

Solicitation for nominations of individuals to serve as initial Regional Flood Planning Group (RFPG) members

The Texas Water Development Board (TWDB) received over 590 nominations for the initial membership of the regional flood planning groups at the close of the nomination period on July 17.

Although the nomination period has closed, the Executive Administrator of the TWDB is still accepting targeted nominations for individuals to serve as initial members of the following regional flood planning groups and interest categories:

- All Regions: electric-generating utilities
- Region 1. Canadian-Upper Red: flood districts, industries, water districts
- Region 2. Lower Red-Sulphur-Cypress: industries
- Region 4. Sabine: water districts, water utilities
- Region 9. Upper Colorado: flood districts
- Region 14. Upper Rio Grande: water utilities

Please note that an individual may be nominated for multiple interest categories but can only be designated by the TWDB to represent a single category in any particular region.

The ideal candidate will have experience in and a continued strong interest in working cooperatively on public issues; be committed to and possess expertise in flood risk-related issues; be strongly affiliated with and endorsed by the interest category for which they are nominated, and be capable of playing a leadership role in a regional flood planning group. Interest group representatives will be responsible for representing a diverse group of regional stakeholders, and this representation may involve considerations that extend far beyond their own personal or professional interests or concerns.

The primary considerations for selecting nominees to the RFPG will be individuals who

- demonstrate a willingness to work toward the common goal of developing a flood plan for their region and possess the ability to broadly represent the entire regional flood planning area and fairly consider all interests in deliberations;
- demonstrate ability and willingness to attend meetings quarterly or more frequently, participate and contribute proactively, and dedicate the significant time and attention required throughout this new process, which requires adopting the first regional flood plans by **January 10, 2023**;
- possess the ability and temperament to potentially serve in a leadership role within the RFPG at some point;
- possess expertise/experience in and/or an understanding of flooding risks and flood planning; and
- demonstrate a commitment to public service and to the state and regional flood planning process, including the associated Guidance Principles (see Attachment 3) and the overarching intent of Senate Bill 8 for the benefit of all Texans.

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The Executive Administrator will strongly consider a nominee who is strongly affiliated with and endorsed by the interest category for which they are nominated. In addition, nominees with knowledge of flood risk-related issues and who reside and/or work within the region for which they are being nominated will be given preference.

The Executive Administrator will recommend one individual for each of the 12 interest category voting positions for each flood planning region for a total of up to 180 members statewide. The RFPGs will include seven non-voting state agency members as well. After the initial groups are approved by the TWDB's governing board, each RFPG will adopt bylaws and may consider adding members in these or other categories, as either voting or non-voting, to ensure adequate representation from interests in the flood planning region.

The interest categories are as follows:

- 1) **Agricultural interests**
- 2) **Industries**
- 3) **River authorities**
- 4) **Counties**
- 5) **Municipalities**
- 6) **Water districts**
- 7) **Flood districts**
- 8) **Electric generating utilities**
- 9) **Public**
- 10) **Water utilities**
- 11) **Environmental interests**
- 12) **Small businesses**

The map showing the boundaries for the 15 flood planning regions for which the Executive Administrator is soliciting members is included as Attachment 1. For additional information regarding background on the new regional and state flood planning process, responsibilities of RFPG members, and guidance principles, see Attachments 2 and 3. For more information regarding content requirements of regional flood plans, please see the [final administrative rules for state and regional flood planning](#).

For questions regarding this solicitation, please email floodplanning@twdb.texas.gov or call James Bronikowski at (512) 475-0145.

In order to expedite the TWDB's review process and ensure flood planning groups can begin work as soon as possible, please use our online form and

[SUBMIT NOMINATIONS HERE.](#)

If you are unable to fill out the online form, you may email the pdf version of the [nomination form](#) and optional attachments to floodplanning@twdb.texas.gov or mail to 1700 North Congress Avenue, P.O. Box 13231, Austin, Texas 78711-3231.

Disclaimer: Any information submitted is subject to the Public Information Act.

Flood Planning Region Boundaries



Attachment 2

Background on the new regional and state flood planning process

Senate Bill 8 of the 86th Legislature, Regular Session, establishes the framework for the Texas Water Development Board (TWDB) to institute regional flood planning across the state. Texas Water Code §16.061 requires RFPGs to deliver regional flood plans to the TWDB on January 10, 2023, and every five years thereafter. The state flood plan, to be based on adopted regional plans, will be due September 1, 2024, and every five years thereafter. Further, Texas Water Code §16.062 requires the TWDB to

- 1) designate flood planning regions (see Attachment 1),
- 2) designate representatives from each flood planning region to serve as the initial regional flood planning group,**
- 3) provide technical and financial support for the regional flood planning groups,
- 4) adopt guidance principles, and
- 5) adopt rules for regional and state flood planning.

In addition, Senate Bill 500 of the 86th Legislature, Regular Session, provides funding for both regional flood planning activities and flood science initiatives, including base level engineering, that will support development of the regional and state flood plans.

The [final regional and state flood planning rules](#) are available on the TWDB website and provide a more detailed framework for what the regional flood planning groups must consider, what each regional flood plan must address, and what the overall regional flood planning process will look like.

What are the responsibilities of RFPG members?

Planning groups will meet with varying frequency to develop their plans. They will set flood risk reduction goals, direct their technical consultant, consider public input and technical information, and make many decisions required to develop their regional flood plan. The regional flood planning process is anticipated to look and feel similar to the existing regional water supply planning process.¹ All planning group work must be performed, and all deadlines must be met in accordance with statute, agency rules, and the grant contracts with the TWDB.

In general, voting RFPG members will need to accomplish the following:

- deliver the first regional flood plan no later than January 10, 2023
- represent their associated interest group as it exists throughout the entire region
- consider all the region-wide stakeholders when making decisions
- commit to traveling to and regularly attending their RFPG meetings

¹ However, the technical approach, processes and need for flood planning is very different from the water planning process. The most significant differences will be with regard to the region boundaries and the types of considerations and technical approaches used, since flood planning is very different from planning to provide water supplies during drought.

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- understand and follow the flood planning framework and process, as well as review the various materials that will be considered by the RWPG along the way
- solicit and consider stakeholder input in a transparent process
- participate in directing the work of technical consultants
- make difficult decisions and recommendations regarding flood management goals and strategies and flood mitigation projects for their region
- ensure adoption of a regional flood plan that meets all requirements, including that no neighboring area may be negatively affected by an element of the regional flood plan

Similar to the regional water supply planning process, the RFPG members will not receive compensation from legislative appropriations for their time or expenses but, in certain cases, may be eligible to be reimbursed by the state for travel mileage at the state rate.

Considerations for TWDB's selection of members to serve as the initial RFPGs

The number of initial Regional Flood Planning Group (RFPG) representatives named by the TWDB to each of the initial RFPGs will be limited to 12; each voting member representing one of the 12 interest groups identified in Texas Water Code §16.062(c) and in 31 TAC 361.11(e) as follows:

- (1) **Public**, defined as those persons or entities having no economic or other direct interest in the interests represented by the remaining membership categories;
- (2) **Counties**, defined as the county governments for the 254 counties in Texas;
- (3) **Municipalities**, defined as governments of cities created or organized under the general, home-rule, or special laws of the state;
- (4) **Industries**, such as corporations, partnerships, sole proprietorships, or other legal entities that are formed for the purpose of making a profit and that are not small businesses;
- (5) **Agricultural interests**, defined as those persons or entities associated with the production or processing of plant or animal products;
- (6) **Environmental interests**, defined as those persons or groups advocating for the protection or conservation of the state's natural resources, including but not limited to soil, water, air, and living resources;
- (7) **Small businesses**, defined as corporations, partnerships, sole proprietorships, or other legal entities that are formed for the purpose of making a profit, are independently owned and operated, and have either fewer than 500 employees and or less than \$10 million in gross annual receipts;
- (8) **Electric generating utilities**, defined as any persons, corporations, cooperative corporations, or any combination thereof, meeting each of the following three criteria: own or operate for compensation equipment or facilities which produce or generate electricity; produce or generate electricity for either wholesale or retail sale to others; and are neither a municipal corporation nor a river authority; this category may include a transmission and distribution utility;
- (9) **River authorities**, defined as any districts or authorities created by the legislature that contain areas within their boundaries of one or more counties and that are governed by boards of directors appointed or designated in whole or part

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by the governor, including without limitation the San Antonio River Authority and the Palo Duro River Authority;

(10) **Flood Districts**, defined as any districts or authorities, created under authority of either Texas Constitution, Article III, §52(b)(1) and (2), or Article XVI, §59 including all Chapter 49 districts, particularly districts with flood management responsibilities, including drainage districts, levee improvement districts, but does not include river authorities;

(11) **Water districts**, defined as any districts or authorities, created under authority of either Texas Constitution, Article III, §52(b)(1) and (2), or Article XVI, §59 including all Chapter 49 districts, particularly districts with flood management responsibilities, including municipal utility districts, freshwater supply districts, and regional water authorities, but does not include drainage districts, levee improvement districts, river authorities; and

(12) **Water Utilities**, defined as any persons, corporations, cooperative corporations, or any combination thereof that provide water supplies for compensation except for municipalities, river authorities, or water districts.

What will be the first activities for selected members?

Once the TWDB designates the initial membership of the 12 interest groups per region, each member will be notified of their selection to serve in a RFPG. The initial members of each group will be convened by TWDB as the initial regional flood planning group at a public meeting at which the initial RFPG will, for example

- nominate and select a chair and vice-chair;
- consider adoption of group bylaws;
- determine what additional representative categories, as either voting or non-voting members, are needed to ensure adequate representation from interests in the flood planning region;
- identify a political subdivision sponsor that is willing to act on behalf of the group including to solicit grant funds from the TWDB and to procure a technical consultant to support the group;
- initiate a request by the political subdivision sponsor to apply for grant funds from the TWDB;
- initiate a procurement process for a technical consultant; and
- set its next meeting date.

Attachment 3

Regional and State Guidance Principles

The regional and state flood plans:

- (1) shall be a guide to state, regional, and local flood risk management policy.
- (2) shall be based on the best available science, data, models, and flood risk mapping.
- (3) shall focus on: identifying both current and future flood risks, including hazard, exposure, vulnerability and residual risks; selecting achievable flood mitigation goals, as determined by each RFPG for their region; and incorporating strategies and projects to reduce the identified risks accordingly.
- (4) shall, at a minimum, evaluate flood hazard exposure to life and property associated with a 0.2 percent annual chance flood event (the 500-year flood) and, in these efforts, shall not be limited to considering historic flood events.
- (5) shall, when possible and at a minimum, evaluate flood risk to life and property associated with a 1.0 percent annual chance flood event (the 100-year flood) and address, through recommended strategies and projects, the flood mitigation goals of the RFPG (per item 2 above) to address flood events associated with a 1.0 percent annual chance flood event (the 100-year flood); and, in these efforts, shall not be limited to consideration of historic flood events.
- (6) shall consider the extent to which current floodplain management, land use regulations, and economic development practices increase future flood risks to life and property and consider recommending adoption of floodplain management, land use regulations, and economic development practices to reduce future flood risk
- (7) shall consider future development within the planning region and its potential to impact the benefits of flood management strategies (and associated projects) recommended in the plan.
- (8) shall consider various types of flooding risks that pose a threat to life and property, including, but not limited to, riverine flooding, urban flooding, engineered structure failures, slow rise flooding, ponding, flash flooding, and coastal flooding, including relative sea level change and storm surge.
- (9) shall focus primarily on flood management strategies and projects with a contributing drainage area greater than or equal to 1.0 square mile except in instances of flooding of critical facilities or transportation routes or for other reasons, including levels of risk or project size, determined by the RFPG.
- (10) shall consider the potential upstream and downstream effects, including environmental, of potential flood management strategies (and associated projects) on neighboring areas. In recommending strategies, RFPGs shall ensure that no neighboring area is negatively affected by the regional flood plan.
- (11) shall include an assessment of existing, major flood mitigation infrastructure and will recommend both new strategies and projects that will further reduce risk, beyond what existing flood strategies and projects were designed to provide, and make recommendations regarding required expenditures to address deferred maintenance on or repairs to existing flood infrastructure.
- (12) shall include the estimate of costs and benefits at a level of detail sufficient for RFPGs and sponsors of flood mitigation projects to understand project benefits and, when applicable, compare the relative benefits and costs, including environmental and social benefits and costs, between feasible options.

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- (13) shall provide for the orderly preparation for and response to flood conditions to protect against the loss of life and property and reduce injuries and other flood-related human suffering.
- (14) shall provide for an achievable reduction in flood risk at a reasonable cost to protect against the loss of life and property from flooding.
- (15) shall be supported by state agencies, including the TWDB, General Land Office, Texas Commission on Environmental Quality, Texas State Soil and Water Conservation Board, Texas Parks and Wildlife Department, and the Texas Department of Agriculture, working cooperatively to avoid duplication of effort and to make the best and most efficient use of state and federal resources.
- (16) shall include recommended strategies and projects that minimize residual flood risk and provide effective and economical management of flood risk to people, properties, and communities, and associated environmental benefits.
- (17) shall include strategies and projects that provide for a balance of structural and nonstructural flood mitigation measures, including projects that use nature-based features, that lead to long-term mitigation of flood risk.
- (18) shall contribute to water supply development where possible.
- (19) shall also follow all regional and state water planning guidance principles (31 TAC 358.3) in instances where recommended flood projects also include a water supply component.
- (20) shall be based on decision-making that is open to, understandable for, and accountable to the public with full dissemination of planning results except for those matters made confidential by law.
- (21) shall be based on established terms of participation that shall be equitable and shall not unduly hinder participation.
- (22) shall include flood management strategies and projects recommended by the RFPGs that are based upon identification, analysis, and comparison of all flood management strategies the RFPGs determine to be potentially feasible to meet flood mitigation and floodplain management goals.
- (23) shall consider land use and floodplain management policies and approaches that support short- and long-term flood mitigation and floodplain management goals.
- (24) shall consider natural systems and beneficial functions of floodplains, including flood peak attenuation and ecosystem services.
- (25) shall work to be consistent with the National Flood Insurance Program (NFIP) and shall not undermine participation in nor the incentives or benefits associated with the NFIP.
- (26) shall emphasize the fundamental importance of floodplain management policies that reduce flood risk.
- (27) shall encourage flood mitigation design approaches that work with, rather than against, natural patterns and conditions of floodplains.
- (28) shall not cause long-term impairment to the designated water quality as shown in the state water quality management plan as a result of a recommended flood management strategy or project.
- (29) shall be based on identifying common needs, issues, and challenges; achieving efficiencies; fostering cooperative planning with local, state, and federal partners; and resolving conflicts in a fair, equitable, and efficient manner.
- (30) shall include recommended strategies and projects that are described in sufficient detail to allow a state agency making a financial or regulatory decision to determine if a proposed action before the state agency is consistent with an approved regional flood plan.

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- (31) shall include ongoing flood projects that are in the planning stage, have been permitted, or are under construction.
- (32) shall include legislative recommendations that are considered necessary and desirable to facilitate flood management planning and implementation to protect life and property.
- (33) shall be based on coordination of flood management planning, strategies, and mitigation projects with local, regional, state, and federal agencies projects and goals.
- (34) shall be in accordance with all existing water rights laws, including but not limited to, Texas statutes and rules, federal statutes and rules, interstate compacts, and international treaties.
- (35) shall consider protection of vulnerable populations.
- (36) shall consider benefits of flood management strategies to water quality, fish and wildlife, ecosystem function, and recreation, as appropriate.
- (37) Shall minimize adverse environmental impacts and be in accordance with adopted environmental flow standards.
- (38) Shall consider how long-term maintenance and operation of flood strategies will be conducted and funded.
- (39) Shall consider multi-use opportunities such as green space, parks, water quality, or recreation, portions of which could be funded, constructed, and or maintained by additional, third-party project participants.