Council's duty to inform the other RWPGs? Mr. Holcomb noted that the situation must be of high importance for the Council to intervene. Mr. Evans proposed that the Council could include an observations section to the report. Ms. Barnes and Mr. Holcomb agreed.

Ms. Barnes proposed that the Council discuss rural population at the next meeting. Mr. Letz agreed and noted that Region J is projected to decrease in population and water demands. Mr. Letz stated that he believes that the water use methodology is not very accurate and needs to be addressed. Ms. McKinnon verified that agenda items to discuss both population and water demands should be included on the next meeting agenda. Mr. Letz added that he is primarily concerned with water use in rural communities. Ms. McKinnon noted that rural water use is estimated. TWDB will share relevant population and demand methodology documents and water use, loss, and conservation materials in advance of the next meeting.

Mr. Evans emphasized that the Council should stay focused on addressing its statutory requirements. However, it may be appropriate for the Council to make observations on various topics that come up in the course of the Council's work. Ms. Peek agreed and suggested that addressing rural population issues may fall under the Council's work to share best practices.

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Members discussed potential dates for the next meeting. The meeting will be held sometime in late May or early June after the legislative session ends. Members will be polled for their availability.

**8. Public Comment**

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

**9. Adjourn**

Mr. Brzozowski motioned to adjourn the meeting. Ms. Barnes seconded the motion. The meeting adjourned at 2:10 p.m.

## 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	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

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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.

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#### **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.

## Interregional Planning Council Meeting Minutes

August 15, 2023, 1:00 p.m. to 4:15 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 13 of 16

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

**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, Brittany Condry, Heather Rose, Michele Foss, Kevin Smith, Ron Ellis, Sarah Lee, Matt Nelson, Lann Bookout

**Council alternates present in addition to participating members:** Tommy Ervin (Region F), Jonathan Stinson (Region L), Tomas Rodriguez (Region M), Teresa Carrillo (Region N)

### MEETING GENERAL

Elizabeth McCoy (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 May 30, 2023 Meeting

The Council considered the minutes of the May 30, 2023 meeting. Jim Thompson (Region D) made a motion to approve the minutes as presented. Gail Peek (Region G) seconded the motion. ***The minutes were unanimously approved.***

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This item was later revisited. Kelley Holcomb (Region I) proposed an amendment to the previously approved minutes. The minutes indicated Mr. Holcomb was absent from the May 30 meeting when he was in attendance. Tomas Rodriguez (Region M) made a motion to revise the previously approved minutes to indicate that Mr. Holcomb was present at the May 30, 2023 meeting. Jim Thompson seconded the motion. ***The Council unanimously approved the revised minutes.***

#### **4. Review the Implementation Status of Previous Council Recommendations**

Ms. McCoy provided an overview of the *Status of the 2022 State Water Plan (SWP) Interregional Planning Council Recommendations* document included in the meeting materials. The document was updated in July 2023 to include results from the 88<sup>th</sup> Legislative Session and additional responses from the regional water planning group (RWPG) survey on implementation of the 2022 SWP Interregional Planning Council recommendations.

The implementation status of previous Council recommendations is as follows:

- All TWDB recommended actions have been addressed.
- Legislative recommended actions remain unaddressed. There was little action during the 88<sup>th</sup> Legislative Session to address recommended actions from the 2022 SWP Council. The legislature did appropriate additional funding to support the RWPG process, but these funds were not specifically appropriated to address the Council's recommendations.
- Survey results indicate that the RWPG recommended actions have been implemented by most regions.
- Future Interregional Planning Council recommended actions remain unaddressed.

Mr. Evans asked if the Council had any questions about the recommendations. There were no comments.

#### **5. Discussion and Potential Action on Council Recommendations and Observations**

Mr. Evans reiterated that the TWDB recommended actions and RWPG recommendations have been implemented and asked members if any further discussion was needed on these implemented recommendations. Jenna Covington (Region C) asked for clarification on whether the Council intended to include the *Status of the 2022 SWP Interregional Planning Council Recommendations* supporting document in the Council's report. If so, she suggested that the Council could continue to include the previous recommendations and note their implementation status. Mr. Evans confirmed that this is most likely how the Council will proceed.

Mr. Evans asked for discussion on the legislative recommendations. Melanie Barnes (Region O) made a comment that it seems as if the legislature did not address how the state should support implementation of large-scale projects. Mr. Evans acknowledged the comment.

#### **6. Discuss Report Preparation**

Mr. Evans asked Ms. McCoy to provide an overview of updates that had been made to the Council's draft report outline. Ms. McCoy highlighted that the outline was updated to include the unimplemented

legislative and future Interregional Planning Council recommended actions from the previous Council sorted by legislative charge. Results of the Interregional Planning Council Recommendation Priority Survey were also noted for each unimplemented recommendation. Mr. Evans encouraged the Council to consider which priority recommendations should be kept in the document.

Ms. McCoy noted that the “Additional Observations” section of the report was also updated to include language submitted by Jim Thompson on water loss. Additional content for observations on rural water use and population projections is still pending from members. Johnathan Letz (Region J) noted that his region has had concerns about the way that population is projected in rural counties for many cycles. Other predominantly rural regions expressed similar concerns with the population projection methodology.

Mr. Letz asked if recommendations or observations on rural population projections should be included in the Council’s report. Mr. Evans asked if the Council should address this problem in the “Additional Observations” section of the document to raise awareness of the issue. Mr. Letz agreed to draft observational language on this topic for the Council to consider. Mr. Holcomb suggested that Council members confer with the RWPG technical consultants to identify any specific problems with the population projection methodology. Mr. Evans and Mr. Letz agreed.

Jim Darling (Region M) noted that population projections in Region M have generally been slightly undercounted, but this has not affected the ability for Region M projects to receive funding. Mr. Evans commented that the Council should state their observations and pinpoint the dissatisfaction through deliberation and discussion. Ms. Peek suggested that more tools (webinars, resource documents, or websites) are needed, especially for rural and small communities, to increase awareness of the planning process, better inform the public on how and when to get involved, and provide information on available funding programs and other resources.

Members reviewed the structure of the Council’s draft report outline and discussed the Council’s three legislative charges. Members reviewed the unimplemented recommendations made by the 2022 SWP Council under each legislative charge and considered if the recommendations should be retained, revised, or removed.

The Council’s first legislative charge is to improve coordination among the RWPGs, and between each RWPG and the Board, in meeting the goals of the state water planning process and the water needs of the state as a whole. Mr. Evans asked if following recommendations related to identifying issues and opportunities for interregional coordination included in Section 1.1 of the outline should be retained or revised:

*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.*



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*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.*

***The Council agreed by consensus that recommendations to the legislature and future Interregional Planning Councils included in Section 1.1 of the report outline should be kept as is.***

Members then reviewed recommendations in Section 1.2 related to defining roles for participants in the planning process. Ms. Covington noted that the recommendations in Sections 1.1, 1.2, and 1.3 were repetitive. Ms. Covington suggested that the language in Sections 1.1, 1.2, and 1.3, including recommendations to the legislature and future Interregional Planning Councils, be consolidated into a single section. ***The Council agreed by consensus to consolidate Sections 1.1, 1.2, and 1.3.***

The Council took a 5 min break and reconvened at 2:30pm.

The Council then considered recommendations related to their second legislative charge: facilitate dialogue regarding water management strategies that could affect multiple regional water planning areas. The following recommendations made by the previous Council to the legislature and future Interregional Planning Councils regarding long range and visionary planning remain unaddressed:

*The Council recommends that the legislature*

- 1. return to providing initial sponsorship of projects by the State without guarantees from local sponsors;*
- 2. provide financial incentives for local sponsorship of innovative, visionary, multi-benefit projects;*
- 3. provide additional funding for the regional water planning process to accommodate tasks associated with long range, visionary planning;*
- 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.*

*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;*
- 2. consider whether the Interregional Planning Council or RWPGs are the appropriate mechanism for planning for water resources for the state as a whole.*

Mr. Evans asked if these recommendations should be retained or revised. Ms. Covington suggested that the recommendations should be reordered based on the Council's priority. Mr. Holcomb and Ms. Barnes requested that medium priority recommendations be retained.

Ms. Covington asked if the recommendation that the legislature return to providing initial sponsorship of projects by the State without guarantees from local sponsors was clear as to what it entails or too general. Ms. Covington asked if the TWDB state participation program addresses this recommendation. Mr. Evans agreed that the language is broad and subject to interpretation. Ms. Covington commented

that she is okay with the language and requested TWDB staff's opinion on the language used. Matt Nelson (TWDB) asked if the Council had an example of a project that the State had provided initial sponsorship for. Mr. Holcomb noted that the Lake Columbia project has state participation component that has not been funded. Mr. Nelson noted that the TWDB State Participation Program still requires a project sponsor. Mr. Nelson highlighted that the State Water Implementation Fund for Texas (SWIFT) program has Board participation available, which is equivalent to state participation. He suggested that specific examples of past projects that the State has provided initial sponsorship for may be beneficial to include but language for the recommendation is up to the Council. Members discussed revising the recommendation to include specific examples but decided to keep the recommendation broad.

Members agreed that the legislative recommendations on long range and visionary planning be reordered based on priority and the recommendation to *return to providing initial sponsorship of projects by the State without guarantees from local sponsors* be revised to *provide initial sponsorship of projects by the State without guarantees from local sponsors*.

The Council reviewed recommendations made to future Interregional Planning Councils regarding long range and visionary planning. Mr. Evans asked if the Council wants to retain low priority recommendations. Jim Thomson (Region D) supported removing low priority recommendations to streamline the report.

Members considered whether to retain the recommendation for future Interregional Planning Councils to *consider whether the Interregional Planning Council or RWPGs are the appropriate mechanism for planning for water resources for the state as a whole*. Members questioned if the RWPGs or Interregional Planning Council were the appropriate mechanisms for planning for water resources for the state as a whole. Scott McWilliams (Region F) suggested the legislature should decide who the appropriate body is for planning water resources for the state as a whole.

Mr. Holcomb called for a vote to remove the recommendation for future Interregional Planning Councils to *consider whether the Interregional Planning Council or RWPGs are the appropriate mechanism for planning for water resources for the state as a whole*. **The Council voted unanimously to remove the recommendation.**

Members discussed adding the following observation related to long range and visionary planning: *Determine the appropriate mechanism to facilitate dialogue for large-scale multiple regional water resource projects*. **Members agreed by consensus to add the observation to the report.**

The Council then considered recommendations related to their third legislative charge: share best practices regarding operation of the regional water planning process. Mr. Evans asked if the recommendations related to simplified planning should be retained or revised. Mr. Evans supported the recommendation that the legislature strike simplified planning from the statute. **The Council agreed by consensus to recommend that the legislature strike simplified planning from the statute.**

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Mr. Evans asked if the following legislative recommendations regarding enhancing engagement of the RWPG membership and general public should be retained or revised.

*The Council recommends that the legislature*

1. *provide funding for better methods of disseminating information for the regional water planning process;*
2. *authorize the use of one-way conferencing or webinars.*

No revisions were proposed. ***The Council agreed by consensus to retain the previous Council's recommendations to the legislature regarding enhancing engagement of the RWPG membership and general public.***

Mr. Evans asked if the following recommendations to future Interregional Planning Councils regarding enhancing engagement of the RWPG membership and general public should be retained or revised.

*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.*
2. *hold work sessions to "deep dive" into more complicated topics;*

Mr. Holcomb suggested that the recommendation, which specified topics for discussion at RWPG Chairs conference calls, may be better directed to the TWDB. **Members agreed by consensus to remove this recommendation to future Interregional Planning Councils and add a new recommendation directed to TWDB as follows: *The Council recommends TWDB develop protocols to incorporate annual discussions to evaluate and document best practices for regional water planning in Chair's conference calls.***

The Council discussed revisions to the recommendation that future Interregional Planning Councils hold work sessions to "deep dive" into more complicated topics. **Members agreed by consensus to revise the recommendation to: *The Council recommends that future Interregional Planning Councils consider holding work sessions as needed to "deep dive" into more complicated topics.***

Mr. Evans asked if the unimplemented recommendations related to communication between the TWDB, RWPGs, and members should be retained or revised. Sarah Lee (TWDB) provided an update on changes the TWDB has made in response to the Council's recommendations, including use of a standard email address for broadcast emails, sending broadcast communications to all RWPG members, quarterly regional water planning newsletters, and making TWDB communications available on the TWDB website. Mr. McWilliams suggested that the unimplemented recommendations related to communication between the TWDB, RWPGs, and members were not needed and proposed the related section be removed from the report. ***The Council agreed by consensus to remove the section on communication between the TWDB, RWPGs, and members.***

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Mr. Evans asked if the unimplemented recommendations related to Texas Commission on Environmental Quality (TCEQ) membership on the RWPGs should be retained or revised. Members discussed the TCEQ's role in RWPG meetings. Regions have the ability to add TCEQ as a non-voting member through existing rule provisions. Ms. Covington proposed that the section on TCEQ membership on the RWPGs be removed from the report. ***The Council agreed by consensus to remove the section on TCEQ membership on the RWPGs.***

Mr. Evans asked if the following legislative recommendation regarding reimbursement of labor costs for regional water planning administrative agents should be retained or revised.

*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.*

Ms. Lee explained how regional water planning grant funds may be used to reimburse administrative expenses. Mr. Evans proposed that the recommendation be retained. Ms. Covington suggested that the recommendation be incorporated into the request for additional funding that is recommended under Charge 1. Members agreed. Mr. Evans proposed that the Council allow TWDB staff to make additional revisions to consolidate language in the report. ***The Council agreed by consensus to incorporate the legislative recommendation regarding reimbursement of labor costs for RWPG administrative agents into recommendations outlined under Charge 1 and allow TWDB to make additional revisions as needed.***

Mr. Evans asked if the following unimplemented legislative recommendation regarding Open Meetings Act modification of video conference restrictions should be retained or revised.

*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.*

Ms. Barnes asked if this recommendation had already been implemented. Ms. McCoy noted that no specific legislative action had been taken on this recommendation, but there are existing allowances in the Open Meetings Act that allow RWPGs to hold hybrid meetings. Mr. Holcomb proposed removing the section on Open Meetings Act modification of video conference restrictions from the report. ***The Council agreed by consensus to remove the section on Open Meetings Act modification of video conference restrictions.***

Mr. Evans asked if the following recommendations to future Interregional Planning Councils regarding improving the regional water planning process should be retained or revised.

*The Council recommends future Interregional Planning Councils*

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1. *Review progress on all of the recommendations in the 2027 SWP Council's report and submit its assessment to the TWDB.*
2. *Review materials and meeting notes from the TWDB's lessons learned technical meetings with RWPG consultants.*

Members expressed support for the recommendations. Mr. Holcomb asked TWDB staff if it would be valuable for the Council to review materials from the lessons learned meeting with RWPG consultants. Mr. Nelson noted that it could be useful for the Council to hear issues raised by the technical consultants. TWDB has shared materials from the lessons learned technical meeting with the RWPG chairs and will share the materials with members before the Council's next meeting. ***The Council agreed by consensus to retain the recommendations to future Interregional Planning Councils regarding improving the regional water planning process.***

Mr. Evans briefly reviewed the "Additional Observations" section, noting that that Jim Thompson submitted language on water loss. Mr. Letz plans to submit language on rural population and water use issues. Mr. Holcomb plans to provide language on population projections. He will work with his consultants to gather supporting information.

Mr. Evans asked Mr. Nelson to summarize how RWPGs can refine the population projections. Mr. Nelson explained that population projections are developed through the state demographer and anchored in the U.S. Census Bureau data. TWDB allocates this population data to the water user groups and then provides this information to the RWPGs for review. If RWPGs seek to revise the draft data, they can submit a revisions request with supporting information to the TWDB. RWPGs are encouraged to share local information with TWDB to help refine the population projections. Mr. Holcomb asked if the TWDB has formalized a position on the no net change concept, which allows regions to reallocate population as long as changes do not increase the region's total population. Mr. Nelson responded saying that net zero change is a goal, but he encouraged RWPGs to review the data, consider local information, and request changes that are appropriate. Mr. McWilliams asked if the TWDB would share the state demographer's population projection methodology. Mr. Nelson said TWDB will send that information to the Council.

Mr. Evans asked TWDB staff to refine and shorten the observation language on rural water use after getting feedback from Mr. Letz.

Mr. McWilliams proposed that "multiple" be changed to "multi" in the observation on long range and visionary planning. ***Members agreed by consensus to revise the observation to: Determine the appropriate mechanism to facilitate dialogue for large-scale multi regional water resource projects.***

#### **7. Discuss Schedule and Potential Agenda Items for Next Meeting**

The next Council meeting is scheduled for November 30, 2023. Mr. Evans asked that TWDB provide materials from the lessons learned technical meeting to Council members as background materials for the November meeting. Prior to November, members will work with TWDB to refine the "Additional Observations" section of the Council's report. The November meeting will focus on finishing the

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Council's report. Mr. Evans asked that an updated report draft be sent to members by November 1, 2023.

**8. Public Comment**

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

**9. Adjourn**

Mr. Evans adjourned the meeting at 4:15 p.m.

## Interregional Planning Council Meeting Minutes

November 30, 2023, 1:00 p.m. to 2:45 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 10 of 16

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

**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, Lann Bookout, Brittany Condry, Heather Rose, Michele Foss, Ron Ellis, and Matt Nelson

**Council alternates present in addition to participating members:** Tommy Ervin (Region F) and Tomas Rodriguez (Region M)

### MEETING GENERAL

Elizabeth McCoy (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 August 15, 2023 Meeting

The Council considered the minutes of the August 15, 2023 meeting. Jim Darling (Region M) made a motion to approve the minutes as presented. Ben Weinheimer (Region A) seconded the motion. ***The minutes were unanimously approved.***

#### **4. Rural outreach update by TWDB**

Temple McKinnon (TWDB) was asked to give a brief overview on how the TWDB is addressing water planning resources for small communities. The TWDB's Sunset Advisory Commission report included management action recommendations that TWDB should better target and track agency financial assistance and outreach for rural and economically disadvantaged communities. It also included that the TWDB should use funds to help communities in need of financial assistance. The TWDB included an exceptional item request for funding for rural assistance initiatives in the agency's legislative appropriation request.

On the technical and financial side, there is a new program called the Water Utilities Technical Assistance Program that will provide eligible utilities with financial, managerial, and technical capabilities necessary to apply for TWDB financial assistance. Ms. McKinnon mentioned that this information is available on the TWDB website and additional information on this topic will be shared with regional water planning groups (RWPGs).

The Board requested and received \$320,000 of additional funding for RWPG rural and other outreach. RWPGs and their technical consultants will conduct outreach as part of regional water plan development. RWPG contracts have been amended to include this additional funding and enhanced language in the public outreach task that clarifies expectations for rural outreach. RWPGs are required to keep track of which entities were contacted, which were not responsive, and include a summary of outreach efforts in the regional water plan. The scope of work emphasizes outreach to rural-serving public water systems that have self-reported to Texas Commission on Environmental Quality that they have less than 180 days of water supply remaining and systems that have not previously engaged in the regional water planning process but have been identified as facing near term shortages under drought conditions in previous water plans.

To support RWPG outreach efforts, the TWDB is preparing county level summaries of planning information, which will be shared with RWPGs in early 2024. Ms. McKinnon reviewed an example county level summary document.

Mr. Evans asked the Council if they had any questions. Kelly Holcomb (Region I) asked how the TWDB will look at the water systems that meet the rural definition that came out of the last legislative session and if data would be sorted by region. Ms. McKinnon directed Mr. Holcomb to the new rural political subdivision definition. The county summary documents will flag public water systems that meet the new rural definition. Ms. McKinnon will work with Mr. Holcomb after the meeting to talk about metrics to quantify rural and vulnerable systems.

#### **5. Discussion and potential action on Council recommendations and observations**

The Council reviewed the recommendation and observation sections of the draft Interregional Planning Council Report to TWDB. The Council had no comments or questions on the recommendation sections.

Members discussed water loss observation in Section 4.1 that was submitted by Jim Thompson (Region D). Ms. McKinnon noted that a placeholder water loss threshold of 18 percent and information on the water loss performance indicators that TWDB uses to review financial assistance applications were



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added to this section for the Council's consideration. Mr. Thompson noted that he had intentionally left the water loss threshold percentage blank since that is not his area of expertise.

Mr. Evans asked if the Council wanted to include the suggested threshold for water loss and the information on the water loss performance indicators that TWDB uses to review financial assistance applications.

Jenna Covington (Region C) agreed with including the 18 percent threshold for water loss. For the industry standard language, she noted that the metrics seem to be mainly applicable to retail connections and not necessarily wholesale connections and suggested specifying the units as gallons per retail connection. Mr. Thompson proposed not specifying a threshold and suggested that the observation state that having high water loss is unacceptable. Mr. Evans and Gail Peek (Region G) agreed. The draft report language was revised as Mr. Thompson proposed. Dave Hall (Region E) noted a grammatical error, which was corrected.

Mr. Evans tabled discussion of Section 4.2 and asked if members were okay with the language in Section 4.3 regarding long range and visionary planning. No changes were proposed to Section 4.3.

The Council then discussed the rural water use observation in Section 4.2 that was proposed by Jonathan Letz (Region J). Mr. Evans suggested that a general observation might be appropriate. Melanie Barnes (Region O) suggested that the observation define transient populations. Ms. McKinnon clarified that the TWDB defines transient populations as non-permanent residents. Matt Nelson (TWDB) noted that the state water plan is about water use and not population. Members discussed factors for unreported water use, including transient populations, exempt wells, and other unreported wells. Members discussed including a request for a study to improve unreported water use estimates and demands. Scott McWilliams (Region F) noted that having accurate data on unreported water use would be beneficial for the planning process.

The Council discussed revising the title of Section 4.2. Members agreed with Mr. Evan's suggestion to name the section unaccounted for water use, remove the first paragraph, and take out the last sentence of the second paragraph.

Mr. Holcomb suggested changing the wording from water systems to water consumption. Mr. Letz proposed revising the reference to Region J to planning groups in general. Mr. Evans suggested that the TWDB should be the agency to conduct the outlined study. Mr. Nelson noted that TWDB encourages recommendations, including additional studies, to improve the planning process.

Mr. Evans asked the Council if any further changes should be made to Section 4.2. The Council had no further revisions.

## **6. Discussion and possible adoption or other action related to the report**

The Council reviewed the entire draft report. Ms. Barnes suggested adding a sentence acknowledging the Council's observations to the Executive Summary. Members agreed.

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Mr. Hall asked if the Council, in Section 3.2, might suggest potential complicated topics to deep dive into, such as transient water use or unaccounted water use. Section 3.2 was revised to state that future Interregional Planning Councils consider holding work session as needed to “deep dive” into more complicated topics, such as the observations presented in the Council’s report.

Mr. Evans asked if the Council wanted to consider adopting the final draft Interregional Planning Council Report. Mr. McWilliams motioned to approve the final draft report and authorize TWDB staff to make grammatical edits, technical corrections on references, and non-substantive word revisions, as necessary. Mr. Holcomb seconded the motion. ***The motion was unanimously approved by the Council.***

#### **7. Schedule and potential agenda items for next meeting**

The Council considered potential agenda items for the next meeting. Mr. Darling suggested that the agenda include an update from the TWDB on non-potable reuse projects, including information on the number of water reuse projects the TWDB has sponsored in the last five years, the status of the projects, and any obstacles encountered. The Council will also consider adoption of its final report at the next meeting.

The Council’s next meeting date will be scheduled for February. Members will be polled for their availability to meet in early to mid-February.

#### **8. Public Comment**

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

#### **9. Adjourn**

Mr. Evans adjourned the meeting at 2:45 p.m.

**DRAFT**

**Interregional Planning Council Meeting Minutes**

February 8, 2024, 1:00 p.m. to 1:33 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 13 of 16**

A	Ben Weinheimer	E	Scott Reinert – absent	I	Kelley Holcomb	M	Jim Darling
B	Randy Whiteman-absent	F	Tommy Ervin (alternate)	J	Tara Bushnoe (alternate)	N	Carl Crull
C	Jenna Covington	G	Gail Peek	K	David Van Dresar	O	Melanie Barnes
D	Fred Milton (alternate)	H	Mark Evans	L	Tim Andruss	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, Sarah Lee, Lann Bookout, Brittany Condry, Heather Rose, Michele Foss, Kevin Smith, and John Maurer

**Council alternates present in addition to participating members:** Fred Milton (Region D), Tommy Ervin (Region F), Tara Bushnoe (Region J), and Jonathan Stinson (Region L)

**MEETING GENERAL**

Elizabeth McCoy (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 November 30, 2023 Meeting**

The Council considered the minutes of the November 30, 2023 meeting. Jim Darling (Region M) made a motion to approve the minutes as presented. Melanie Barnes (Region O) seconded the motion. ***The minutes were unanimously approved.***

#### **4. Discussion and Adoption of the Interregional Planning Council Report to the Texas Water Development Board**

Council members reviewed the final draft of the Interregional Planning Council Report to the Texas Water Development Board. Fred Milton (Region D) made a motion to adopt the Interregional Planning Council Report to the Texas Water Development Board. Carl Crull (Region N) seconded the motion. ***The Council unanimously adopted the Interregional Planning Council Report to the Texas Water Development Board.***

Temple McKinnon (TWDB) noted that TWDB will route a signature page to Council members that will be included in the final published report. TWDB will send Council members a final copy of their report before the March 4, 2024 report deadline.

#### **5. TWDB Update**

Ms. McKinnon provided an overview of direct reuse projects that TWDB has funded in the last five years as requested by Mr. Darling at the Council's November 2023 meeting. Mr. Darling shared observations about direct reuse projects in Region M and noted that distribution costs for direct reuse costs can be prohibitive.

Ms. Barnes asked if the TWDB has a list of all reuse projects, both funded and non-funded. Ms. McKinnon noted that the TWDB has a funded project viewer on the TWDB website that includes all projects funded by the TWDB. Mr. Darling mentioned that the Texas Commission on Environmental Quality should have that information. Mr. Evans mentioned that the North Harris County Regional Water Authority is developing a report on projects funded by the organization. Mr. Evans can share the report with those interested. Ms. Barnes mentioned that she would like that information.

Jenna Covington (Region C) highlighted that there are many projects that would not be shown on the list provided by Ms. McKinnon because they are indirect reuse projects or direct reuse projects that did not have a dedicated capital expenditure. Ms. Barnes asked if projects like those mentioned by Ms. Covington tend to show up in best practices. Ms. Covington agreed.

Ms. McKinnon provided an update on TWDB implementation of Senate Bill 28. The TWDB is currently seeking stakeholder input on implementation of Senate Bill 28. The TWDB website has information on TWDB implementation and stakeholder surveys. On March 20 at 1:30 p.m., the TWDB will hold an in-person stakeholder meeting in Austin, TX at the Barbra Jordan Building. The TWDB Board will also hold a board meeting in Lubbock, TX on April 11. TWDB Communications staff will provide information on Senate Bill 28 implementation to regional water planning group sponsors to share with planning group stakeholders.

#### **6. Consider Future Interregional Planning Council Meetings**

Mr. Evans noted that the Council has TWDB support through the end of 2024. Ms. Covington asked if the Council had accomplished its legislative charge with the adoption of its report to the TWDB. Mr. Evans confirmed that the Council has accomplished its charge. Ms. Covington proposed that a subsequent Council meeting is not needed at this time.

Ms. Covington made a motion that the Council not schedule a future meeting at this time, but the Council could reconvene prior to the end of 2024 subject to the call of the chair or TWDB staff. Kelley Holcomb (Region I) seconded the motion. ***The motion was unanimously approved.***

**7. Public Comment**

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

**8. Adjourn**

Mr. Evans adjourned the meeting at 1:33 p.m.

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

### I. TWDB recommended actions

TWDB recommended actions	Status of recommendation
<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 RWPAs (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 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
<p>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)</p>	<p><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.</p>
<p>13. Provide the implementation status of policy recommendations to the RWPGs and the Council. (4.2.a.3)</p>	<p><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.</p>
<p>14. Develop standardized, easy to adopt practices and protocols that apply to all RWPGs. (4.2.a.4)</p>	<p>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.</p>
<p>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)</p>	<p>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.</p>
<p>16. Require RWPGs to receive member orientation services and documents provided by the TWDB at the beginning of each cycle. (4.3.a.1)</p>	<p>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.</p>
<p>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)</p>	<p>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.</p>



<b>TWDB recommended actions</b>	<b>Status of recommendation</b>
18. Invest in media consultants to assist in effectively delivering messages and review current practices for email for providing material. (4.3.a.3)	<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 RWPGs is welcome.</i>
19. Require RWPGs to add TCEQ as a non-voting member. (4.4.a.1)	<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>
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)	<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>
21. Consider allowing for the reimbursement of labor costs for the RWPG's designated administrative agency. (4.5.a.1)	<i>Recommendation has been incorporated into agency rules and planning contracts.</i>

<b>TWDB recommended actions</b>	<b>Status of recommendation</b>
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>

<b>Legislative recommended actions</b>	<b>Status of recommendation</b>
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.

<b>RWPG recommended actions</b>	<b>Status of recommendation</b>
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 early input from project consultants and sponsors, planning liaisons, and stakeholders to improve interregional coordination and mitigate future interregional conflict. (2.2.c)	<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>  <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>
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>

<b>RWPG recommended actions</b>	<b>Status of recommendation</b>
11. Include requests for funding in Chapter 8 recommendations of the regional water plans. (4.5.c)	<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>

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

<b>Future Interregional Planning Council recommended actions</b>	<b>Status of recommendation</b>
1. Review progress on all of the recommendations in this report and submit its assessment to the TWDB.	<i>The Council reviewed the progress of all recommendations from the 2022 SWP <a href="#">Interregional Planning Council Report (2020)</a> and provides its assessment in this report to the TWDB.</i>
2. Monitor the effectiveness of enhanced efforts to promote interregional coordination and review the role of interregional liaisons. (2.1-3.d)	<i>The Council reviewed recent efforts by TWDB and RWPGs to enhance interregional coordination and RWPG liaisons and determined that enhanced efforts appeared effective but future Council's should continue to monitor the effectiveness of these efforts.</i>
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)	<i>At the Council's August 15, 2023 meeting, members considered this recommendation and determined that it is not the Council's role to determine the appropriate mechanism for planning for water resources for the state as a whole.</i>
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)	<i>At the Council's August 15, 2023 meeting, members considered this recommendation and agreed that state agency expertise should be utilized in future efforts to plan for resources for the state as a whole.</i>
5. Hold work sessions to "deep dive" into more complicated topics. (4.2.d.1)	<i>At the Council's August 15, 2023 meeting, the Council determined that it would hold work sessions to "deep dive" into more complicated topics on an as needed basis.</i>

<b>Future Interregional Planning Council recommended actions</b>	<b>Status of recommendation</b>
6. Require RWPG Chairs to meet at minimum on an annual basis to evaluate and document best practices. (4.2.d.2)	<i>At the Council's August 15, 2023 meeting, members considered this recommendation and determined that the recommendation would be better directed to the TWDB. The Council agreed to recommend that TWDB develop protocols to incorporate annual discussions to evaluate and document best practices for regional water planning in Chair's conference calls.</i>
7. Review existing technology and recommend appropriate changes. (4.3.d)	<i>At the Council's August 15, 2023 meeting, members considered this recommendation and determined that it was no longer necessary.</i>
8. Review materials and meeting notes from TWDB's lessons learned technical meetings with RWPG consultants. (4.7.d)	<i>In August 2023, Council members were provided materials and meeting notes from TWDB's lessons learned technical meetings with RWPG consultants.</i>