



TEXAS WATER DEVELOPMENT BOARD



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TO: Board Members

FROM: Carolyn L. Brittin, Deputy Executive Administrator,
Water Resources Planning and Information *CLB*

DATE: August 18, 2008

SUBJECT: Applications for Funding for the Final Phase of the 2006-2011 Regional Water Planning Round

ACTION REQUESTED

Consider authorizing (a) the Executive Administrator to negotiate and execute contracts for Regional Water Planning on or before November 23, 2008, in an amount not to exceed \$9.8 million, part of which is contingent upon appropriation from the 81st Texas Legislature; and (b) the transfer of \$9.8 million from the Water Assistance Fund to the Research and Planning Fund, part of which is contingent upon appropriation from the 81st Texas Legislature.

BACKGROUND

At the January 28, 2008 Texas Water Development Board (TWDB) meeting, the Executive Administrator was authorized to publish requests for proposals in the Texas Register for funding of approximately \$9.0 million for the last three years of the third round of regional water planning. The first two years of this five-year round of regional water planning have been exclusively focused on studying local- and region-specific water supply related issues. The final three years of this round of regional water planning will focus on developing updated regional water plans for inclusion in the 2012 State Water Plan. In preparing their regional water plans, planning groups will be incorporating some of the results obtained from the region-specific studies developed during the first two years and, in some cases, may expand upon these region-specific studies in developing their regional water plans.

As stated in the January 22, 2008 TWDB memorandum (see Attachment A), funding available for the remainder of this planning cycle is composed of current appropriations from the Fiscal Year 2008-2009 biennium and appropriations anticipated for the Fiscal Year 2010-2011 biennium.

TWDB published a request for regional water planning grant proposals in the February 15, 2008 issue of the Texas Register (see Attachment B). The notice stated that funding was to address planning tasks

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outlined in the Guidance for Preparation of Scope of Work for Regional Water Planning (see Attachment C) and 31 Texas Administrative Code (TAC), Chapter 357.

There are 10 regional water planning contract tasks that correspond to chapters in the regional water plans which are based on TWDB rules 31 TAC §357.7. These tasks, considered by decade over the planning horizon (2010-2060) and under drought-of-record conditions, include:

1. **Planning Area Description** – a description of the region and its natural resources and a description of water users, water issues in the region, and current water plans.
2. **Population & Water Demand Projections** – a presentation of the region's population by county, city and utility and a summary of all the associated municipal, irrigation, manufacturing, steam-electric, mining, and livestock water *demands* in the region.
3. **Evaluation of Existing Water Supply** - an analysis of surface and groundwater supplies that, in general, would be legally and physically available to the region's water users during a drought of record.
4. **Identification of Water Needs and Selection of Water Management Strategies** – a comparison of projected water demands with available supplies to identify water *needs* (shortages) and develop water management strategies (such as surface or ground water projects; conservation; etc.) to meet identified needs.
5. **Impacts of Water Management Strategies on Water Quality** – evaluation of the major impacts of the selected water management strategies on water quality.
6. **Conservation and Drought Management** – a consolidation of the conservation and drought management recommendations.
7. **Consistency with Long-term Protection of Natural Resources** – a description of how the regional plan is consistent with the long-term protection of water resources, agricultural resources, and other natural resources.
8. **Unique Reservoir/Stream Segments & Legislative Recommendations** – a description of the region's decisions regarding the designation of unique reservoir and/or stream segments and a summary of the region's legislative recommendations.
9. **Water Infrastructure Financing** – a summary of the financing needed to implement recommended water management strategies and how sponsors propose to pay for the projects.
10. **Administration & Public Participation** – activities generally associated with holding regional water planning group meetings and hearings, promoting and processing public input, and producing and submitting the regional plan documents.

Once authorization to enter contracts is obtained, regional water planning groups will have until March 1, 2010 to develop and submit a draft regional water plan called an 'initially prepared plan' (IPP) to TWDB. After receiving public and TWDB comments on their IPPs, each planning group will consider these comments, make changes to its draft regional water plan as appropriate, adopt its water plan as a group, and submit the adopted regional water plan to TWDB by September 1, 2010.

In the January 22, 2008 TWDB memorandum (see Attachment A), staff recommended 'base' funding amounts totaling \$4.2 million for all 16 regional planning groups to perform tasks required to update their plans based upon changed conditions. These base funding amounts were estimated by staff to be a minimum that planning groups would need to develop regional water plans to meet statute and rule requirements and address changed conditions known at the time by TWDB staff. At the time, staff acknowledged that this amount was an estimate and that some planning groups would need to request significantly more funds in order to address additional work items and develop regional water plans that would be consistent with past regional water plans, especially regarding efforts associated with tasks 2-5:

KEY ISSUES

The total funds available for regional water planning contracts is \$9,800,000 as follows:

- The 80th Texas Legislature appropriated \$6.5 million for regional water planning during the FY 2008-2009 biennium.
- TWDB has included in its current Legislative Appropriations base request an additional \$6.6 million, half (\$3.3 million) of which will be used to fund ongoing regional water planning activities during the FY 2010-2011 biennium. This Board authorization request includes contracting for \$3.3 million in FY 2010 funds contingent upon receiving these additional appropriations.

In accordance with TWDB's solicitation, all 16 regional water planning groups submitted grant applications for funding for the remainder of the third round of planning by the June 13, 2008 deadline. The total funds requested in the applications was \$11.3 million which is greater than the available funding of \$9.8 million. The submitted applications for funding were evaluated on a competitive basis considering the following criteria (31 TAC §355.94): the degree to which the task will address water needs in the region; lack of duplication of effort; changed conditions; and soundness of scope of work, including the budget.

Staff reviewed the applications and is recommending funding of the regional water planning groups' proposals in an amount of \$9,425,493. From the requested authorization of \$9.8 million, staff recommends reserving \$374,507 of this total in available funds to:

- support any required regional water plan amendments;
- incorporate research findings from the statewide drought management study into regional water plans; and,
- other unanticipated activities requested by the regional water planning groups.

Any request for funding from this reserve will be presented to the Board for consideration and approval.

Table 1 summarizes the funding requests submitted by the planning groups and the staff recommendation for funding amounts. An applicant summary table with an associated certification of application review is attached (see Attachment D). Staff reviewed each task to ensure compliance with the requirements in 31 TAC §355.90-100.

Table 1: Summary of Recommended Funding Allocations for Phase II of the Third Round of Regional Water Planning

		Staff Recommendation for Funding by Task/Chapter										
		1	2	3	4	5	6	7	8	9	10	
Region	Regional Water Planning Group - Application Funding Requests (June 13, 2008)	Planning Area Description	Population & Water Demand Projections	Evaluation of Existing Water Supply	Identification of Water Needs and Selection of Water Management Strategies	Impacts of Water Management Strategies on Water Quality	Conservation and Drought Management	Consistency with Long-term Protection of Natural Resources	Unique Reservoir/Stream Segments & Legislative Recommendations	Water Infrastructure Financing	Administration & Public Participation	Staff Recommended Funding Total
A	\$513,030	\$10,000	\$91,900	\$189,500	\$101,430	\$5,500	\$6,000	\$4,000	\$4,000	\$11,200	\$87,500	\$511,030
B	\$137,390	\$4,000	\$5,000	\$12,000	\$36,600	\$5,000	\$6,000	\$4,700	\$3,390	\$1,500	\$59,200	\$137,390
C	\$2,618,950	\$40,300	\$125,620	\$293,980	\$949,270	\$12,800	\$14,360	\$10,000	\$26,250	\$48,790	\$376,220	\$1,897,590
D	\$452,680	\$27,160	\$46,566	\$101,756	\$36,908	\$8,880	\$9,600	\$10,500	\$12,900	\$19,920	\$178,490	\$452,680
E	\$364,030	\$14,000	\$24,500	\$87,800	\$45,370	\$1,900	\$6,000	\$3,000	\$5,000	\$2,600	\$108,860	\$299,030
F	\$273,280	\$10,000	\$24,000	\$25,000	\$60,000	\$2,400	\$10,000	\$3,000	\$5,000	\$12,800	\$121,080	\$273,280
G	\$1,177,170	\$16,000	\$75,020	\$207,255	\$526,510	\$15,640	\$10,000	\$10,000	\$15,000	\$25,800	\$137,580	\$1,038,805
H	\$1,231,100	\$10,000	\$84,200	\$192,600	\$358,200	\$32,000	\$73,500	\$10,000	\$15,000	\$58,000	\$264,800	\$1,098,300
I	\$345,460	\$10,000	\$20,000	\$64,000	\$44,000	\$9,000	\$10,000	\$10,000	\$15,000	\$9,400	\$109,060	\$300,460
J	\$311,240	\$10,000	\$26,000	\$15,000	\$24,060	\$4,000	\$10,000	\$10,000	\$15,000	\$600	\$65,580	\$180,240
K	\$541,200	\$10,000	\$60,500	\$61,500	\$136,600	\$21,500	\$17,000	\$10,000	\$15,000	\$16,400	\$122,600	\$471,100
L	\$1,535,881	\$10,000	\$32,992	\$73,755	\$767,786	\$8,930	\$10,000	\$18,245	\$34,317	\$22,800	\$289,383	\$1,268,208
M	\$351,100	\$10,000	\$14,640	\$19,050	\$55,710	\$21,580	\$9,980	\$10,000	\$14,760	\$12,280	\$118,740	\$286,740
N	\$593,760	\$10,000	\$6,400	\$25,100	\$346,200	\$3,410	\$10,000	\$10,000	\$15,000	\$1,800	\$121,800	\$549,710
O	\$635,430	\$10,000	\$8,500	\$12,660	\$273,020	\$4,500	\$10,000	\$10,000	\$15,000	\$7,800	\$88,950	\$440,430
P	\$262,000	\$10,000	\$11,500	\$19,900	\$43,700	\$40,900	\$18,000	\$8,000	\$11,000	\$5,500	\$52,000	\$220,500
TOTAL	\$11,343,701	\$211,460	\$657,338	\$1,400,856	\$3,805,364	\$197,940	\$230,440	\$141,445	\$221,617	\$257,190	\$2,301,843	\$9,425,493

With TWDB's authorization, the Executive Administrator will begin contract negotiations with the planning groups to better define the recommended work items including the review of subtasks and funding by subtasks. Staff funding recommendations for the tasks summarized in Table 1 total \$9,425,493 which is equal to the requested authorization amount of \$9,800,000 minus the 'reserve' of \$374,507. The recommended funding amounts, by region and task, are based on staff's current interpretation of the language in the submitted scopes of work for each task. Individual task dollar amounts for each region may require some adjustments, upward or downward, after further clarification of scopes of work that will be included as a component of the final planning contracts.

Once the Executive Administrator is authorized to negotiate and execute regional water planning contracts, planning groups will be allowed to be reimbursed:

- back to February 15, 2008, the date that the request for regional planning proposals was published, for appropriate administrative and scope of work development expenses; and,
- for expenses related to all other tasks beginning on the date of this Board authorization to negotiate and execute the contracts.

RECOMMENDATION

Staff recommends authorizing (a) the Executive Administrator to negotiate and execute 16 contracts for regional water planning on or before November 23, 2008, in an amount not to exceed \$9.8 million, part of which is contingent upon appropriation from the 81st Texas Legislature; and (b) the transfer of \$9.8 million from the Water Assistance Fund to the Research and Planning Fund, part of which is contingent upon appropriation from the 81st Texas Legislature.

This recommendation has been reviewed by legal counsel and is in compliance with applicable statutes and Board rules.



Ken Petersen
General Counsel

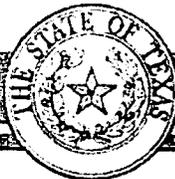
Attachment A: Memorandum Dated January 22, 2008 on Requests for Proposals for the Second Phase of the Third Round of Regional Water Planning

Attachment B: Request for Applications Published February 15, 2008 in the Texas Register

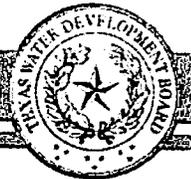
Board Members
August 18, 2008
Page 6

**Attachment C: Guidance for Preparation of Scope of Work for Regional Water
Planning**

**Attachment D: Summary of Recommended Funding and Certifications of
Recommendations**



TEXAS WATER DEVELOPMENT BOARD



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TO: Members of the Board

THROUGH: Bill Mullican, Deputy Executive Administrator, Planning *BM*

FROM: Carolyn Brittin, Director, Water Resources Planning *CB*
 David Carter, Agency Contract Administrator *DC*

DATE: January 22, 2008

SUBJECT: Request to Publish a Request for Applications in the *Texas Register* for the Second Phase of the Third Cycle of Regional Water Planning

ACTION REQUESTED

Authorize staff to publish in the *Texas Register* a Request for Applications for the last three years of the third round of regional water planning. Applications will be due June 13, 2008.

BACKGROUND

Based upon stakeholder feedback and due to the decadal release of the national census results, the proposed process for the third round of regional water planning (January 2007 through January 2010) has been slightly revised so that regional water plans can be updated due to changed conditions and to incorporate region-specific studies. For the first two years of this cycle, the TWDB authorized contracting with the 16 regional water planning groups to conduct region-specific studies. Staff received input from the regional planning groups on the required activities for the remaining three years of this off-census cycle. This input is summarized and included as Attachment A. Staff propose that the remainder of this planning cycle be used to incorporate the results from the region-specific studies and to update the regional water plans in accordance with Texas Water Code §16.053 and 31 Texas Administrative Code Chapter 357.

PROPOSED REQUEST FOR APPLICATIONS

Work to be performed under this proposed Request for Applications (Attachment B) will be funded over a three year period with Fiscal Year 2008-2009 biennial appropriations and the estimated 2010-2011 appropriations. Staff has developed a Guidance for Preparation of the Scope of Work for Regional Water Planning and has included it as Attachment C.

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Funding for all activities during the three years covered by this effort is proposed to be provided to all planning groups in an amount not to exceed \$9 million or 100 percent of the total funds appropriated for the current biennium (\$6.0 million) and 50 percent of those estimated funds appropriated for the Fiscal Year 2010-2011 biennium (\$3 million). A summary of the total recommended funding by region is included as Table 1.

Staff proposes allocating funding into three categories of funds: 'base' funds, 'additional' funds, and 'set-aside' funds as follows:

A - Base Funding* (see Table 1 below):

The base funding is an estimate of the amount of money planning groups will need to update their regional plans based on foreseeable changed conditions. These funds will be used to perform most, if not all, tasks necessary to meet statute and rule requirements needed for updating the regional water plans including holding meetings and preparing and submitting all plan documents and data. These base funds are proposed to be allocated as follows:

- \$2.9 million allocated in a base level of funding for the update of Tasks 1, 6, 7, 8, 9, and 10 as contained in the scope of work guidance document. These fund amounts are associated with specific tasks and specific regions.
- \$1.3 million allocated in formula funding based on the number of water user groups and wholesale water providers in the region as a total for the update of four Tasks: 2, 3, 4, and 5. The planning groups may propose updates to these Tasks (projections, water supply analysis, water management strategies, and the strategies' impact on water quality) based upon changed conditions.
- These base funding amounts are not guaranteed funds and must be requested in the grant application. All proposed work activities and associated dollars must be fully justified in order to receive funding. If a work scope cannot support the associated funding request, contracted amounts may be less than these initial amounts.

B – Additional Funding Requests:

- Additional funds within the overall budget for regional water planning are proposed for additional work beyond the base activities that regions will have to perform in making minimal changes in response to changed conditions.
- Recommendations for additional funding will be made based on need and scope of work. Applications for these additional funds will be evaluated on a competitive basis considering the following criteria (31 TAC 355.94): the amount and timing of need for water supplies in the region that will be addressed by the proposed task in the scope of

work; changed conditions; lack of duplication of effort; and soundness of scope of work including the budget.

C – Set-aside funding:

- Staff propose setting aside additional funding for regional water plan amendments and other unforeseen funding needs that may arise during the remaining years of this planning cycle.

Table 1. Summary of Base-Funding Allocations for Phase II of the Third Round of Regional Planning

		Tasks/Chapter Allocations									
		1	2	3	4	5	6	7	8	9	10
		Planning Area Description	Population & Water Demand Projections	Evaluation of Existing Water Supply	Identification of Water Needs and Selection of WMSs	Impacts of WMSs on Water Quality	Conservation and Drought Management	Consistency with Long-term Protection of Natural Resources	Unique Reservoir/Stream Segments & Legislative Recommendations	Water Infrastructure Funding	Adoption of Plan (administration & public participation)
Region	Total Base Funding	Base	Total base funds to be allocated between Tasks 2-5 per the RWPG's Scope of Work				Base	Base	Base	Base	Base
A	\$183,080	\$10,000	\$45,930				\$10,000	\$10,000	\$15,000	\$4,400	\$87,750
B	\$137,390	\$10,000	\$24,190				\$10,000	\$10,000	\$15,000	\$1,400	\$66,800
C	\$637,590	\$10,000	\$242,670				\$10,000	\$10,000	\$15,000	\$67,600	\$282,320
D	\$236,610	\$10,000	\$91,510				\$10,000	\$10,000	\$15,000	\$10,000	\$90,100
E	\$173,030	\$10,000	\$15,570				\$10,000	\$10,000	\$15,000	\$2,600	\$109,860
F	\$217,770	\$10,000	\$44,290				\$10,000	\$10,000	\$15,000	\$7,400	\$121,080
G	\$406,210	\$10,000	\$171,610				\$10,000	\$10,000	\$15,000	\$25,800	\$163,800
H	\$565,270	\$10,000	\$197,470				\$10,000	\$10,000	\$15,000	\$58,000	\$264,800
I	\$231,510	\$10,000	\$68,050				\$10,000	\$10,000	\$15,000	\$9,400	\$109,060
J	\$122,340	\$10,000	\$11,060				\$10,000	\$10,000	\$15,000	\$600	\$65,680
K	\$248,780	\$10,000	\$72,020				\$10,000	\$10,000	\$15,000	\$16,400	\$115,360
L	\$336,250	\$10,000	\$106,550				\$10,000	\$10,000	\$15,000	\$22,800	\$161,900
M	\$277,970	\$10,000	\$101,430				\$10,000	\$10,000	\$15,000	\$12,800	\$118,740
N	\$151,310	\$10,000	\$22,710				\$10,000	\$10,000	\$15,000	\$1,800	\$81,800
O	\$178,010	\$10,000	\$36,260				\$10,000	\$10,000	\$15,000	\$7,800	\$88,950
P	\$103,510	\$10,000	\$6,310				\$10,000	\$10,000	\$15,000	\$200	\$52,000
Total	\$4,206,630	\$160,000	\$1,257,630				\$160,000	\$160,000	\$240,000	\$249,000	\$1,980,000

KEY ISSUES

This round of planning is an off-census update to the regional water plans. TWDB will not be conducting a full scale revision to the population and water demands of each planning area, but criteria do exist to allow requests for revisions for changed conditions.

The planning groups provided requested feed-back to staff about what activities they felt were necessary to complete their regional water plans this cycle and how they would like to see those efforts funded by the Board. These responses were taken into consideration when developing the funding recommendations presented herein.

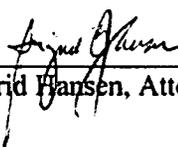
Funding recommendations for this round of regional water planning recognize that not all regions would need an equal amount of effort in order to complete the 10 fundamental planning tasks as defined in statute and rule for this third round of regional water planning.

Actual funding recommendations for each regional water planning group, including any set-aside funding, will be considered by the TWDB at your August 2008 meeting.

RECOMMENDATION

Staff recommends authorization to publish a Request for Applications in the *Texas Register* for the last three years of work in the third round of regional water planning.

This recommendation has been reviewed by legal counsel and is in compliance with applicable statutes and Board rules.



Ingrid Hansen, Attorney

ATTACHMENTS:

- Attachment A:** Regional Water Planning Group Responses to 6/27/2007 TWDB Letter
- Attachment B:** Request for Applications for Phase II of the Third Round of Regional Water Planning
- Attachment C:** Guidance for Preparation of Scope of Work for Regional Water Planning

**Attachment A
Regional Water Planning Group Responses
to 6/27/2007 TWDB Letter**

Question 1: Activities to produce plan

- Update Chapters 1 through 10 for changed conditions: A, B, C, D, G, L
- Update Chapters 1 through 10 a bit more thoroughly than just for changed conditions: H, I, K, M, O, P
- Incorporate DFC's/MAG numbers and/or other groundwater supply revisions: A, B, C, G, H, I, K, L, N, P
- Update surface water supplies due to WAMs or Water Right Permit updates/issuance/changes: G, H, I, K
- Updates due to Environmental Flows: G, H, I
- Inclusion of current special studies into 2011 plan: B, C, D, G, I
- Develop alternative strategies for every WUG with a need: D
- DB07 updates: B, C
- Update costs: A, B, C, D, M, N
- Updates due to climate change: G
- Updates to Population and Demand Projections: A, B, C, D, E, G, H, I, K, L, M, O, P
- Specific Mention of updating Population and Demand Projections without being required to reduce population in one area of the region to compensate for growth in another area of the region: B, C, L
- Review and include results from TWDB Studies
 - G – Small Impoundments, Barnett Shale
 - I – Electric Generation, Reservoir Site Protection Study
 - K - Drought Contingency Plans

Question 2 Region Specific Issues and Studies Requested:

- Almost every region reported region specific issues and/or the need to fund special studies.

Question 3: Funding Structure

- Formula:
 - A - on quantity of water used in region and importance of water to regional economy
 - C - on number of WUGs with needs
 - D - on total water resources in each region
 - E – based on relative shortages
 - G - similar to 2006 formula
 - O - on importance of water to regional and national economy and TWDB should consider funding based on an alternative regional water planning model (alternative model not listed or explained by O, however)
- Formula for base activities (admin plus tasks required by statute/rule) and competition for all other activities: I, L, M, N
- Base activities should include public outreach and/or concerns about not enough money for public outreach or participation: K, H, L, N, P
- Funding for special studies should be based on the specific SOW: B, C
- Legislature should provide funding for the SB3 Study Commission on Region C Water Supply: C, D
- Noted that Administrative funds are inadequate: B, H, P

Question 4: Three Year Contract

- No problem: E, F
- Yes, with last year contingent upon legislative funding: D, I
- Concerned about a three year contract but willing to discuss or restructure the contract: K, P
- Will sign or consider signing if contract includes special language that does not obligate the region/political sub/consultant to complete unfunded items in the scopes: A, B, C, D, G, H, I, and O.
- L, M, and N will sign but want the three year contract to specifically list funded and unfunded work.

Attachment B

Texas Water Development Board

Request for Applications

The Texas Water Development Board (TWDB) requests, pursuant to 31 Texas Administrative Code (TAC) §355.92, the submission of regional water planning applications leading to the possible award of contracts to revise or update regional water plans as described in 31 TAC Chapter 357. In order to receive a grant, the applicant must be a political subdivision of the state and must have been designated an eligible applicant by a regional water planning group as defined in 31 TAC §355.91. 31 TAC Chapter 355, Subchapter C provides guidance for regional water planning grants.

Description of Funding Consideration.

Total funding for activities related to the development or revision of a regional water plan shall not exceed 100 percent of the total cost of the planning for that regional water planning area as defined in 31 TAC §355.91. Funds awarded for grants under this request for applications may total up to the amount of funds appropriated for such activities for the Fiscal Year 2008-2009 biennium and anticipated for the Fiscal Year 2010-2011 biennium. This planning will conclude the five year planning cycle of Fiscal Year 2007 through 2010.

Funding is provided on a not-to-exceed basis for certain planning tasks as outlined in the Guidance for Preparation of Scope of Work for Phase II of the Third Round of Regional Water Planning. As further outlined in this Scope of Work Guidance, provisions exist for additional funding for tasks related to projections, water supply analysis, water management strategy evaluations, and the strategies' impact on water quality. In the event that acceptable applications are not submitted or that insufficient funds are available to fund proposed activities beyond the regional water planning tasks identified by the regional water planning group, the TWDB retains the right to not award contract funds.

Deadline, Review Criteria, and Contact Person for Additional Information.

Five double sided copies and an electronic version of a complete regional water planning grant application must be filed with the Board prior to 5:00 p.m., June 13, 2008. All applications should be prepared using the TWDB's application instruction sheet for Regional Water Planning Grants, the Guidance for Preparation of the Scope of Work for Phase II of the Third Round of Regional Water Planning, and the Guidelines for Regional Water Plan Development in Exhibit B of the Regional Water Planning Contracts. Applications will be evaluated according to the criteria listed in 31 TAC §355.94. All potential applicants may contact the Board to obtain the application checklist and guidance documents or they may be obtained from the Texas Water Development Board's webpage at: http://www.twdb.state.tx.us/rwpg/planning_page.asp

Applications must be directed either in person to David Carter, Texas Water Development Board, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas, or by mail to David Carter, Texas Water Development Board, P.O. Box 13231, Austin, Texas, 78711-3231. Requests for information, the Board's rules, and instruction sheet covering the research and

planning fund may be directed to Kathleen Ligon at the preceding address or by calling (512) 463-8294, or by e-mail at kathleen.ligon@TWDB.state.tx.us.

TRD-
Ingrid Hansen
Acting General Counsel
Texas Water Development Board
Filed:

Attachment B
Request for Applications Published February 15, 2008 in the Texas Register
(as published)

Texas Water Development Board

Request for Application for Planning

The Texas Water Development Board (TWDB) requests, pursuant to 31 Texas Administrative Code (TAC) §355.92, the submission of regional water planning applications leading to the possible award of contracts to revise or update regional water plans as described in 31 TAC Chapter 357. In order to receive a grant, the applicant must be a political subdivision of the state and must have been designated an eligible applicant by a regional water planning group as defined in 31 TAC §355.91. 31 TAC Chapter 355, Subchapter C provides guidance for regional water planning grants.

Description of Funding Consideration.

Total funding for activities related to the development or revision of a regional water plan shall not exceed 100 percent of the total cost of the planning for that regional water planning area as defined in 31 TAC §355.91. Funds awarded for grants under this request for applications may total up to the amount of funds appropriated for such activities for the Fiscal Year 2008-2009 biennium and anticipated for the Fiscal Year 2010-2011 biennium. This planning will conclude the five year planning cycle of Fiscal Year 2007 through 2010.

Funding is provided for certain planning tasks as outlined in the Guidance for Preparation of Scope of Work for Phase II of the Third Round of Regional Water Planning. As further outlined in the Scope of Work Guidance, provisions exist for additional funding for tasks related to projections, water supply analysis, water management strategy evaluations, and the strategies' impact on water quality. In the event that acceptable applications are not submitted or that insufficient funds are available to fund proposed activities beyond the regional water planning tasks identified by the regional water planning group, the TWDB retains the right to not award contract funds.

Deadline, Review Criteria, and Contact Person for Additional Information.

Five double sided copies and an electronic version of a complete regional water planning grant application must be filed with the Board prior to 5:00 p.m., June 13, 2008. All applications should be prepared using the TWDB's application instruction sheet for Regional Water Planning Grants, the Guidance for Preparation of the Scope of Work for Phase II of the Third Round of Regional Water Planning, and the Guidelines for Regional Water Plan Development in Exhibit B of the Regional Water Planning Contracts. Applications will be evaluated according to the criteria listed in 31 TAC §355.94. All potential applicants may contact the Board to obtain the

application checklist and guidance documents or they may be obtained from the Texas Water Development Board's webpage at: http://www.twdb.state.tx.us/rwpg/planning_page.asp

Applications must be directed either in person to David Carter, Texas Water Development Board, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas, or by mail to David Carter, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231. Requests for information, the Board's rules, and instruction sheet covering the research and planning fund may be directed to Kathleen Ligon at the preceding address or by calling (512) 463-8294, or by e-mail at kathleen.ligon@TWDB.state.tx.us

TRD-200800727

Ingrid K. Hansen

Acting General Counsel

Texas Water Development Board

Filed: February 6, 2008

Attachment C

Guidance for Preparation of Scope of Work for Regional Water Planning

Prepared for Phase II of the 3rd Round of Regional Water Planning

February 5, 2008

TABLE OF CONTENTS

Current Timeline for Regional Water Planning Contracting	1
Required Public Notices Associated with Preparing a Scope of Work (SOW) and Submitting an Application to TWDB for Regional Water Planning Funds	1
Introduction to Preparing Scope of Work and Summary of Available Funding.....	2
Scope of Work Tasks and Associated Funding Requests	6
Task 0: Scope of Work Development	6
Task 1: Planning area description	6
Task 2: Select revisions of population and water demand projections.....	7
Task 3: Water supply analysis	7
Task 4: Identification, evaluation and selection of water management strategies based on needs	9
Task 5: Impacts of selected water management strategies on key parameters of water quality and impacts of moving water from rural and agricultural areas	10
Task 6: Water conservation and drought management recommendations.....	10
Task 7: Description of how the regional water plan is consistent with long-term protection of the State's water resources, agricultural resources, and natural resources.....	11
Task 8: Unique stream segments/reservoir sites/legislative recommendations.....	11
Task 9: Report to Legislature on Water Infrastructure Funding Recommendations	11
Task 10: Adoption of plan	12
Other eligible activities:	12
Data Entry into Relational Database.....	12
Contracts Between the TWDB and the Regional Water Planning Groups	13

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There are two notices associated with developing a scope of work and filing an application (see Texas Administration Code §355.97 and §357.6):

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The scope of work included in the application for funding will address eligible updates to the 2006 regional water plans and produce a 2011 regional water plan to be adopted by the individual regional water planning group. TWDB anticipates that funding for the remaining three years of this regional water planning cycle will be limited to a maximum of \$9 million.

TWDB staff has initially allocated this funding into three categories of funds, 'base' funds, 'additional' funds, and 'set-aside' funds as follows:

A – Base Funding Allocation (see Table 1):

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These base funds were allocated as follows:

- **\$2.9 million** allocated as a base level of funding for the update of Tasks 1, 6, 7, 8, 9, and 10 as contained in this scope of work guidance document. These fund amounts are associated with specific tasks and specific regions.
- **\$1.3 million** allocated in formula funding based on the number of water user groups and wholesale water providers in the region as a total for the update of four Tasks: 2, 3, 4, and 5. The planning groups may propose updates to these tasks (projections, water supply analysis, water management strategies, and the strategy impacts on water quality) based upon changed conditions.
- These base funding amounts are not guaranteed funds and must be requested in the grant application. All proposed work activities and associated dollars must be fully justified in order to receive funding. If a work scope cannot support the associated funding request, contracted amounts may be less than these initial base amounts.
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B – Additional Funding Requests:

- Additional funds within the overall budget for regional water planning are proposed for additional work beyond the base activities that regional water planning groups will have to perform in making minimal changes in response to changed conditions.
- Recommendations for additional funding will be made based on need and scope of work. Applications for these additional funds will be evaluated on a competitive basis considering the following criteria (31 Texas Administrative Code 355.94): the amount and timing of need for water supplies in the region that will be addressed by the proposed task in the scope of work; lack of duplication of effort; and soundness of scope of work including the budget.
- All proposed scope of work items that would require additional funds beyond allocated base funds must be fully scoped with detailed budgets, eligible for Board funding, and indicated as non-base fund requests in the application.

Budget Request Format

Scopes of work must be submitted in a format that designates all proposed budget dollars as either base funding or as additional funding requests.

For example:

*“Task 1
base funding request \$ _____*

*Task 2
base funding request \$ _____
additional funding request \$ _____*

*Task 10
base funding request \$ _____
additional funding request \$ _____*

Funding request for other eligible activities \$ _____”

Etc.

C – Set-aside funding:

- Staff proposes setting aside additional funding for regional plan amendments and other unforeseen funding needs that may arise during the remaining years of this planning cycle.

Upon submittal to TWDB, staff will thoroughly review each subtask included in the scope of work for: (1) changed conditions, (2) new information, (3) duplication with previous

studies, and (4) reasonableness of budget. Funding levels for the individual applications will be based upon the Task-specific criteria and the available planning funds.

The intent of this planning cycle is the revision of the 2006 regional water plans. Because each regional plan will require differing levels of revision, TWDB recognizes the need for flexibility. Once the scope of work and associated budget have been approved by the Board, and signed into contract, the regional water planning groups and their consultants will have the option of reallocating funds between the subtasks of a particular task and will be able to reallocate funds between tasks up to 35 percent of either task's budget, as described in the contract. The reallocation of funds beyond this limit will require an amendment to the contract's scope of work and budget.

Table 1.
Summary of Base-Funding Allocations for Phase II of the Third Round of Regional Planning

		Task/Chapter Allocations									
		1	2	3	4	5	6	7	8	9	10
		Planning Area Description	Population & Water Demand Projections	Evaluation of Existing Water Supply	Identification of Water Needs and Selection of Water Management Strategies (WMS)	Impacts of WMSs on Water Quality	Conservation and Drought Management	Consistency with Long-term Protection of Natural Resources	Unique Reservoir/Stream Segments & Legislative Recommendations	Water Infrastructure Funding	Adoption of Plan (administration & public participation)
Region	Total Base Funding	Base	Total base funds to be allocated between Tasks 2-5 per the RWPG's Scope of Work			Base	Base	Base	Base	Base	
A	\$183,080	\$10,000	\$45,930			\$10,000	\$10,000	\$15,000	\$4,400	\$87,750	
B	\$137,390	\$10,000	\$24,190			\$10,000	\$10,000	\$15,000	\$1,400	\$66,800	
C	\$637,590	\$10,000	\$242,670			\$10,000	\$10,000	\$15,000	\$67,600	\$282,320	
D	\$236,610	\$10,000	\$91,510			\$10,000	\$10,000	\$15,000	\$10,000	\$90,100	
E	\$173,030	\$10,000	\$15,570			\$10,000	\$10,000	\$15,000	\$2,600	\$109,860	
F	\$217,770	\$10,000	\$44,290			\$10,000	\$10,000	\$15,000	\$7,400	\$121,080	
G	\$406,210	\$10,000	\$171,610			\$10,000	\$10,000	\$15,000	\$25,800	\$163,800	
H	\$565,270	\$10,000	\$197,470			\$10,000	\$10,000	\$15,000	\$58,000	\$264,800	
I	\$231,510	\$10,000	\$68,050			\$10,000	\$10,000	\$15,000	\$9,400	\$109,060	
J	\$122,340	\$10,000	\$11,060			\$10,000	\$10,000	\$15,000	\$600	\$65,680	
K	\$248,780	\$10,000	\$72,020			\$10,000	\$10,000	\$15,000	\$16,400	\$115,360	
L	\$336,250	\$10,000	\$106,550			\$10,000	\$10,000	\$15,000	\$22,800	\$161,900	
M	\$277,970	\$10,000	\$101,430			\$10,000	\$10,000	\$15,000	\$12,800	\$118,740	
N	\$151,310	\$10,000	\$22,710			\$10,000	\$10,000	\$15,000	\$1,800	\$81,800	
O	\$178,010	\$10,000	\$36,260			\$10,000	\$10,000	\$15,000	\$7,800	\$88,950	
P	\$103,510	\$10,000	\$6,310			\$10,000	\$10,000	\$15,000	\$200	\$52,000	
	\$4,206,630	\$160,000	\$1,257,630			\$160,000	\$160,000	\$240,000	\$249,000	\$1,980,000	

Scope of Work Tasks and Associated Funding Requests

The SOW needs to address the remainder of the third planning cycle, which concludes January 5, 2011. The SOW must address all necessary elements required in a regional water plan as described in 31 TAC Chapter 357. **This Guidance for Preparation of Scope of Work for Regional Water Planning document, the User Guide to the Regional Water Planning Data Web Interface (DB12 guide under separate cover), Guidelines for Regional Water Plan Development (under separate cover), Guidelines for Regional Water Planning Data Deliverables (under separate cover), and the final negotiated scope of work prepared in accordance with these documents,** will serve as the core of the regional planning contracts during the remainder of this third round of regional water planning. However, all provisions of 31 Texas Administrative Code, Chapter 357 will serve as the foundational guidance for the development of regional water plans. Any revisions to 31 Texas Administrative Code, Chapter 357 adopted by the Board during the planning effort that result in a change to the planning efforts will be addressed through contract amendments.

Task 0: Scope of Work Development

The scope of work will include a detailed description of the tasks to be performed, identification of the responsible parties for task execution, a task schedule, and task, subtask, and expense budgets.

Funding

Funding for scope of work development will be considered a part of the Task 10 / Administrative base funding. The regional water planning groups may allocate up to \$10,000 from these administrative funds to pay for scope of work development. Regional water planning groups and their subcontractors may only charge for scope of work efforts performed after Board approval of posting this request for proposals but before execution of the associated contracts/subcontracts.

Required Application Information

None

Task 1: Planning area description

This task will be viewed as a limited effort to update the area descriptions contained in the 2006 approved regional water plans.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 2: Select revisions of population and water demand projections

This task will focus on updating population and water demand projections from the 2006 regional water plans based on changed conditions as described in the Guidelines for Regional Water Plan Development.

This work may include, but is not necessarily limited to:

- 1) revisions of population projections for municipal water user groups.
- 2) revisions of water demand projections for water user groups and wholesale water providers, excluding steam-electric power demands.
- 3) inclusion of cities, non-city water utilities and wholesale water providers not included in previous regional water plans and that meet the water user group or wholesale water provider definition in Guidelines for Regional Water Planning Data Deliverables.
- 4) review of new water demand projections for steam-electric power production.

TWDB has contracted with outside researchers to develop new methodology to project county-level water demand projections for steam-electric power. TWDB, Texas Commission on Environmental Quality, Texas Parks & Wildlife Department, Texas Department of Agriculture will utilize this information to develop draft steam-electric power water demand projections by the end of August 2008. The regional water planning groups will have the opportunity to review and request revisions to these projections.

Required Application Information

The application's scope of work for this task will include a listing of water user groups and wholesale water providers which are anticipated to require revisions. All revisions to population and water demand projections must be approved by the regional water planning group and supported with documentation as described in the Guidelines for Regional Water Plan Development.

Task 3: Water supply analysis

This task will focus primarily on updating existing water supply numbers included in the 2006 approved regional water plans based upon changed conditions. This work may include, but is not necessarily limited to:

1. updating groundwater supply volumes based on information resulting from updated Groundwater Availability Models (see Table 2 for a list of models revised or completed since the completion of the 2006 regional water plans).

2. updating firm yield of surface water supply volumes due to changed water rights or approved surface Water Availability Models (as specified in the Guidelines for Regional Water Plan Development).
3. updating groundwater supply volumes based on Managed Available Groundwater volumes calculated by TWDB with desired future conditions adopted for the applicable Groundwater Management Area by January 1, 2008.
4. updating water supply numbers based on information indicating a new drought-of-record for one or more source.
5. updating the water supply to water user groups or wholesale water providers due to contractual or transmission infrastructure changes or due to changes in surface water rights by the Texas Commission of Environmental Quality.

Managed Available Groundwater volumes resulting from the Groundwater Management Area process **must** be used by planning groups if desired future conditions were submitted for a Groundwater Management Area to TWDB by the January 1, 2008 deadline. TWDB staff will provide these Managed Available Groundwater volumes on a per-county basis.

If a groundwater management area submits the desired future conditions to TWDB after January 1, 2008 and the regional water planning group believes that the resulting managed available groundwater volumes can be incorporated into the planning process, the regional water planning group may request funding for necessary update to the applicable water supply analysis.

Groundwater Availability Models that were not available during the preparation of the 2006 plan may be used to update groundwater availability numbers unless more accurate site-specific or timely Managed Available Groundwater information is available. Where new or updated Groundwater Availability Models have been developed, TWDB staff will work with the planning groups to prepare any necessary model runs to reflect region-specific availability policies. Contractors are encouraged to check the status of Groundwater Availability Models for their regions at the following Web site address, <http://www.twdb.state.tx.us/gam/>.

Specific guidance for methodology to be used to determine existing surface water supply, groundwater supply, and reuse supply during drought-of-record conditions is included in Guidelines for Regional Water Plan Development.

Required Application Information

Each proposed subtask for water supply analysis should specify the water source which will be analyzed and the changed conditions that make it necessary to reevaluate the water supply. Each subtask should also include the water user groups or wholesale water providers which utilize the specified source and a cost for the proposed subtask.

Task 4: Identification, evaluation and selection of water management strategies based on needs

This task will focus on the identification of water needs based upon changed conditions in demand or supply and updating the recommended water management strategies in the approved regional water plans as necessary.

This work will include:

- Update of water management strategies' capital cost estimates to second quarter 2007 price levels according to the Engineering News Record (ENR) Construction Cost Index (CCI). This can be accomplished by either updating total costs by applying the appropriate CCI conversion to each total cost in the current approved regional plan or by reevaluating/re-estimating costs at a more detailed level.
- Updating water management strategies annual costs (and any presented unit cost estimates) to reflect updated power and capital/debt service costs in accordance with revised capital costs or changes to power costs.

This work may include, but is not limited to:

- Identify, evaluate, and select new water management strategies for new water user groups or wholesale water providers with needs corresponding to individual retail public utilities and logical reporting units of retail public utilities and water user groups that have experienced changed conditions requiring the evaluation of additional or modified water management strategies. Examples of changed conditions include:
 - Documented changes in water demand such as projected demands exceeding the supplies available from previously adopted water management strategies,
 - Changes in availability such as supplies being less than demands, and
 - Regionalization of two or more water user groups.
- Revision of water management strategy analyses and modifications to existing water management strategies only if the water demands, water supply volumes, or identified water needs have changed.
- Review and revision of a water management strategy to ensure that all necessary project elements are included so as to qualify for funding under the TWDB Water Infrastructure Funding program.
- Development of new water management strategies if a strategy included in the current approved plan is: no longer feasible; if the regional planning group wants to add or remove a strategy; if a new water management strategy is identified; or if the sponsor of a strategy no longer supports the strategy.
- Development of a new or removal of an existing water management strategy based on revised water demand or supply figures.
- Revising analyses and descriptions as necessary for water management strategies (e.g. due to changes in routing, capacity, or timing) and revising the impact descriptions for any revised water management strategies.
- Establishment of alternative water management strategies: TWDB Rule 357.7(a)(7)(H) allows for the substitution of one evaluated alternative water management strategy for another if the strategy originally recommended is no longer feasible. These alternative water management strategies must be fully

evaluated in terms of costs and impacts on water quality, the natural environment and agriculture. In addition, the regional water plan will specifically identify the alternative water management strategies that may be substituted to meet needs.

Required Application Information

Each proposed subtask will specify the common changed conditions that make it necessary to reevaluate one or more water management strategies. Each subtask should also include the water user groups or wholesale water providers which utilize the water management strategy (Table 2).

**Table 2.
Example of Proposed Water Supply Analysis Revisions.**

Subtask	Changed Conditions	Water User Groups/Wholesale Water Providers	Cost
Revision of construction costs	Required revision and increase in costs	All WUGs/WWPs with WMS in 2006 Plan	\$20,000
Strategies to Meet Growth	Population and water demand projections increased.	11 Water User Groups in the IH-35 corridor: City A, City B, City C	\$10,000
Revised WMSs to address Managed Available Groundwater volumes	New managed available groundwater volumes from the Groundwater Management Area process	25 Water User Groups: City X, City y, County-Other A	\$54,000
New Groundwater Availability Model (GAM)	GAM availability volumes released in November 2007.	Irrigation in Counties J, K, L and P.	\$45,000

Task 5: Impacts of selected water management strategies on key parameters of water quality and impacts of moving water from rural and agricultural areas

This work will be limited to updating this section of the regional water plan as necessary to incorporate or address changed conditions and to address new Water Management Strategies developed during this current round.

Required Application Information

The application's scope of work must specify the work to be done and the additional funds needed.

Task 6: Water conservation and drought management recommendations

This work will be limited to updating this chapter of the regional water plan as necessary including, for example, to address updated information or to address new water management strategies developed during this current round.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 7: Description of how the regional water plan is consistent with long-term protection of the state's water resources, agricultural resources, and natural resources

Work under this task will be limited to updating the current description in the 2006 regional water plan as necessary, for example, based on changed conditions and new water management strategies identified under previous tasks.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 8: Unique stream segments/reservoir sites/legislative recommendations

Work under this task will be limited to updating the current descriptions of and potential revisions to recommendations for unique reservoir or stream segments in the currently approved regional plan and updating legislative recommendations as necessary. The legislative recommendations are to be developed by planning groups in a similar manner as for the previous approved regional water plans.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 9: Report to Legislature on Water Infrastructure Funding Recommendations

A provision was integrated into the scope of work for the second round of regional water planning to survey municipal water user groups with needs in order to develop infrastructure funding recommendations.

To meet this requirement during the current round of regional planning, regional water planning groups must update their assessment of funding needs either through a water user group survey similar to the last round. Additional task guidance and a Board-developed survey instrument will be provided prior to execution of the contract.

Required Application Information

The application's scope of work must specify the work to be done and the additional funds needed.

Task 10: Adoption of plan

This task includes public participation, eligible administrative costs, eligible planning group member travel and, if elected, scope of work development. This task has a similar scope and effort as funded during the second round of regional planning.

Public participation was important in the development and adoption of the 2006 regional water plans and will continue to be so in this next round of regional water planning. Activities conducted by professional public relations staff are intended to inform and involve the members of the public. Therefore, TWDB funding limits will be based on population of the regional water planning area and further limited to eligible activities conducted by consultants under contract. Funding will be provided for translators deemed necessary and preparing copies of information for voting and non-voting members.

Since the major cost of eligible travel will be mileage paid to voting planning group members, the TWDB has determined that travel will be based on a combination of the relative land area and travel distance in the planning area. Due to a legislative intent agreement, voting member travel funding statewide cannot exceed \$50,000 per year or a total of \$250,000 during the five-year planning period. Each funding contract will include a provision limiting travel funding to the planning group's proportional share of total travel funds.

Other eligible activities:

- Work required to consider the impacts of climate change as a factor in the regional planning process.
- Work to catalogue the implementation of previously recommended water management strategies contained in prior regional and state water plans.

Required Application Information

The application's scope of work must specify the work to be done and the additional funds needed.

Data Entry into Relational Database

The data associated with the above tasks must be entered into a relational database **prior to submission of the initially prepared plan (IPP)**. The Board will not accept adopted regional water plans until the associated data in the TWDB regional water planning database (DB12) is complete and accurate.

Each regional water planning group will access and update the database via the Internet and will not need to have the software Microsoft Access in order to use the application. Additionally, a run-time version of the database will be available for download at the TWDB web site. Online data entry forms will be provided and reports can be generated

from the database to assist the planning groups with preparation of their 2011 regional water plans. TWDB staff will populate the database with the previously submitted 2006 regional water plan data. The planning groups and their contractors will be asked to review and revise, if necessary, the existing data and add new data to the database as required by updates and other work under the funded tasks described above. The intent of the database is to maintain standardization of data and to facilitate the compilation of statewide information. Specifics on data entry are available in Guidelines for Regional Water Planning Data Deliverables and User Guide to the Regional Water Planning Data Web Interface. All incremental and total costs of updating DB12 to accurately reflect all work and changes associated with this round of planning are to be embedded within the scope of work budgets for Tasks 1-10.

Contracts Between the TWDB and the Regional Water Planning Groups

The planning contracts will identify the cost for the preparation of the regional water plans. Contracts will be for the full period through adoption of the next regional water plans. The contracts will include contingency language relative to funding authorization for planning efforts scheduled for the FY 2008-09 biennium and FY 2010-11 biennium. Contracts and scopes of work must clearly delineate deliverables based on a two-thirds/one-third split of total requested funds in order to allow for completing discrete deliverables in the event that FY 2010-11 biennium funding is not appropriated.

Two-thirds of the contracted funds will be immediately available for planning activities since two-thirds (\$6 million) of the total estimated \$9 million of funding has already been appropriated by the Legislature. The estimated remaining \$3 million for regional planning will be contingent on authorization and appropriation by the Texas Legislature for the FY 2010-11 biennium. The deliverables and work scope items must be designated to indicate which portion of these two funding sources will support the task or subtask. The regional water planning groups may delineate where and how this split is applied to their total budgeted amount as appropriate to accommodate its proposed work schedule and work plan.

Attachment C

Guidance for Preparation of Scope of Work for Regional Water Planning

Prepared for Phase II of the 3rd Round of Regional Water Planning

DRAFT

January 22, 2008

TABLE OF CONTENTS

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- These base funding amounts are not guaranteed funds and must be requested in the grant application. All proposed work activities and associated dollars must be fully justified in order to receive funding. If a work scope cannot support the associated funding request, contracted amounts may be less than these initial base amounts.
- All scope of work items to be funded with base funds must be summarized, eligible for Board funding, and indicated as base funds for each Task in the application.

B – Additional Funding Requests:

- Additional funds within the overall budget for regional water planning are proposed for additional work beyond the base activities that regional water planning groups will have to perform in making minimal changes in response to changed conditions.
- Recommendations for additional funding will be made based on need and scope of work. Applications for these additional funds will be evaluated on a competitive basis considering the following criteria (31 Texas Administrative Code 355.94): the amount and timing of need for water supplies in the region that will be addressed by the proposed task in the scope of work; lack of duplication of effort; and soundness of scope of work including the budget.
- All proposed scope of work items that would require additional funds beyond allocated base funds must be fully scoped with detailed budgets, eligible for Board funding, and indicated as non-base fund requests in the application.

Budget Request Format

Scopes of work must be submitted in a format that designates all proposed budget dollars as either base funding or as additional funding requests.

For example:

*“Task 1
base funding request \$ _____

Task 2
base funding request \$ _____
additional funding request \$ _____

Task 10
base funding request \$ _____
additional funding request \$ _____

Funding request for other eligible activities \$ _____”*

Etc.

C – Set-aside funding:

- Staff proposes setting aside additional funding for regional plan amendments and other unforeseen funding needs that may arise during the remaining years of this planning cycle.

Upon submittal to TWDB, staff will thoroughly review each subtask included in the scope of work for: (1) changed conditions, (2) new information, (3) duplication with previous

studies, and (4) reasonableness of budget. Funding levels for the individual applications will be based upon the Task-specific criteria and the available planning funds.

The intent of this planning cycle is the revision of the 2006 regional water plans. Because each regional plan will require differing levels of revision, TWDB recognizes the need for flexibility. Once the scope of work and associated budget have been approved by the Board, and signed into contract, the regional water planning groups and their consultants will have the option of reallocating funds between the subtasks of a particular task and will be able to reallocate funds between tasks up to 35 percent of either task's budget, as described in the contract. The reallocation of funds beyond this limit will require an amendment to the contract's scope of work and budget.

Table 1.
Summary of Base-Funding Allocations for Phase II of the Third Round of Regional Planning

		Task/Chapter Allocations									
		1	2	3	4	5	6	7	8	9	10
		Planning Area Description	Population & Water Demand Projections	Evaluation of Existing Water Supply	Identification of Water Needs and Selection of Water Management Strategies (WMS)	Impacts of WMSs on Water Quality	Conservation and Drought Management	Consistency with Long-term Protection of Natural Resources	Unique Reservoir/Stream Segments & Legislative Recommendations	Water Infrastructure Funding	Adoption of Plan (administration & public participation)
Region	Total Base Funding	Base	Total base funds to be allocated between Tasks 2-5 per the RWPG's Scope of Work			Base	Base	Base	Base	Base	
A	\$183,080	\$10,000	\$45,930			\$10,000	\$10,000	\$15,000	\$4,400	\$87,750	
B	\$137,390	\$10,000	\$24,190			\$10,000	\$10,000	\$15,000	\$1,400	\$66,800	
C	\$637,590	\$10,000	\$242,670			\$10,000	\$10,000	\$15,000	\$67,600	\$282,320	
D	\$236,610	\$10,000	\$91,510			\$10,000	\$10,000	\$15,000	\$10,000	\$90,100	
E	\$173,030	\$10,000	\$15,570			\$10,000	\$10,000	\$15,000	\$2,600	\$109,860	
F	\$217,770	\$10,000	\$44,290			\$10,000	\$10,000	\$15,000	\$7,400	\$121,080	
G	\$406,210	\$10,000	\$171,610			\$10,000	\$10,000	\$15,000	\$25,800	\$163,800	
H	\$565,270	\$10,000	\$197,470			\$10,000	\$10,000	\$15,000	\$58,000	\$264,800	
I	\$231,510	\$10,000	\$68,050			\$10,000	\$10,000	\$15,000	\$9,400	\$109,060	
J	\$122,340	\$10,000	\$11,060			\$10,000	\$10,000	\$15,000	\$600	\$65,680	
K	\$248,780	\$10,000	\$72,020			\$10,000	\$10,000	\$15,000	\$16,400	\$115,360	
L	\$336,250	\$10,000	\$106,550			\$10,000	\$10,000	\$15,000	\$22,800	\$161,900	
M	\$277,970	\$10,000	\$101,430			\$10,000	\$10,000	\$15,000	\$12,800	\$118,740	
N	\$151,310	\$10,000	\$22,710			\$10,000	\$10,000	\$15,000	\$1,800	\$81,800	
O	\$178,010	\$10,000	\$36,260			\$10,000	\$10,000	\$15,000	\$7,800	\$88,950	
P	\$103,510	\$10,000	\$6,310			\$10,000	\$10,000	\$15,000	\$200	\$52,000	
	\$4,206,630	\$160,000	\$1,257,630			\$160,000	\$160,000	\$240,000	\$249,000	\$1,980,000	

Scope of Work Tasks and Associated Funding Requests

The SOW needs to address the remainder of the third planning cycle, which concludes January 5, 2011. The SOW must address all necessary elements required in a regional water plan as described in 31 TAC Chapter 357. **This Guidance for Preparation of Scope of Work for Regional Water Planning document, the User Guide to the Regional Water Planning Data Web Interface (DB12 guide under separate cover), Guidelines for Regional Water Plan Development (under separate cover), and the final negotiated scope of work prepared in accordance with these documents, will serve as the core of the regional planning contracts during the remainder of this third round of regional water planning. However, all provisions of 31 Texas Administrative Code, Chapter 357 will serve as the foundational guidance for the development of regional water plans. Any revisions to 31 Texas Administrative Code, Chapter 357 adopted by the Board during the planning effort that result in a change to the planning efforts will be addressed through contract amendments.**

Task 0: Scope of Work Development

The scope of work will include a detailed description of the tasks to be performed, identification of the responsible parties for task execution, a task schedule, and task, subtask, and expense budgets.

Funding

Funding for scope of work development will be considered a part of the Task 10 / Administrative base funding. The regional water planning groups may allocate up to \$10,000 from these administrative funds to pay for scope of work development. Regional water planning groups and their subcontractors may only charge for scope of work efforts performed after Board approval of posting this request for proposals but before execution of the associated contracts/subcontracts.

Required Application Information

None

Task 1: Planning area description

This task will be viewed as a limited effort to update the area descriptions contained in the 2006 approved regional water plans.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 2: Select revisions of population and water demand projections

This task will focus on updating population and water demand projections from the 2006 regional water plans based on changed conditions only, including additional water user groups that meet population or water use criteria in 2005 as described in the Guidelines for Regional Water Plan Development.

This work may include, but is not necessarily limited to:

- 1) revisions of population projections for municipal water user groups.
- 2) revisions of water demand projections for water user groups and wholesale water providers, excluding steam-electric power demands.
- 3) inclusion of cities, non-city water utilities and wholesale water providers not included in previous regional water plans and that meet the water user group or wholesale water provider definition in Guidelines for Regional Water Plan Development.
- 4) review of new water demand projections for steam-electric power production.

TWDB has contracted with outside researchers to develop new methodology to project county-level water demand projections for steam-electric power. TWDB, Texas Commission on Environmental Quality, Texas Parks & Wildlife Department, Texas Department of Agriculture will utilize this information to develop draft steam-electric power water demand projections by the end of August 2008. The regional water planning groups will have the opportunity to review and request revisions to these projections.

Required Application Information

The application's scope of work for this task will include a listing of water user groups and wholesale water providers which are anticipated to meet the revision criteria and a brief description of which particular, qualifying, criteria applies under the Guidelines for Regional Water Plan Development. All revisions to population and water demand projections must meet the revision criteria described in the Guidelines for Regional Water Plan Development.

Task 3: Water supply analysis

This task will focus primarily on updating existing water supply numbers included in the 2006 approved regional water plans based upon changed conditions. This work may include, but is not necessarily limited to:

1. updating groundwater supply volumes based on information resulting from updated Groundwater Availability Models (see Table 2 for a list of models revised or completed since the completion of the 2006 regional water plans).

2. updating firm yield of surface water supply volumes due to changed water rights or approved surface Water Availability Models (as specified in the Guidelines for Regional Water Plan Development).
3. updating groundwater supply volumes based on Managed Available Groundwater volumes calculated by TWDB with desired future conditions adopted for the applicable Groundwater Management Area by January 1, 2008.
4. updating water supply numbers based on information indicating a new drought-of-record for one or more source.
5. updating the water supply to water user groups or wholesale water providers due to contractual or transmission infrastructure changes or due to changes in surface water rights by the Texas Commission of Environmental Quality.

Managed Available Groundwater volumes resulting from the Groundwater Management Area process must be used by planning groups if desired future conditions were submitted for a Groundwater Management Area to TWDB by the January 1, 2008 deadline. TWDB staff will provide these Managed Available Groundwater volumes on a per-county basis.

If a groundwater management area submits the desired future conditions to TWDB after January 1, 2008 and the regional water planning group believes that the resulting managed available groundwater volumes can be incorporated into the planning process, the regional water planning group may request funding for necessary update to the applicable water supply analysis.

Groundwater Availability Models that were not available during the preparation of the 2006 plan may be used to update groundwater availability numbers unless more accurate site-specific or timely Managed Available Groundwater information is available. Where new or updated Groundwater Availability Models have been developed, TWDB staff will work with the planning groups to prepare any necessary model runs to reflect region-specific availability policies. Contractors are encouraged to check the status of Groundwater Availability Models for their regions at the following Web site address, <http://www.twdb.state.tx.us/qam/>.

Specific guidance for methodology to be used to determine existing surface water supply, groundwater supply, and reuse supply during drought-of-record conditions is included in Guidelines for Regional Water Plan Development.

Required Application Information

Each proposed subtask for water supply analysis should specify the water source which will be analyzed and the changed conditions that make it necessary to reevaluate the water supply. Each subtask should also include the water user groups or wholesale water providers which utilize the specified source and a cost for the proposed subtask.

Task 4: Identification, evaluation and selection of water management strategies based on needs

This task will focus on the identification of water needs based upon changed conditions in demand or supply and updating the recommended water management strategies in the approved regional water plans as necessary.

This work will include:

- Update of water management strategies' capital cost estimates to second quarter 2007 price levels according to the Engineering News Record (ENR) Construction Cost Index (CCI). This can be accomplished by either updating total costs by applying the appropriate CCI conversion to each total cost in the current approved regional plan or by reevaluating/re-estimating costs at a more detailed level.
- Updating water management strategies annual costs (and any presented unit cost estimates) to reflect updated power and capital/debt service costs in accordance with revised capital costs or changes to power costs.

This work may include, but is not limited to:

- Identify, evaluate, and select new water management strategies for new water user groups or wholesale water providers with needs corresponding to individual retail public utilities and logical reporting units of retail public utilities and water user groups that have experienced changed conditions requiring the evaluation of additional or modified water management strategies. Examples of changed conditions include:
 - Documented changes in water demand such as projected demands exceeding the supplies available from previously adopted water management strategies,
 - Changes in availability such as supplies being less than demands, and
 - Regionalization of two or more water user groups.
- Revision of water management strategy analyses and modifications to existing water management strategies only if the water demands, water supply volumes, or identified water needs have changed.
- Review and revision of a water management strategy to ensure that all necessary project elements are included so as to qualify for funding under the TWDB Water Infrastructure Funding program.
- Development of new water management strategies if a strategy included in the current approved plan is: no longer feasible; if the regional planning group wants to add or remove a strategy; if a new water management strategy is identified; or if the sponsor of a strategy no longer supports the strategy.
- Development of a new or removal of an existing water management strategy based on revised water demand or supply figures.
- Revising analyses and descriptions as necessary for water management strategies (e.g. due to changes in routing, capacity, or timing) and revising the impact descriptions for any revised water management strategies.
- Establishment of alternative water management strategies: TWDB Rule 357.7(a)(7)(H) allows for the substitution of one evaluated alternative water management strategy for another if the strategy originally recommended is no longer feasible. These alternative water management strategies must be fully

evaluated in terms of costs and impacts on water quality, the natural environment and agriculture. In addition, the regional water plan will specifically identify the alternative water management strategies that may be substituted to meet needs.

Required Application Information

Each proposed subtask will specify the common changed conditions that make it necessary to reevaluate one or more water management strategies. Each subtask should also include the water user groups or wholesale water providers which utilize the water management strategy (Table 2).

**Table 2.
Example of Proposed Water Supply Analysis Revisions.**

Subtask	Changed Conditions	Water User Groups/Wholesale Water Providers	Cost
Revision of construction costs	Required revision and increase in costs	All WUGs/WWPs with WMS in 2006 Plan	\$20,000
Strategies to Meet Growth	Population and water demand projections increased.	11 Water User Groups in the IH-35 corridor: City A, City B, City C	\$10,000
Revised WMSs to address Managed Available Groundwater volumes	New managed available groundwater volumes from the Groundwater Management Area process	25 Water User Groups: City X, City y, County-Other A	\$54,000
New Groundwater Availability Model (GAM)	GAM availability volumes released in November 2007.	Irrigation in Counties J, K, L and P.	\$45,000

Task 5: Impacts of selected water management strategies on key parameters of water quality and impacts of moving water from rural and agricultural areas

This work will be limited to updating this section of the regional water plan as necessary to incorporate or address changed conditions and to address new Water Management Strategies developed during this current round.

Required Application Information

The application's scope of work must specify the work to be done and the additional funds needed.

Task 6: Water conservation and drought management recommendations

This work will be limited to updating this chapter of the regional water plan as necessary including, for example, to address updated information or to address new water management strategies developed during this current round.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 7: Description of how the regional water plan is consistent with long-term protection of the state's water resources, agricultural resources, and natural resources

Work under this task will be limited to updating the current description in the 2006 regional water plan as necessary, for example, based on changed conditions and new water management strategies identified under previous tasks.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 8: Unique stream segments/reservoir sites/legislative recommendations

Work under this task will be limited to updating the current descriptions of and potential revisions to recommendations for unique reservoir or stream segments in the currently approved regional plan and updating legislative recommendations as necessary. The legislative recommendations are to be developed by planning groups in a similar manner as for the previous approved regional water plans.

Required Application Information

Funds must be requested in the application and the scope of work must specify the work to be done.

Task 9: Report to Legislature on Water Infrastructure Funding Recommendations

A provision was integrated into the scope of work for the second round of regional water planning to survey municipal water user groups with needs in order to develop infrastructure funding recommendations.

To meet this requirement during the current round of regional planning, regional water planning groups must update their assessment of funding needs either through a water user group survey similar to the last round. Additional task guidance and a Board-developed survey instrument will be provided prior to execution of the contract.

Required Application Information

The application's scope of work must specify the work to be done and the additional funds needed.

Task 10: Adoption of plan

This task includes public participation, eligible administrative costs, eligible planning group member travel and, if elected, scope of work development. This task has a similar scope and effort as funded during the second round of regional planning.

Public participation was important in the development and adoption of the 2006 regional water plans and will continue to be so in this next round of regional water planning. Activities conducted by professional public relations staff are intended to inform and involve the members of the public. Therefore, TWDB funding limits will be based on population of the regional water planning area and further limited to eligible activities conducted by consultants under contract. Funding will be provided for translators deemed necessary and preparing copies of information for voting and non-voting members.

Since the major cost of eligible travel will be mileage paid to voting planning group members, the TWDB has determined that travel will be based on a combination of the relative land area and travel distance in the planning area. Due to a legislative intent agreement, voting member travel funding statewide cannot exceed \$50,000 per year or a total of \$250,000 during the five-year planning period. Each funding contract will include a provision limiting travel funding to the planning group's proportional share of total travel funds.

Other eligible activities:

- Work required to consider the impacts of climate change as a factor in the regional planning process.
- Work to catalogue the implementation of previously recommended water management strategies contained in prior regional and state water plans.

Required Application Information

The application's scope of work must specify the work to be done and the additional funds needed.

Data Entry into Relational Database

The data associated with the above tasks must be entered into a relational database **prior to submission of the initially prepared plan (IPP)**. The Board will not accept adopted regional water plans until the associated data in the TWDB regional water planning database (DB12) is complete and accurate.

Each regional water planning group will access and update the database via the Internet and will not need to have the software Microsoft Access in order to use the application. Additionally, a run-time version of the database will be available for download at the TWDB web site. Online data entry forms will be provided and reports can be generated

from the database to assist the planning groups with preparation of their 2011 regional water plans. TWDB staff will populate the database with the previously submitted 2006 regional water plan data. The planning groups and their contractors will be asked to review and revise, if necessary, the existing data and add new data to the database as required by updates and other work under the funded tasks described above. The intent of the database is to maintain standardization of data and to facilitate the compilation of statewide information. Specifics on data entry are available in User Guide to the Regional Water Planning Data Web Interface. All incremental and total costs of updating DB12 to accurately reflect all work and changes associated with this round of planning are to be embedded within the scope of work budgets for Tasks 1-10.

Contracts Between the TWDB and the Regional Water Planning Groups

The planning contracts will identify the cost for the preparation of the regional water plans. Contracts will be for the full period through adoption of the next regional water plans. The contracts will include contingency language relative to funding authorization for planning efforts scheduled for the FY 2008-09 biennium and FY 2010-11 biennium. Contracts and scopes of work must clearly delineate deliverables based on a two-thirds/one-third split of total requested funds in order to allow for completing discrete deliverables in the event that FY 2010-11 biennium funding is not appropriated.

Two-thirds of the contracted funds will be immediately available for planning activities since two-thirds (\$6 million) of the total estimated \$9 million of funding has already been appropriated by the Legislature. The estimated remaining \$3 million for regional planning will be contingent on authorization and appropriation by the Texas Legislature for the FY 2010-11 biennium. The deliverables and work scope items must be designated to indicate which portion of these two funding sources will support the task or subtask. The regional water planning groups may delineate where and how this split is applied to their total budgeted amount as appropriate to accommodate its proposed work schedule and work plan.

ATTACHMENT D

**Attachment D
Summary of Recommended Funding and Certifications of Recommendations**

Region	Applicant	Requested Funding	Staff Recommended Funding
A	Panhandle Regional Planning Commission	\$ 513,030	\$ 511,030
B	Red River Authority of Texas	\$ 137,390	\$ 137,390
C	North Texas Municipal Water District	\$ 2,618,950	\$ 1,897,590
D	Northeast Texas Municipal Water District	\$ 452,680	\$ 452,680
E	Rio Grande Council of Governments	\$ 364,030	\$ 299,030
F	Colorado River Municipal Water District	\$ 273,280	\$ 273,280
G	Brazos River Authority	\$ 1,177,170	\$ 1,038,805
H	San Jacinto River Authority	\$ 1,231,100	\$ 1,098,300
I	City of Nacogdoches	\$ 345,460	\$ 300,460
J	Upper Guadalupe River Authority	\$ 311,240	\$ 180,240
K	Lower Colorado River Authority	\$ 541,200	\$ 471,100
L	San Antonio River Authority	\$ 1,535,881	\$ 1,268,208
M	Lower Rio Grande Valley Development Council	\$ 351,100	\$ 286,740
N	Nueces River Authority, Coastal Bend Division	\$ 593,760	\$ 549,710
O	High Plains Underground Water Conservation District No. 1	\$ 635,430	\$ 440,430
P	Lavaca-Navidad River Authority	\$ 262,000	\$ 220,500
Total		\$ 11,343,701	\$ 9,425,493

August 18, 2008	
The application and documentation submitted by the applicant for consideration of this financial assistance has been reviewed by the Regional Water Planning Manager and has been determined administratively sufficient for the Board's consideration.	 Signature David Meesey
The application and documentation submitted by the applicant for consideration of this financial assistance has been reviewed by the Agency Contract Administrator and has been determined administratively sufficient for the Board's consideration.	 Signature David Carter
I have reviewed the application and legal documentation submitted by the applicant and have determined that the application contains the information required by the applicable statutes and rules for consideration by the Board.	 Signature Ingrid Hansen