

RWPG Chairs Conference Call Meeting Notes

Type of Meeting: RWPG Chairs Conference Call (CCC)

Date of Meeting: June 30, 2021

Location of Meeting: Microsoft Teams

TWDB Staff in Attendance: Temple McKinnon, Sarah Backhouse, Yun Cho, Jean Devlin, Ron Ellis, Lann Bookout, Kevin Smith, William Alfaro, Elizabeth McCoy, Sabrina Anderson, Kimberly Rhodes

Number of Planning Group Members in Attendance: 16 regions represented

Senators/Representatives/Other VIPs in Attendance: N/A

Report filed by: Jean Devlin

Report filed on: July 8, 2021

Agenda Items Discussed:

1. Introductions, Opening Comments, and Agenda Order

Sarah Backhouse welcomed participants, introduced the Texas Water Development Board (TWDB) staff present and acknowledged the representatives present from each regional water planning group (RWPG). She indicated that the meeting was being recorded and that written notes will be provided.

RWPG participants:

A – C.E. Williams (Panhandle Groundwater Conservation District), Dustin Meyers, and Kathryn English (Panhandle Regional Planning Commission)

B – Randy Whiteman (Chair), Stacey Green, and Danna Bales (Red River Authority)

C – Kevin Ward (Chair) and Howard Slobodin (Trinity River Authority)

D – Jim Thompson (Chair) and Kyle Dooley (Riverbend Water Resources District)

E – Jesus Reyes (Chair) and Annette Gutierrez (Rio Grande Council of Governments)

F – John Grant (Chair)

G – Wayne Wilson (Chair) and Pamela Hannemann (Brazos River Authority)

H – Mark Evans (Chair)

I – Kelley Holcomb (Chair)

J – Jonathan Letz (Chair)

K – David Van Dresar (Chair) and Annette Keaveny (Lower Colorado River Authority)

L – Tim Andruss (Chair) and Kendall Hayes (San Antonio River Authority)

M – Jim Darling (Chair)

N – Carola Serrato and Scott Bledsoe (Co-Chairs)

O – Aubrey Spear (Chair) and Kelly Davila (South Plains Association of Governments)

P – Neil Hudgins (Vice-Chair)

Handout A: [Sixth Cycle of Regional Water Planning working schedule](#)

Handout B: [TWDB Preliminary Input Request on State Water Planning Guidance Principles and Water Planning Rules](#)

2. Status of Final Payments for the 2021 Regional Water Plans

Sarah Backhouse provided an update on the status of final payments for the 2021 Regional Water Plans.

- a) Final payments are being prioritized within our Contracts Department moving forward. The goal is to have all the final payments completed by the end of July. However, any budgetary or subcontract issues remaining by the 7/31 contract deadline may result in the deadline being extended again. TWDB will follow up directly with contractors if further extensions are needed.

3. 87th Legislature Bills passed that Directly Affect Regional Water Planning

Sarah Backhouse provided an overview of the 87th legislature bills that directly impact the RWPGs. These bills include House Bill (HB) 1905, Senate Bill (SB) 669, and HB 2225.

- a) HB 1905 relieves the RWPGs from assessing financing needs to implement water management strategies and projects and removes the requirement to submit an Infrastructure Financing Report to the TWDB. The bill relieves SWIFT program applicants from submitting an Infrastructure Financing Survey with an application for financial assistance. HB 1905 also relieves the RWPGs from prioritizing projects within the regional water plans and eliminates the Uniform Standards Stakeholder Committee related to the prioritization process. This bill is effective September 1, 2021. TWDB will conduct a rulemaking later this year to implement this legislation.
- b) SB 669 eliminated a biennial water use report to the legislature, instead requiring the Agency to make publicly available water use report information for certain municipalities and water utilities. The water use information required by this bill is already publicly available on TWDB's Water Use Survey website. The bill also eliminated coordination and a reporting requirement with the TCEQ and the TSSWCB related to the repair and maintenance of certain dams. This bill is effective September 1, 2021. TWDB is developing data dashboards of information previously provided by this report. We will distribute this information to RWPGs when it becomes available.
- c) HB 2225 authorizes the Texas Parks and Wildlife Department to encourage and facilitate the dedication of water rights in the Texas Water Trust through lease, donation, purchase, or other means of voluntary transfer for environmental needs. It also gives TPWD the authority to manage water rights in the Water Trust under an agreement with the water right holder and defines the way they may do so. The new law does not authorize TPWD to exercise any authority related to the Water Trust expressly granted to the TWDB or the TCEQ and does not change TWDB's responsibilities with the Texas Water Trust.

Sarah Backhouse noted that there were many bills related to the Open Meetings Act filed during this session, but none passed. However, there are existing allowances for virtual meetings in the Texas Government Code. We summarized this information and sent this out to the Chairs and Administrators in March. If you need to reference this communication again it's posted on our website on the 2026 RWP communication page or you can reach out directly to Sarah. Sarah also noted one of the TWDB's legislative priorities did not pass which was a bill to clarify TWDB's responsibilities with respect to the Interregional Planning Council. This also included an exceptional request for an additional staff person to

directly support the council, however this was not passed. We do plan to offer support to the Council again as needed. TWDB had also requested an increase in funds available for state and regional water planning as part of the agency's Legislative Appropriations Request, part of which would have increased the funds directly available to RWPGs. This additional funding was not received. If appropriations continue through the cycle at the current level, we anticipate the total for the 6th cycle of planning to be similar to the 5th cycle.

4. Regional Water Planning Program Updates

Sarah Backhouse provided updates on the following items.

- a) Stakeholder feedback survey: The TWDB anticipates opening the stakeholder feedback survey in late July. This survey will request feedback on TWDB staff assistance, planning group administration, and educational and plan development resources available to RWPGs.
- b) 2022 State Water Plan: The TWDB Board will consider adoption of the 2022 State Water Plan on July 7th. The TWDB received written comments from 15 organizations and 76 individuals on the 2022 State Water Plan. The posted Board item includes a summary of comments received and the TWDB's response to comments. A link to the Board item can be found on the main TWDB webpage for the July 7th Board materials. The interactive site for the 2022 State Water Plan is now live and can be viewed at <https://texasstatewaterplan.org/statewide>.
- c) Interregional Planning Council: The inaugural Interregional Planning Council will dissolve on July 7th and the TWDB will solicit nominations of the next Council. Nominations of the Council must include an alternative representative for each planning group. The next Council report will be due to the TWDB in March 2024. TWDB's rules require that the report will be due one year before the Initially Prepared Plan. This timeframe was developed to allow for the planning process to potentially address any relevant recommendations during the current cycle.

5. Sixth Cycle of Regional Water Planning Initial Activities

Sarah Backhouse provided an update on initial activities for the 6th planning cycle:

- a) Working schedule for 2026 Regional Water Plans: Sarah discussed the Sixth Cycle of Regional Water Planning working schedule [Handout A]. Jonathan Letz inquired about the delay of Census data and how that may impact demand projections. This was addressed under the next agenda item.
- b) Projections timeline update: Yun Cho provided an update on water use projections timeline. Population projections will be newly developed based on the 2020 Census and State Data Center projections. Delivery of the draft projections always occurs later in Census cycles and this cycle has been further delayed due to COVID impacts on the 2020 Census data release. There will be a tight timeframe this cycle for the projections revision process. TWDB will release draft non-municipal projections as they are developed and provide more time for the data review up front. The population and municipal projections will be released later in the cycle. TWDB will launch a website with all projections related information for the RWPGs, water user groups, and the public to facilitate engagement and participation. TWDB has been working closely with the Texas Demographic Center to strategize on potential

changes to the Census data schedule. Kelley Holcomb asked for clarification on the expectations of RWPG interaction with water user groups. Yun noted that since there is a shorter time for the review process, for regions to coordinate with water user groups on the draft data provided as soon as possible and to provide feedback to TWDB as early as they can. TWDB is also open to receiving feedback directly from the water user groups if that would assist the RWPGs. Temple McKinnon also clarified that historical water use data, self-reported through the Water Use Survey provides a basis for projections.

- c) Contract development for the 2026 Regional Water Plans: TWDB staff has been preparing the contract packets for reach region. The contracts will be sent to each RWPG Administrator for signature via DocuSign. These documents must be signed by all external parties and the TWDB by August 31, 2021. Later this year, we will be working on developing the remaining scope of work and related sections of the contract guidance. TWDB is planning to amend these initial contracts by Summer 2022 to incorporate these updates as well as the total study cost.
- d) Guidance and data for pre-planning and coordination meetings: Guidance for pre-planning and coordination meetings was sent to the RWPGs. At a minimum, the RWPG must receive public input on the development of the 2026 Regional Water Plan and must discuss the potential process for how they will conduct interregional coordination. The TWDB provided process examples and strategy and project data from the 2021 Regional Water Plans that can be used to assist with interregional coordination. Pre-planning meetings should be held in 2021 before technical work begins. The TWDB intends to release the first set of projections data at the end of 2021. Randy Whiteman asked whether the pre-planning meetings could be part of regular meetings or if they needed to be separate, as well as if TWDB has any preference on RWPGs holding virtual meetings or not. Sarah clarified that it's up to the RWPG how they structure the pre-planning meetings. Some RWPGs opt to include regular agenda items with the pre-planning meeting and some opt for a separate meeting. The pre-planning meeting notice is a larger 30-day notice and needs to include a summary of any proposed actions. TWDB does not have a preference on a virtual format or not, that will be up to the RWPGs and TWDB does not have any restrictions on staff travel. RWPGs must ensure they are following the Open Meetings Act. Temple McKinnon also clarified that the intent of the new interregional coordination requirement is for there to be deliberate discussion on these efforts. The Interregional Planning Council identified the need to coordination efforts throughout the planning cycle rather than only at the end.

6. State Water Planning Guidance Principles Review

- a) Preliminary input request on state water planning guidance principles and regional water planning rules: All planning group members were sent a stakeholder letter requesting input on the guidance principles and regional water planning rules on May 20th. There are 28 guidance principles that provide the framework for the planning process and the TWDB is required to review and consider updating these principles every five years. The stakeholder letter requested feedback on six specific planning topics, potential new guidance principles, and process improvements and clarifications [Handout B]. The TWDB is requesting that

feedback be provided no later than July 5th for these state water planning guidance principles.

7. Chairs Discussion

No additional comments or discussion were provided.

8. Wrap-up and next call topics and date

Temple McKinnon recognized C.E. Williams and Carola Serrato who are resigning as RWPG Chairs and thanked them for their service. The next RWPG Chairs Conference Call meeting will be scheduled towards the end of 2021.