

## RWPG Chairs Conference Call Meeting Notes

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**Type of Meeting:** RWPG Chairs Conference Call (CCC)

**Date of Meeting:** December 8, 2022

**Location of Meeting:** Microsoft Teams

**TWDB Staff in Attendance:** Temple McKinnon, Ron Ellis, Katie Dahlberg, Lann Bookout, Kevin Smith, Jean Devlin, Elizabeth McCoy, Sabrina Anderson, Leslie Vallecillo

**Number of Planning Group Members in Attendance:** 14 regions represented

**Senators/Representatives/Other VIPs in Attendance:** None

**Report filed by:** Elizabeth McCoy

**Report filed on:** December 15, 2022

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### Agenda Items Discussed:

#### 1. Introductions, Opening Comments, and Agenda Order

Temple McKinnon (TWDB) welcomed participants, reviewed the agenda, and asked for input on additional items to consider and the agenda order. Temple noted that the meeting was being recorded and written notes will be provided.

Regional Water Planning Group (RWPG) participants:

A – Ben Weinheimer (Chair)

B – Stacey Green and Randy Whiteman (Red River Authority)

C – Kevin Ward (Chair)

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

E – Scott Reinert (Vice-Chair)

F – Cole Walker (Colorado River Municipal Water District)

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

H – Mark Evans (Chair)

I – John Martin (Chair)

J – Tara Bushnoe (Upper Guadalupe River Authority)

K – Annette Keaveny (Lower Colorado River Authority)

L – Tim Andruss (Chair) and Caye Castillo (San Antonio River Authority)

M – Jim Darling (Chair) and Rick Carrera (Lower Rio Grande Valley Development Council)

N – None

O – Aubrey Spear (Chair)

P – None

**Handout A:** [TWDB Legislative Appropriations Request \(Fiscal Years 2024-2025\)](#)

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

#### 2. Sixth Cycle of Regional Water Planning Activities and Timelines

Temple provided updates on several sixth cycle planning activities.

- a) TWDB Legislative Appropriations Request [*Handout A*]

The TWDB's Legislative Appropriations Request is available on the [TWDB website](#) and includes an exceptional item request for an additional \$1.3 million in annual

appropriations for regional water planning grants. These funds are requested to address the 10 new statutory requirements that have been added to the water planning process since 2009. Over this same timeframe, the amount of funds provided to develop the 16 regional water plans (RWP) has not increased significantly, despite a cumulative engineering sector inflation rate of approximately 50 percent since 2001. This funding request also includes \$320,000 per year for rural and other outreach.

The TWDB Board will consider approving the 88th Session Legislative Priorities Report for TWDB on December 15. The report includes a recommendation for the legislature to remove the statutory requirement for RWPGs to post public notice of certain meetings in newspapers. Removing the requirement better aligns the public participation process for regional water planning and regional flood planning.

b) Interregional Planning Council

The Interregional Planning Council met on November 9, 2022. The Council plans to meet again in spring 2023. The Council's report is due to TWDB on March 3, 2024, which aligns with due date of the Technical Memorandum. The Council requested that TWDB survey RWPGs to collect information on how planning groups are implementing recommendations made to RWPGs from the last Council. The survey should be sent out to RWPG chairs, political subdivisions, and consultants in early 2023.

c) TWDB coordination with State Climatologist

A link to the TWDB's Sunset Advisory Commission Report is available on [the TWDB's website](#). The report includes three recommendations specific to water planning: authorize RWPGs, by statute, to use a drought worse than the drought of record as the baseline for planning purposes; conduct a state water plan project feasibility review; and direct TWDB to consult with the Office of the State Climatologist in preparation of regional and state water plans.

TWDB has started meeting with John Nielson-Gammon, the State Climatologist, to determine what information that his office produces or can produce that could inform the planning process. This is an ongoing effort, and more information will be provided to RWPGs in the future.

d) Regional water planning activities prior to the Technical Memorandum deadline  
*[Handout B]*

Temple provided an overview of tasks that need to be completed before the Technical Memorandum deadline on March 4, 2024. Required content for the Technical Memorandum is specified in Exhibit C and includes

- Populations, demands, availability and supplies, and needs data
- RWPG process to identify potentially feasible water management strategies (WMSs)
- List of potentially feasible WMSs
- List of infeasible WMSs and projects identified from the 2021 RWPs
- Summary of region's interregional coordination efforts to date

Hydrologic variances also need to be included in Technical Memorandum. For surface water variances, RWPGs must use the new [hydrologic variance checklist](#), which was developed to streamline review of variance requests.

Before the Technical Memorandum, RWPGs will need to conduct their infeasible WMS review, which is a new task this cycle and was required by Senate Bill 1511, 85th Texas Legislature. The infeasible WMS review process is outlined in Exhibit C and the scope of work. RWPGs must review the status of WMSs and projects with an online decade of 2020 in the 2021 RWPs and additional near term WMSs and projects with lengthy permitting or construction processes. TWDB will provide relevant WMS and project data from the 2021 RWPs to the RWPGs for this task.

Infeasible strategies are those whose proposed sponsors have not taken an affirmative vote to make expenditures necessary to construct or file applications for permits required for implementation of the strategy on a schedule in order for the strategy to be completed in time as indicated in the plan. Temple noted that the 2021 RWP implementation survey may have relevant information on strategy and project implementation. If infeasible strategies or projects are identified, RWPGs will be required to amend their 2021 RWP. Amendments must be adopted by June 4, 2024. TWDB planners will help regions with the logistics of this new process.

Mark Evans (Region H) ask if the associated amendments would be considered major or minor? This will depend on the specific nature of the amendment. As outlined in the [Amending an Approved Regional Water Plan](#) resource document, an RWP amendment resulting from the infeasible WMS analysis that would increase or create new unmet needs will not necessarily be a major amendment.

RWPGs will also need to hold a public meeting to present their process to identify potentially feasible WMSs and receive public input prior to the Technical Memorandum deadline. This public meeting requires a 14-day notice. RWPGs will also present the results of the infeasible WMS analysis at this meeting.

- e) Updates to TWDB regional water planning educational material  
New materials are available online at the below links. Planners are providing updates on new materials at RWPG meetings, and this information has been included in the regional water planning newsletter.
  - i. [RWPG member overview](#)
  - ii. [Administrative guidance for RWPG sponsors \(political subdivisions\)](#)
  - iii. [Regional Water Planning 101 slides](#)
  - iv. Regional water planning [educational information sheets](#)
- f) Contracting reminders
  - i. Contract exhibits are available [online](#). Exhibit D will be sent to consultants for an optional review prior to finalizing. Once final, it will be posted online.
  - ii. Reminder that per contract requirements, payment requests need to be submitted quarterly (approximately every three months).

- iii. Subcontracts should be revised to incorporate the new scope of work tasks and amended budgets from the recent TWDB amendment. Amended subcontracts should be submitted to TWDB for review and acceptance.
- g) TWDB regional water planning communications
  - i. TWDB has been providing newsletters to regional water planning stakeholders that summarize information on recent and upcoming activities. Communications from TWDB are being sent from the [regionalwaterplanning@twdb.texas.gov](mailto:regionalwaterplanning@twdb.texas.gov) email address are generally sent to all RWPG members, sponsors, and consultants. Emails recipients will be noted in each email for clarity.
  - ii. At the January 19, 2023, TWDB Board meeting, the Board will consider the first amendment to the 2022 State Water Plan. This is to incorporate an amendment from Region M. TWDB will send out notice on the associated hearing to RWPGs as required by rule.
- h) Chairs feedback - None

### **3. Projections Development**

Katie Dahlberg, manager of the TWDB Projections and Socioeconomic Analysis team, provided the following updates on population and municipal water demand projections for the 2026 RWPs.

- a) TWDB drafts population projections using county level projections developed by the Texas Demographic Center (TDC). TDC uses a cohort component method that relies on birth rates, death rates, and migration rates for different demographic cohorts. In their latest projections, TDC uses migration rates from 2010 to 2020 to produced two migration scenarios, a full migration scenario and half migration scenario. TDC's county level projections are available online: <https://demographics.texas.gov/Data/TPEPP/Projections/>
- b) This cycle if a county's population is projected by TDC to decline, then the TWDB's county population projections will also decline. TWDB draft population projections use the full-migration scenario to sub-allocate to water user groups (WUG). TWDB will provide region-county projections for both migration scenarios and WUG projections for only the full-migration scenario to RWPGs. RWPGs will have the option to revise projections to use the half-migration scenario.
- c) Municipal water demand projections rely on a draft baseline gallons per capita daily (GPCD) water use and projected plumbing code savings, which will be updated this cycle.
- d) Data release schedule: Non-municipal demands have been released to RWPGs. Population and municipal demands will be released in February 2023. Non-municipal revision requests are due to TWDB by July 14, 2023. Population and municipal demand revision requests are due on August 11, 2023. RWPGs are encouraged to submit non-municipal demand revisions early in order to focus on the population and municipal demand review once draft data is available. Temple strongly encouraged the regions to wrap up non-municipal demand revision

requests earlier to free up time for work on population and municipal demands.

e) Chairs feedback - None

#### **4. Chairs Discussion**

Jim Thompson (Region D) asked if statute specifies that infeasible WMS analysis is only for WMSs in the RWPG's region or if that was an administrative determination by the TWDB. Temple responded that statute does not explicitly address that. Administratively, as statute reads, each RWPG is responsible for the development of their own plans, so TWDB concluded each RWPG is responsible for amending their own plans and determining what is infeasible. These processes include a public input component so RWPGs could certainly submit written comments on feasibility or infeasibility of a WMS to another region.

Ben Weinheimer (Region A) highlighted the limitation on using planning grant funds to amend TWDB board-adopted projections. Temple noted that this limitation is due to administrative rules (31 TAC 355.92). TWDB funds cannot be used to revise population or demand projections once they have been approved by the TWDB board. In-kind funds collected by RWPGs could be used to pay for this.

Aubrey Spear (Region O) asked if local or regional population projection data could be used to revise TWDB population projections and if regional and county totals would be capped. Temple noted that Exhibit C outlines the supporting information for revisions requests. Katie Dahlberg added that there will be regional caps on the population projections. TWDB is providing data for two migration scenarios so regions will have two different region totals to review and see how local projections would align with the scenarios. Regions cannot exceed caps, but TWDB will look closely at data provided by regions. Katie added that in most cases, it is a matter of reallocating where people actually are. Temple emphasized that TWDB is reliant on RWPGs to review and bring forward local information to revise draft projections as appropriate.

#### **5. Wrap-up and next call topics and date**

The next RWPG Chairs Conference Call meeting will be scheduled for May or June 2023. Potential discussion topics include updates on legislative items, projections, and the Interregional Planning Council. Sarah Lee (TWDB) will reach out with potential meeting dates.