Texas Water Development Board

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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 Uses, Projections, & Planning

DATE: February 12, 2016

SUBJECT: Publication of the *Draft* 2017 State Water Plan for public comment

ACTION REQUESTED

Consider authorizing publication of the *Draft* 2017 State Water Plan for public comment and posting notice of public hearing, public comment period, and intent to adopt the 2017 State Water Plan.

BACKGROUND

Every five years, the TWDB is required by Texas Water Code (TWC) §16.051(a) to adopt a comprehensive state water plan that incorporates the approved regional water plans. The state water plan is to

- provide for the orderly development, management, and conservation of water resources,
- prepare for and respond to drought conditions, and
- make sufficient water available at a reasonable cost to ensure public health, safety, and welfare and further economic development while protecting the agricultural and natural resources of the entire state.

The 2017 State Water Plan is due January 5, 2017 and will be the fourth state water plan developed through the regional water planning process as mandated by Senate Bill 1 in 1997 and Texas' tenth state water plan developed since 1957.

At the end of each five-year regional water planning cycle, the Executive Administrator (EA) compiles information from the Board-approved regional water plans and other sources to develop the state water plan, which is published for public comment and, after consideration of public comments, adopted by the Board. Once adopted, the state water plan is submitted to the Governor, Lieutenant Governor, Speaker of the Texas House of Representatives, and the appropriate legislative committees.

Our Mission
To provide leadership, information, education, and support for planning, financial assistance, and outreach for the conservation and responsible development of water for Texas

Board Members
Bech Bruun, Chairman | Kathleen Jackson, Member | Peter Lake, Member

Kevin Patteson, Executive Administrator

In addition to incorporating the approved regional water plans, the state water plan, as formally adopted by the Board, serves as a guide to state water policy; includes legislative recommendations that the Board believes are needed and desirable to facilitate more voluntary water transfers; and, identifies river and stream segments of unique ecological value and sites of unique value for the construction of reservoirs that the Board recommends for protection.

KEY ISSUES

The *Draft* 2017 State Water Plan document, together with the 2017 Interactive State Water Plan (ISWP) website, meets all requirements under TWC §§16.051, 16.053, 16.054, and 16.055 and 31 Texas Administrative Code (TAC) §358.4. The plan incorporates the sixteen 2016 Regional Water Plans that were recently approved by the Board and will include provision of a joint conservation report required by TWC §16.022(c) that will be posted as a supplemental document to the 2017 State Water Plan prior to January 5, 2017. Supplemental information to be posted on the webpage alongside the *Draft* 2017 State Water Plan upon its publication for public comment will include lists of the approximately 5,500 recommended strategies and 2,600 recommended water management strategy projects. Additional supplemental information will be developed and included on the agency's 2017 State Water Plan webpage later on this year including published regional summaries.

Upon Board approval to publish the *Draft* 2017 State Water Plan, and in accordance with 31 TAC §358.4, the EA will publish notice of the Board's intent to adopt the 2017 State Water Plan (Attachment) in the *Texas Register* and mail notice to each regional water planning group. The notice will be published at least 30 days prior to the public hearing and Board adoption of the 2017 State Water Plan. The EA anticipates holding one public hearing in Austin, Texas in April with the specific hearing date to be posted prominently on the agency website and published in the *Texas Register*. The public comment period will end one week after the public hearing date. The *Draft* 2017 State Water Plan document will be made available in hard copy and both the plan document and 2017 ISWP website will be made available electronically online by the date of publication of notice in the *Texas Register*.

After the public hearing, public comment period, and Board briefing on comments received and associated changes made by the EA in response, the EA will present the 2017 State Water Plan, as revised based on public comment and to make any other necessary corrections, for consideration of adoption at a subsequent Board meeting. Board adoption of the 2017 State Water Plan will incorporate the online, 2017 ISWP website as an integral component of the plan. After Board adoption, the 2017 State Water Plan document will be graphically enhanced, printed and delivered to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and the appropriate legislative committees prior to the statutory deadline of January 5, 2017.

RECOMMENDATION

Consider authorizing the EA to publish the *Draft* 2017 State Water Plan, including the 2017 ISWP website, for public comment and authorizing publication of a notice of the Board's intent to adopt the 2017 State Water Plan in the *Texas Register,* to include an associated public comment period and public hearing date, and mailing notice to regional water planning groups.

The EA also requests authorization to make additional technical corrections and non-substantive language edits, as necessary, prior to publication of the *Draft* 2017 State Water Plan. These recommendations have been reviewed by legal counsel and comply with applicable statutes and TWDB rules.

Attachment: Draft Notice for 2017 State Water Plan