



# Regional Flood Planning Update

November 2023

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## Approval of Final Regional Flood Plans

The Board approved all Final Regional Flood Plans at a historic meeting on July 25, 2023. Thank you to those who attended to celebrate with us in Austin. The Flood Planning team congratulates all regions on this enormous accomplishment!

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## Review of Amended Regional Flood Plans

We completed our review of Amended Regional Flood Plans, that were successfully submitted by all regions to TWDB in July 2023. TWDB Comment Letters and Requests for Information emails were sent to all regions on November 07, 2023. Technical consultants and Sponsors had approximately two weeks to respond, prioritizing responses to the Level 1 TWDB comments that require correction. TWDB aims to send acceptance emails to all regions by January 2024.

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## Remainder of the First Planning Cycle

### Timeline

As we draw to a close of the first planning cycle, please keep the following important dates in mind:

- Final Reimbursable Expense Date – The last day that work performed under this CONTRACT is eligible for reimbursement will be December 29, 2023.
- Contract Expiration Date – The contract between TWDB and the Planning Group Sponsor expires on June 28, 2024. The last day that any budget amendment requests may be submitted under the CONTRACT will be February 29, 2024.
- Final Payment Request Deadline – The latest day that the final payment request may be submitted for reimbursement will be February 29, 2024.

### **Remaining Budget**

We are not advising Sponsors to hold significant regional flood planning grant funds for performing work beyond July 14, 2023, other than to perform follow-up work required to obtain TWDB acceptance and final Board approval of the amended regional flood plan. The RFPGs should work with their consultants to determine how to budget through the end of the contract reimbursable expense date (December 29, 2023 per Amendment No. 1, Section 5.C.). It is ok to ‘lapse’ contract funds and not expend the full amount. There is no penalty for not expending all funds from a Grant Contract and we want ensure that all funds are spent wisely and as needed.

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## **Second Planning Cycle**

### **Working Timeline**

We currently anticipate the following timeline for the upcoming second planning cycle:

- October 2023 – Amended regional and state flood planning administrative rules published.
- November 2023 – Request for Applications and funding allocations by region published.
- February 22, 2024 – Deadline for Sponsors to submit applications for grant funding.
- May 2024 – Deadline to negotiate and execute grant contracts between TWDB and the Planning Group Sponsors.
- August 2024 – Technical consultants are selected and approved by RFPGs and procured by Sponsors.
- September 2024 – Deadline to negotiate and execute subcontracts between Sponsors and technical consultants.

### **Selection of Planning Group Sponsor**

Each regional flood planning cycle, 31 Texas Administrative Code 361.12(a)(1) requires the RFPG to designate a political subdivision as their planning group sponsor. The Sponsor will be eligible to apply for financial assistance to be used by the RFPG for planning activities, will prepare and submit funding applications on behalf of the RFPG, and will be responsible for general management of the regional flood planning contract with the TWDB. RFPGs may choose to designate their current Planning Group Sponsor to continue in that role for the 2<sup>nd</sup> cycle or choose a different Planning Group Sponsor. Whether the RFPG designates the prior Planning Group Sponsor or chooses a different Planning Group Sponsor, action must be taken during a regular RFPG meeting. As a reminder, the RFPG may designate a different Planning Group Sponsor at any time during the cycle.

### **Request for Applications**

The Request for Applications for the second planning cycle was approved by the Board in November

2023. The due date for Sponsors to submit their application for grant funding will be February 22, 2024. Please find the Request for Applications Posting, Application Instructions, Application Checklist and other helpful resources on our [2<sup>nd</sup> Planning Cycle Documents \(2024-2028\) webpage](#).

The simplified application process is intended to increase the process efficiency overall.

Please note that 31 Texas Administrative Code §361.12(a)(3) requires that every planning cycle, a public meeting (which may also be a regular RFPG meeting) be held to determine what, if any, additional public notice the RFPG determines is necessary to ensure adequate public notice in its own unique region. Texas Administrative Code §361.70(c) requires that this meeting take place prior to the Planning Group Sponsor submitting its application for funding on behalf of the RFPG. Please ensure that consideration of additional, region specific, public notice requirements is included as an agenda item for an upcoming RFPG meeting. A formal vote on additional notice is not required, but the item must be considered. The meeting should be held before the Planning Group Sponsor applies for funding for the second planning cycle, as written documentation of this discussion will be required as part of the application for funding. Meeting minutes will meet this requirement.

### **Regional Funding Allocations**

Funding allocations of a total of \$38M for the second planning cycle by region was approved by the Board on November 9, 2023.

### **Selection and Procurement of Technical Consultants**

Texas Administrative Code 361.12(a)(2) requires that RFPGs select the technical consultant(s) to be procured by the Sponsor. While the Sponsor's entity will execute the formal procurement process, RFPGs are responsible for final selection of the technical consultant.

Sponsors must procure their technical consultant(s) in accordance with the procurement requirements that apply to that political subdivision and Texas Government Code Chapter 2254. Sponsors must follow their own procurement requirements in each planning cycle including all requirements of State procurement laws related to solicitation and procurement of professional engineering services. The requirement for RFPGs to select a technical consultant at the beginning of each planning cycle is intended to ensure an opportunity for the RFPG to evaluate technical consultants for the upcoming planning cycle based, for example, on qualifications and previous relevant experience.

### **Second Flood Planning Cycle Budget**

RFPGs may meet and discuss any topic related to the first and second cycle at any time. However, only work that is specified in the current contract will be reimbursable, with three limited exceptions: possible allowances for limited costs associated with the procurement of the technical consultants, requesting funds from the TWDB, and for work performed at the contract initiation date for limited administrative costs associated with public notices. Scope of work items for the 2nd cycle should not be performed until the 2nd cycle contract is executed, with the limited exceptions noted above.

### **Amendments to the Regional Flood Plan**

Once a regional flood plan is approved by the TWDB, a RFPG may choose to amend their approved regional plan based on the RFPG's schedule and need at any time. Please note that at this time, no first cycle plan amendments will be accepted until the Amended Plans submitted in July 2023 are formally adopted by the Board. Similarly, no further amended first cycle information will be included in the State Flood Plan until after it is adopted by the Board in September 2024.

We recommend that the RFPG carefully consider the need for any amendments including time, RFPG's resources, funding, and contract requirements. It is likely more efficient to wait to amend a regional plan less frequently and incorporate as many changes as possible through a single amendment. Another factor to consider is how the RFPG intends to fund the work required to support and execute an amendment including performing project analysis and preparing amended regional flood plan content. RFPGs may require the sponsors of individual projects to assist in paying for producing amendment materials if they request to amend a project into an existing regional plan (i.e., rather than waiting to add that project to the next regional plan). Such decisions are at the discretion of the planning groups and based on the resources that are available to the planning group.

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## **Amendment of regional and state flood planning administrative rules**

The Board approved the amended regional and state flood planning administrative rules for the second planning cycle on October 5, 2023. Updated 31 Texas Administrative Code 361 and 362 became effective on November 1, 2023 and may be found [here](#).

The amendments were finalized based on careful review and consideration of key preliminary input and public comments from RFPG stakeholders. Thank you to those who took the time to provide their helpful and impactful recommendations.

Key updates to the rules include:

- Definitions for Emergency Need and Critical Facilities and other refined definitions including FMEs and FMSs;
- Significant simplification of public notice requirements;
- A new technical memorandum deliverable to provide a summary and maps of locations that are considered to be the greatest flood risk;
- A requirement for public meetings to accept public comment related to the draft regional flood plan to be held in a central location of the flood planning region;
- Modifications to the list of natural features and constructed major infrastructure;
- Clarification that a feature-by-feature analysis in the analysis of condition and functionality of natural flood mitigation features or major flood infrastructure is not required;
- Clarification as to what data is necessary for the RFPGs to provide related to the existing and future condition risk;
- Moving the flood mitigation needs analysis before the development of flood mitigation and floodplain management goals;
- Clarification that ranking of FMSs will only include those that have non-recurring, noncapital costs;
- A requirement that the assessment of FMP and FMS benefits include analysis of avoidance of future floor risk and prevention of creation of future flood risk
- Amendments to eligible and ineligible costs, including allowance of rental spaces to hold RFPG meetings and purchase or rental audio-visual equipment.

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## Looking Ahead: State Flood Plan and Project Prioritization

### General update

The State Flood Plan is under development and is scheduled to become available for public comment in Spring 2024, following the approval of the 2023 Amended Regional Flood Plans. All data utilized in the State Flood Plan, including for the ranking, will be derived from the Amended Regional Flood Plans.

Note: we do not currently anticipate releasing any significant updates regarding the 2024 State Flood Plan or associated project ranking before our Board approves the release of the Draft State Flood Plan for public comment.

### Project Ranking

The TWDB is preparing changes to the Project Ranking criteria and methodology to be used for the State Flood Plan based on stakeholder comments that TWDB received in Spring 2023 based on the initial criteria and methodology. The updated information will be provided as an integral part of the draft 2024 State Flood Plan in Spring 2024 for public comment. A State Flood Plan Project Ranking will not be finalized until after hearing public comments on the draft State Flood Plan and the final 2024 State Flood Plan is adopted by our TWDB Board in September 2024.

Note that similar ranking criteria and methods anticipated to be used in the draft State Flood Plan will play a role in the upcoming iteration of the Flood Infrastructure Fund Intended Use Plan ([2024-2025 FIUP](#)). The iteration of a project ranking used for the [2024-2025 FIUP](#), and any related funding prioritization decisions, will occur independently under separate processes specifically associated with that FIF funding program cycle.

### Future Funding for Flood-Related Projects

The TWDB is simultaneously preparing the next iteration of the FIUP. Future funding decisions will occur through a FIF prioritization process based on funds appropriated by the Texas Legislature and an intended use plan (IUP).

Additional information on FIF is available here:

<https://www.twdb.texas.gov/financial/programs/FIF/index.asp>.

TWDB will be seeking stakeholder input for the next funding cycle. To stay up to date, please join the TWDB mailing list at <https://www.twdb.texas.gov/newsmedia/signup.asp> to be notified of further developments, including opportunities to apply.

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## Payment Requests Status Update

Both the RFPG sponsors and the TWDB staff worked diligently in recent weeks to bring most regions' payment requests up to date. Sponsors and their Contractors are encouraged to continue submitting payment requests that are ready so that they can be placed in the payment request queue. Please continue to submit payment requests until you have reached the 100% threshold of your budget. Remaining payment request submissions should have a 'Requested Amount' of \$0.00 and fill in the Total expenses box with the amount requested. If you have any questions, please contact your TWDB Regional Flood Planner. Lastly, friendly reminder to check the 'final payment request' box on your payment request form when you submit the final payment request for the first planning cycle.

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## Flood Research Project Updates

The Flood Planning division is leading the following TWDB flood research projects:

### **Texas Flood Social Vulnerability Index Research Project**

The TWDB has contracted with the University of Texas at Austin to develop a Texas flood-specific social vulnerability index (TX F-SVI) for potential use in the second planning cycle.

The UT research team has completed a literature review and interviews of flood experts from across the state to help inform the development of the TX F-SVI. TWDB published the Midpoint Project Report, which includes project background information and a summary of findings based on completion of the literature review and expert interviews, for public comment. Public comment was sought specifically on the collection of potential variables identified to be considered and refined in the upcoming sensitivity analysis task.

Following the public feedback period, the research team will begin constructing the index. The research team will decide on the inclusion and weighting of factors based on the findings from the literature review, interviews, and public comments. This draft index will inform the sensitivity analysis and final index development.

Please email Megan Ingram at [megan.ingram@twdb.texas.gov](mailto:megan.ingram@twdb.texas.gov) with any questions.

### **Flood Infrastructure Assessment Methodologies and Toolkit Research Project**

The TWDB is developing a flood infrastructure assessment methodologies and a toolkit, for the RFPGs. The methodology will assist the RFPGs by providing readily usable planning-level infrastructure condition assessment methods. And the toolkit will be available to assess the condition of flood infrastructure at a regional planning level.

The project includes interviewing flood experts and communities across the state. TWDB has already selected individuals to participate in a review panel to support the work of this project. The project is on track to provide a toolkit by the next planning cycle.

Please email Jenn Jackson at [jenn.jackson@twdb.texas.gov](mailto:jenn.jackson@twdb.texas.gov) with any questions.

### **Fathom Future Flood Risk**

At the start of the first cycle of regional flood planning, the TWDB contracted with Fathom to generate statewide coverage of existing condition flood hazard data (Cursory Floodplain dataset) to the regional flood planning groups. The TWDB is now working with AECOM and Fathom to generate a consistent statewide future condition flood hazard dataset. TWDB intends to make this data available to the

regional flood planning groups for their use during the second cycle of regional flood planning. This future condition flood hazard information is intended to project to the year 2060 with consideration given to: land use changes, future climate variability in collaboration with the office of the state climatologist at the Texas A&M University and associated rainfall patterns, and sea level rise and land subsidence.

Please email Tressa Olsen at [tressa.olsen@twdb.texas.gov](mailto:tressa.olsen@twdb.texas.gov) or [reem.zoun@twdb.texas.gov](mailto:reem.zoun@twdb.texas.gov) with any questions.

For more information on TWDB's flood research projects, please visit <https://www.twdb.texas.gov/flood/research/index.asp>.

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## **Progress Updates, Reminders, and Upcoming Events**

To date, RFPGs and their committees have held over 530 public meetings! Thank you all for your hard work and dedication to this important effort.

Currently our team is working on several webinars to kick off the second cycle. We will be sending out calendar invites for our RFA webinar and payment request webinar, which will be held in early 2024.

Our next Planning Group Sponsors' Call is to be determined.

Our next Technical Consultants' Conference Call is to be determined.

Our next Chairs' Conference Call date is to be determined.

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*For more information regarding the TWDB Regional Flood Planning Program, please visit [our website](#).*

*Note: This email was sent to all RFPG members, sponsors, and technical consultants.*

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