

## AGENDA ITEM MEMO

**BOARD MEETING DATE:** September 23, 2021

**TO:** Board Members

**THROUGH:** Jeff Walker, Executive Administrator  
Ashley Harden, General Counsel  
Rebecca Trevino, Chief Financial Officer  
Jessica Peña, Deputy Executive Administrator, Water Supply & Infrastructure

**FROM:** Reem Zoun, PE, CFM, Director, Flood Planning  
James Bronikowski, PE, CFM, Manager, Regional Flood Planning

**SUBJECT:** Amendments to the Regional Flood Planning Grant contracts to increase funding amounts and extend contract period.

### **ACTION REQUESTED**

Consider authorizing the Executive Administrator to negotiate and execute regional flood planning grant contract amendments with the planning group sponsors to increase funding by an amount not to exceed \$10 million and to extend the contract period to enhance the first cycle (2020-2023) of regional flood plans.

### **BACKGROUND**

Section 16.061 of the Texas Water Code (TWC) requires the Texas Water Development Board (TWDB) to develop and adopt a comprehensive state flood plan every five years that incorporates the 15 regional flood plans developed by the regional flood planning groups (RFPGs) under TWC Section 16.062.

The RFPGs have begun the first cycle (2020-2023) of the regional flood planning process that was created in 2019 under Senate Bill 8 by the 86<sup>th</sup> Texas Legislature. The 2023 Regional Flood Plans that are due to TWDB on January 10, 2023, will be the basis for 2024 State Flood Plan.

#### [Our Mission](#)

Leading the state's efforts in ensuring a secure water future for Texas and its citizens

#### [Board Members](#)

Brooke T. Paup, Chairwoman | Kathleen Jackson, Board Member

Jeff Walker, Executive Administrator

On November 19, 2020, the Board authorized the Executive Administrator to negotiate and execute flood planning grant contracts with the planning group sponsors for an amount not to exceed \$19.5 million to commence the first cycle (2020-2023) of regional flood planning.

The TWDB has successfully executed regional flood planning grant contracts with each planning group sponsor selected by each of the 15 regional flood planning groups for the first cycle of regional flood planning. Of the originally available \$20.4 million, these 15 contracts include a total of \$19.5 million in committed funds appropriated by the 86<sup>th</sup> Texas Legislature. Funding was allocated to the regions according to formula funding approach. Planning group sponsors are currently completing negotiating and executing subcontracts with the technical consultant(s) selected by the RFPGs to support the development of their regional flood plans.

An additional \$10 million in regional flood planning funding became available on September 1, 2021, for use in Fiscal Year (FY) 2022. Because this is a new program with short deadlines, the Executive Administrator conducted an informal survey in June-July 2021 of the RFPG chairs and sponsors regarding this funding and how additional funding might best be utilized by the RFPGs during this first cycle of regional flood planning. The survey requested feedback on a preliminary agency concept that described additional work and proposed an eight-month extension of the contracts to allow the RFPGs to amend their plans to incorporate the additional work performed in time to be included in the first state flood plan.

All 15 RFPGs responded and, in general, were supportive of the overall concept presented through the survey instrument. They each provided valuable feedback that was reviewed and considered by the Executive Administrator in developing the final version of the plan as presented here.

### **SCOPE AND FUNDING**

Taking into consideration the RFPG survey feedback, and initial allocation of regional flood planning funding, the additional FY 2022 funds were allocated, by region, under an approach intended to reflect the relative amount of anticipated additional work between regions. Table 1 below shows both the currently contracted \$19.5 million in grant funding and the proposed allocation of the additional \$10 million in FY 2022 funding by region.

**Table 1:** Currently contracted funds and proposed allocation of additional funds.

<b>Region number</b>	<b>RFPG name</b>	<b>Currently contracted funds</b>	<b>Additional proposed funds</b>	<b>Total proposed funds</b>
1	Canadian-Upper Red	\$1,008,200	\$694,600	\$1,702,800
2	Lower Red-Sulphur-Cypress	\$910,400	\$576,600	\$1,487,000
3	Trinity	\$2,520,200	\$756,000	\$3,276,200
4	Sabine	\$947,600	\$569,600	\$1,517,200
5	Neches	\$1,148,900	\$643,100	\$1,792,000
6	San Jacinto	\$2,446,000	\$627,500	\$3,073,500
7	Upper Brazos	\$961,500	\$614,200	\$1,575,700
8	Lower Brazos	\$1,485,500	\$758,500	\$2,244,000
9	Upper Colorado	\$946,200	\$629,000	\$1,575,200
10	Lower Colorado-Lavaca	\$1,373,700	\$793,800	\$2,167,500
11	Guadalupe	\$961,300	\$569,400	\$1,530,700
12	San Antonio	\$1,295,000	\$571,100	\$1,866,100
13	Nueces	\$1,143,700	\$728,100	\$1,871,800
14	Upper Rio Grande	\$1,081,800	\$666,400	\$1,748,200
15	Lower Rio Grande	\$1,270,000	\$802,100	\$2,072,100
<b>Total</b>		<b>\$19,500,000</b>	<b>\$10,000,000</b>	<b>\$29,500,000</b>

The additional funding allocations included a base funding amount for each region that would cover several items such as, data collection, identification of flood mitigation projects (FMPs), flood planning document amendment, public outreach, and participation. Additional variable funding was allocated by region based on the following factors: estimated 2020 population; total stream miles within the region; number of counties within each region; the number of counties in the General Land Office’s coastal management zone within RFPG; the length of gulf coastline of each region; unmapped stream miles including approximate study stream miles in each region; population of unmapped area by region; number of disaster declarations per region; and total number of flood related fatalities by region.

Partly because of the survey feedback, the proposed formula funding allocation in Table 1 includes an emphasis on areas lacking basic flood risk information. The additional funding is aimed at ultimately increasing the number of flood mitigation projects that can be included in the first regional flood plans.

### **KEY ISSUES**

The additional proposed funding and approximately eight-month contract extension do not modify the existing contract requirements, schedule, and expectation that RFPGs will deliver their first regional flood plans by the January 10, 2023, deadline.

The primary emphasis of the additional funding is to support the RFPGs' technical work necessary to:

1. perform identified flood management evaluations (FMEs) to evaluate flood risks in areas with currently limited flood risk data;
2. perform identified FMEs to evaluate flood risk reduction solutions including feasibility studies and preliminary engineering to identify and recommend FMPs;
3. use this information to evaluate additional FMPs for inclusion in the regional flood plan; and
4. perform related tasks necessary to incorporate/amend the work under 1-3 above into the regional plans.

Extending the contract length is needed due to insufficient time in identifying areas requiring flood risk evaluation and carrying out the necessary technical evaluations required to identify and recommend FMPs. The cumulative time required to carry out these steps is well beyond the January 2023 timeframe, particularly for rural and other areas with limited information.

### **TIMELINE**

- \*January 7, 2022 – Technical memorandum due to TWDB
- \*August 1, 2022 - DRAFT Regional Flood Plan (RFP) due to TWDB
- \*January 10, 2023 – Statutory deadline for RFPGs to adopt regional flood plans
- **August 16, 2023 – Proposed deadline for RFPGs to amend their adopted regional flood plans to incorporate the additional FMEs performed, and FMPs developed using FY 2022 funds** (contract to expire several months subsequent)
- \*September 1, 2024 – Statutory deadline for first state flood plan

*\* Currently in statute/contract and not anticipated to change.*

### **RECOMMENDATION**

The Executive Administrator recommends approval to authorize the negotiation and execution flood planning grant contract amendments with the planning group sponsors to increase funding by an amount not to exceed \$10 million and extend the contract period to enhance the first cycle (2020-2023) of regional flood plans.