

TO: Board Members

THROUGH: Kevin Patteson, Executive Administrator
Les Trobman, General Counsel
Jeff Walker, Deputy Executive Administrator, Water Supply & Infrastructure

FROM: Matt Nelson, Director, Water Use, Planning & Projections

DATE: October 5, 2015

SUBJECT: Recommendation regarding regional water planning area boundaries.

ACTION REQUESTED

Consider the Executive Administrator's (EA's) recommendation to confirm the existing boundaries of the 16 regional water planning areas, without change.

BACKGROUND

Texas Water Code §16.053(b) directs the Texas Water Development Board (TWDB) to designate the areas for which regional water plans shall be developed. The Board is required to review and update as necessary regional water planning area boundaries at least every five years in accordance with Texas Water Code §16.053(b) and 31 TAC §357.11(a) and (b). This review was last performed at the October 14, 2010 Board meeting wherein the originally established boundaries were confirmed without change.

In designating boundaries, the Board is to take into consideration such factors as:

- river basin and aquifer delineations,
- water utility development patterns,
- socioeconomic characteristics,
- existing regional water planning areas,
- political subdivision boundaries,
- public comment, and
- other factors the Board deems relevant.

The process by which the TWDB reviews and updates the boundary designations is outlined in 31 TAC §357.11(a) and (b). As part of TWDB's review process, stakeholders were notified on August 20, 2015, via email, of the opportunity to provide comment on the regional water planning area boundaries prior to and during the September 22, 2015 Board meeting.

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To provide leadership, information, education, and support for planning, financial assistance, and outreach for the conservation and responsible development of water for Texas :
: Bech Bruun, Chairman | Kathleen Jackson, Member
:
: Kevin Patteson, Executive Administrator

On September 22nd, the Board considered the EA's recommendation to retain the existing boundaries, heard public comments, and requested that the EA bring this item back to the Board at its October 13th meeting to allow further consideration of comments received and to allow time for additional comments to be submitted. All written comments received by the EA have been made publicly available on the agency's webpage.

As of October 1, 2015, nine written public comments had been received as follows:

- **San Antonio River Authority** supports maintaining the current Region L boundaries.
- **The Guadalupe-Blanco River Authority** asked the Board to consider shifting five counties – Gonzales, Dewitt, Victoria, Calhoun, and Refugio - from Region L to Region P.
- **Red River County Water Control and Improvement District, No. 1** supports moving Red River County from Region D to Region C.
- **Red River County Judge L.D. Williams** supports moving Red River County from Region D to Region C.
- **The City of Clarksville** supports moving Red River County from Region D to Region C (two comments).
- **TEXAR Federal Credit Union** supports maintaining the current Region C and D regional water planning area boundaries.
- **Bowie County Judge James Carlow** supports maintaining the current Region C and D regional water planning area boundaries.
- **Milton Integrated Logistics, Inc.** supports maintaining the current Region C and D regional water planning area boundaries.

Any additional public comments on this matter received prior to the Board meeting will be summarized for the Board's consideration.

The factors listed above and the comments received were given consideration in developing the EA's recommendation. No significant revisions to river basin or aquifer delineations have occurred since the initial establishment of the planning area boundaries. While political subdivision boundaries and water utility development patterns continue to change, the EA is not aware of any shifts that warrant changing planning area boundaries. All entities are fully planned for in the process whether or not a utility service area lies in one or multiple regional water planning areas. Based on these factors, the EA is unaware of any specific issues that merit revising the regional water planning area boundaries.

KEY ISSUES

If the Board chooses to consider specific revisions, the Board is required to provide notice of its intent to amend the designations of regional water planning areas 30 days before making any change by publishing notice of the proposed change in the *Texas Register* and by mailing notice to various entities as required by rule. After the notice period, the Board shall hold a public hearing before adopting any changes to the designation of a regional water planning area.

RECOMMENDATION

The EA recommends the Board confirm the existing regional water planning area boundaries, without change. This recommendation has been reviewed by legal counsel and complies with applicable statutes and TWDB rules.

Les Trobman, General Counsel