

Summary of the Uniform Standards Stakeholder Committee (SHC) Activities

Background

The passage of House Bill 4 by the 83rd Texas Legislature in 2013, established a water management strategy project (WMSP) prioritization process. Prioritization for project funding is implemented in two phases. First, the 16 regional water planning groups (RWPGs) prioritize projects in their respective regional water plans (RWPs), and then the Texas Water Development Board (TWDB) prioritizes state water plan projects seeking State Water Implementation Fund for Texas (SWIFT) funding. House Bill 4 required, in Texas Water Code (TWC) Section 15.436(c), the TWDB to:

"create a stakeholders committee composed of the presiding officer or a person designated by the presiding officer of each regional water planning group to establish uniform standards to be used by the regional water planning groups in prioritizing projects under this section. Uniform standards established under this subsection must be approved by the board. The board shall consult the stakeholders committee from time to time regarding regional prioritization of projects."

In September 2013, a Stakeholder Committee (SHC) composed of RWPG chairs or their designees was established. The SHC was tasked with determining uniform standards to be used by the RWPGs in prioritizing projects in their RWPs.

Uniform Standards Development

- To carry out their task, SHC members had several meetings in the fall of 2013. The SHC adopted final uniform standards, by consensus, in November 2013. The uniform standards were approved by the TWDB Board in December 2013.
- In 2014, RWPGs used the uniform standards to prioritize projects previously recommended in the 2011 RWPs.
- The SHC reconvened in January 2015 and determined that no changes to the uniform standards were necessary to complete the 2016 RWP project prioritization. The stakeholders also discussed whether to issue guidance on the uniform standards. There was agreement that the TWDB prioritization guidance was available for use, but the guidance was not formally adopted by the SHC.
- In 2017, the TWDB recommended that the SHC meet at least once per planning cycle to review the uniform standards.

A detailed timeline of SHC meetings and relevant events is presented in the following section.

Detailed Development Timeline

September 17, 2013 – The TWDB hosted a teleconference with SHC members and provided general background and orientation materials related to the development of uniform standards. The SHC requested a facilitator to assist with the process and elected to not select a committee chair so that all members could

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participate on equal footing. The committee developed a list of preliminary questions and prepared goals for the next meeting.

October 8–9, 2013 – During a two-day meeting in Austin, TX, committee members adopted meeting protocols, discussed expectations, and assessed information needs. The SHC participated in a work session with TWDB staff that focused on the legislative intent of prioritization and SHC questions and concerns. The committee began their initial review of prioritization criteria. Key consensus decisions from the meeting included the following:

- General meeting protocols.
- Use of the Texas Water Conservation Association (TWCA) five-criteria ranking sheet as a starting point for developing standards.
- The order of developing standards would be to agree on considerations, weightings, and then scoring.
- Use of one list to rank all projects, but identification of projects that qualify as agriculture, rural, conservation, reuse, etc. for further sorting.
- Consensus would be sought once the full picture of uniform standards was developed and not on specific considerations within the criteria.

October 21–22, 2013 – SHC members participated in one of two conference calls in which members scheduled future meetings and discussed interim work to better understand how project scoring could be developed. A survey of the TWCA criteria ranking sheet was also presented. The survey covered TWCA template considerations and was intended to provide trends for areas of member agreement or disagreement in order to facilitate discussion.

November 4–5, 2013 – The SHC convened in Austin, TX, and developed by consensus a set of draft uniform standards based on the five statutory criteria in TWC Section 15.436. The only non-consensus decisions were supermajority votes to exclude the following two items in the uniform standards 1) a consideration relating to the status of mitigation under federal law, and 2) a consideration relating to support from both the community receiving water and the community giving water. The SHC agreed to test the draft standards by scoring projects in their RWPs as well as hypothetical projects to determine if the template could be applied consistently.

November 13–14, 2013 – The SHC convened in Austin, TX, and considered the draft uniform standards and preliminary scoring results. Individual standards were modified and then tested again for scoring consistency. On November 14, 2013, the SHC adopted by consensus uniform standards to submit to the TWDB.

November 25, 2013 – The SHC submitted the uniform standards to the TWDB for consideration.

December 5, 2013 – The TWDB Board approved the uniform standards.

January–June 2014 – The RWPGs applied the uniform standards to projects proposed in the 2011 RWPs. The TWDB developed optional guidance to promote uniformity of final prioritization submissions.

June 1, 2014 – Draft prioritizations of the 2011 RWP projects due to the TWDB.

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June 18, 2014 – The SHC held a conference call to review comments on draft prioritizations, evaluate inconsistencies in application of the uniform standards, consider whether shared guidance is necessary for consistency of prioritization, and determine a path to final prioritizations. After consideration of RWPG comments, the SHC made no revisions to the uniform standards and agreed by consensus not to adopt formal guidance for RWPGs to use in interpreting the uniform standards.

September 1, 2014 – Final prioritizations of the 2011 RWP projects due to the TWDB.

January 13, 2015 – The SHC met in Austin, TX, to review the uniform standards prior to prioritization of the 2016 RWP projects. The committee reviewed a list of concerns from RWPGs on current standards and voted to make no changes to the uniform standards. The SHC discussed the need to have guidance for interpreting the uniform standards. Some members supported adopting a guidance document to assure uniformity. Other members expressed concern about the ability to develop guidance in time for use in the 2016 prioritization process. The SHC noted that the TWDB guidance was available for use, but did not formally adopt guidance for application of the uniform standards.

December 1, 2015 – 2016 RWPs and project prioritization due to the TWDB.

August 26, 2016 – During the Chair’s conference call, the TWDB inquired when the SHC would like to reconvene. The SHC requested waiting to schedule the next SHC meeting until the 85th Texas Legislative Session had begun.

June 28, 2017 – During the Chair’s conference call, the TWDB inquired when the SHC would like to meet again and recommended that the SHC reconvene at least once per planning cycle. No SHC meeting date was scheduled at that time.

2018/2019 – To Be Determined – SHC meets to review uniform standards and consider changes prior to 2021 RWP project prioritization.

October 14, 2020 – 2021 RWPs and project prioritization due to the TWDB.

Summary of Key Stakeholder Committee Decisions

The SHC developed a decision document summarizing all major decisions of the committee prior to adopting the standards.

Key decisions made to guide the original development of uniform standards included the following:

- No chairperson will preside over the committee so that all members may participate on equal footing.
- Use consensus as the primary decision-making process.
- Use the following order to proceed in developing standards:
 - 1) Agree on considerations
 - 2) Agree on weightings
 - 3) Agree on scoring
- Use one list to rank all projects, but identify projects that qualify as agriculture, rural, conservation, reuse, etc. for further sorting.

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- Use the TWCA five-criteria ranking sheet as a starting point to develop uniform standards.
- Seek a general and informal agreement on specific considerations within evaluation criteria, with the understanding that a formal consensus would be sought once the full picture of the standards was developed.
- Not to revisit considerations once a consensus decision had been made to remove a consideration.

Stakeholder Feedback

Stakeholder feedback from RWPG surveys and 2016 RWP policy recommendations regarding uniform standards and project prioritization has been compiled for consideration by the SHC. Feedback included recommendations for adjustments to specific uniform standards as well as requests for clarification and guidance.

Upcoming Stakeholder Committee Activity

The SHC last met in January 2015 to evaluate the uniform standards prior to the 2016 RWP prioritization process. At that time, the SHC decided not to make any changes to the uniform standards. The next SHC meeting has not been scheduled but is anticipated to occur prior to the prioritization of the 2021 RWP projects.