

REGION H

Water Planning Group

MEETING MATERIALS

May 4, 2016

San Jacinto River Authority

Region H Water Planning Group
10:00 AM Wednesday
May 4, 2016
San Jacinto River Authority Office
1577 Dam Site Rd, Conroe, Texas 77304

AGENDA

1. Introductions.
2. Review and approve minutes of February 3, 2016 meeting.
3. **Receive public comments on specific issues related to agenda items 4 through 10.** (Public comments limited to 3 minutes per speaker)
4. Receive presentation from Texas Water Development Board on Projections Development for 2021 Regional Water Plans.
5. Receive presentation from Texas Water Development Board on the draft 2017 State Water Plan.
6. Receive update from Consultant Team regarding the schedule and milestones for the development of the 2021 Region H Regional Water Plan.
7. Receive report from Consultant Team on preliminary input to Texas Water Development Board rulemaking process for water planning.
8. Review Region H committee assignments for development of the 2021 Region H Regional Water Plan
9. Receive report regarding recent and upcoming activities related to communications and outreach efforts on behalf of the Region H Planning Group.
10. Agency communications and general information.
11. **Receive public comments.** (Public comments limited to 3 minutes per speaker)
12. Next Meeting: August 3, 2016.
13. Adjourn

Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact Megan Morris at (936) 588-3111 at least three business days prior to the meeting so that appropriate arrangements can be made.

Agenda Item 2

Review and approve minutes of February 3, 2016 meeting.

**MINUTES
REGION H WATER PLANNING GROUP
FEBRUARY 3, 2016
SAN JACINTO RIVER AUTHORITY
GENERAL AND ADMINISTRATION BUILDING
1577 DAM SITE ROAD
CONROE, TX 77304**

MEMBERS PRESENT: Carl Masterson, James Comin, Marvin Marcell, Pudge Willcox, Gene Fisseler, Glenn Lord, David Collinsworth, Robert Bruner, William Teer, Art Henson, David Bailey, Jun Chang, Mark Evans, Jace Houston, James Morrison, Jimmie Schindewolf, John Blount, Kathy Turner Jones, Bob Hebert, John Howard, Michael Turco, Ivan Langford

DESIGNATED ALTERNATES: Glenn Clingenpeel for Kevin Ward

MEMBERS ABSENT: Ruth Stultz, John Bartos, Robert Istre

NON-VOTING MEMBERS PRESENT: Sarah Backhouse

CALL TO ORDER

The meeting was called to order at 10:03 a.m.

1. INTRODUCTIONS

Mr. Evans welcomed Dr. Tom Linton and his Coastal Water Policy class from Texas A&M University Galveston Campus to the meeting and announced the alternate members present. He went on to welcome Sarah Backhouse and Carmen Cernosek from the Texas Water Development Board and announced that Sarah Backhouse is the new Texas Water Development Board representative to Region H.

2. REVIEW AND APPROVE MINUTES OF NOVEMBER 4, 2015 MEETING

Art Henson made a motion to approve the minutes of November 4, 2015. The motion was seconded by Jun Chang and carried unanimously.

3. RECEIVE PUBLIC COMMENTS ON SPECIFIC ISSUES RELATED TO AGENDA ITEMS 4 THROUGH 12. (PUBLIC COMMENTS LIMITED TO 3 MINUTES PER SPEAKER)

There were no comments.

4. ACCEPT THE RESIGNATION OF RON NEIGHBORS AS A VOTING MEMBER REPRESENTING WATER DISTRICTS; DECLARE VACANCIES IN POSITIONS REPRESENTING WATER DISTRICTS, WATER UTILITIES, AND SMALL BUSINESS; RECEIVE NOMINATING COMMITTEE REPORT; AND ELECT NEW VOTING MEMBERS REPRESENTING WATER DISTRICTS, WATER UTILITIES, AND SMALL BUSINESS

Mr. Evans explained that upon Mr. Neighbors' resignation and the previous departure of two other Region H members, there were three current vacancies; one for Water Districts, one for Water Utilities, and one for Small Business. Mr. Jimmie Schindewolf, Chair of the Nominating Committee, explained that the Committee is composed of members, Mr. Bob Hebert, Mr. John Blount, Mr. Bill Teer, and Mr. Jun Chang. He went on to explain that the Nominating Committee discussed proposed

nominations via conference call on January 21, 2016. Mr. Schindewolf announced that the Nominating Committee recommended Mr. Michael Turco, General Manager of the Harris-Galveston Subsidence District, to replace Mr. Ron Neighbors for Water Districts; secondly they recommended Mr. Ivan Langford, General Manager of the Gulf Coast Water Authority, to fill the vacancy of Mr. Harold Wallace for Water Utilities; and lastly, the committee recommended Ms. Ruth Stultz to fill the vacancy of Mr. Steve Tyler for Small Business. Mr. Houston presented a brief introduction of Ms. Stultz.

Mr. David Collinsworth made a motion to elect Mr. Turco as representative for Water Districts, Mr. Langford as representative for Water Utilities, and Ms. Stultz as representative for Small Business. The motion was amended to accept the resignation of Mr. Neighbors and to accept the election of the new representatives for Region H. The motion was seconded by Mr. Robert Bruner and carried unanimously

Mr. Evans congratulated the new members of the planning group and asked them to join the meeting.

5. CONSIDER AND TAKE ACTION TO EXTEND THE TERM OF EXISTING REGION H VOTING MEMBERS FOR AN ADDITIONAL FIVE-YEAR TERM.

Mr. Houston briefly explained the current terms of voting members. Mr. Marvin Marcell made a motion to extend the term of existing Region H voting members for an additional five-year term. The motion was seconded by Mr. Gene Fisseler and carried unanimously.

6. RECEIVE NOMINATING COMMITTEE REPORT AND ELECT OFFICERS AND MEMBERS OF THE EXECUTIVE COMMITTEE OF THE REGION H WPG

Mr. Evans explained the need for an Executive Committee. He went on to announce the current members of the committee and due to Mr. Neighbors' resignation, the need to elect officers and members of the Executive Committee of the Region H Water Planning Group. He explained that the Nominating Committee also made recommendations for the Executive Committee, being Mr. Evans to continue as Chair, Mr. Chang to be elected to the position of Vice Chair, Mr. Houston to continue as Secretary, Mr. Bartos to continue as a member, and Mr. Willcox be elected as a member.

Mr. Hebert made a motion to accept the elections of the following officers: Mr. Evans, Chair; Mr. Chang, Vice Chair; Mr. Houston, Secretary; Mr. Bartos and Mr. Willcox, Members, of the Executive Committee of the Region H Water Planning Group. The motion was seconded by Mr. Blount and carried unanimously.

7. RECEIVE UPDATE FROM CONSULTANT TEAM REGARDING SUBMITTAL OF THE 2016 REGION H REGIONAL WATER PLAN AND THE SCHEDULE AND MILESTONES FOR THE DEVELOPMENT OF THE 2021 REGION H REGIONAL WATER PLAN

Mr. Jason Afinowicz stated that the 2016 Regional Water Plan was submitted to the Texas Water Development Board on November 24, 2015, and approved on December 14, 2015. He went on to explain that the Regional Plan will now be incorporated into a State Water Plan. Mr. Afinowicz explained the public process for the State Plan. He went on to explain the 2021 Regional Water Plan, stating that the Texas Water Development Board contract with SJRA has been approved and that the consultant contract with SJRA was approved in December of 2015. He explained that a Chairs and Stakeholders call took place on January 26, 2016, which included the consultants, and the call consisted of lessons learned from the last plan, new initiatives for the fifth cycle, and the development of demand projects for the next round. Mr. Afinowicz went on to explain the amendment schedule for funding. Following the update, a brief discussion regarding surveys ensued.

8. REVIEW AND TAKE ACTION TO AMEND THE BUDGET FOR THE DEVELOPMENT OF THE 2016 REGIONAL WATER PLAN

Mr. Afinowicz explained the budget amendment for the 2016 plan, describing how money was moved around to better reflect some of the effort during the tasks.

Mr. Houston made a motion to amend the budget for the development of the 2016 Regional Water Plan. The motion was seconded by Mr. Masterson and carried unanimously.

9. RECEIVE PRESENTATION FROM CONSULTANT TEAM REGARDING SCOPE OF WORK FOR DEVELOPMENT OF THE 2021 REGION H REGIONAL WATER PLAN

Mr. Afinowicz gave a brief overview regarding the 2021 Region H Regional Water Plan Scope of Work, specifically speaking on task 2A, Non-Population Related Water Demands Projections, task 2B, Population and Population-Related Water Demand, task 10 relating to Public Participation and Plan Adoption, and the Water Demand Analysis.

10. RECEIVE REPORT FROM THE REGION H ADMINISTRATIVE AGENCY REGARDING RENEWAL OF DIRECTORS AND OFFICERS INSURANCE COVERAGE

Mr. Houston explained the coverage and renewal process related to the renewal of directors and officers insurance coverage.

11. RECEIVE REPORT REGARDING RECENT AND UPCOMING ACTIVITIES RELATED TO COMMUNICATIONS AND OUTREACH EFFORTS ON BEHALF OF THE REGION H PLANNING GROUP

Mr. Afinowicz stated that a SWIFT Funding workshop was held at Houston-Galveston Area Council on January 7, 2016, and a Gulf Coast Water Conservation Symposium will be held on March 9, 2016, at the United Way Community Resource Center.

12. AGENCY COMMUNICATIONS AND GENERAL INFORMATION

Mr. Evans welcomed Mr. Scott Galloway from the Texas Water Development Board. Ms. Sarah Backhouse introduced Mr. Peter Lake, new TWDB Board Member, and gave a brief overview of his background. She went on to announce that SWIFT Bridged Applications are due Friday, February, 5, 2016, and will be based on projects in the 2016 Regional Plan and the 2017 State Water Plan. She went on to explain that they are revising their planning rules. Ms. Carmen Cernosek stated that she welcomed suggestions regarding public outreach related to the Ag & Rule project.

13. RECEIVE PUBLIC COMMENTS

There were no comments.

14. NEXT MEETING

Mr. Evans announced that the next regular meeting will take place on May 4, 2016.

15. ADJOURN

The meeting was adjourned at 10:50 a.m.

Agenda Item 4

Receive presentation from Texas Water Development Board on Projections Development for 2021 Regional Water Plans.

Population and Water Demand Projections - 2021 Regional Water Plans

Kevin Kluge

Water Use Survey, Projections & Planning



The following presentation is based upon professional research and analysis within the scope of the Texas Water Development Board's statutory responsibilities and priorities but, unless specifically noted, does not necessarily reflect official Board positions or decisions.



Projections Development

- Irrigation
- Livestock
- Manufacturing
- Mining
- Steam-Electric Power
- Population
- Municipal



Irrigation, Manufacturing, and Power

- Peer-Review of Methodology (CDM Smith)
 - Review current TWDB methodology and others
 - Recommend improvements
 - Final Draft, April 30th

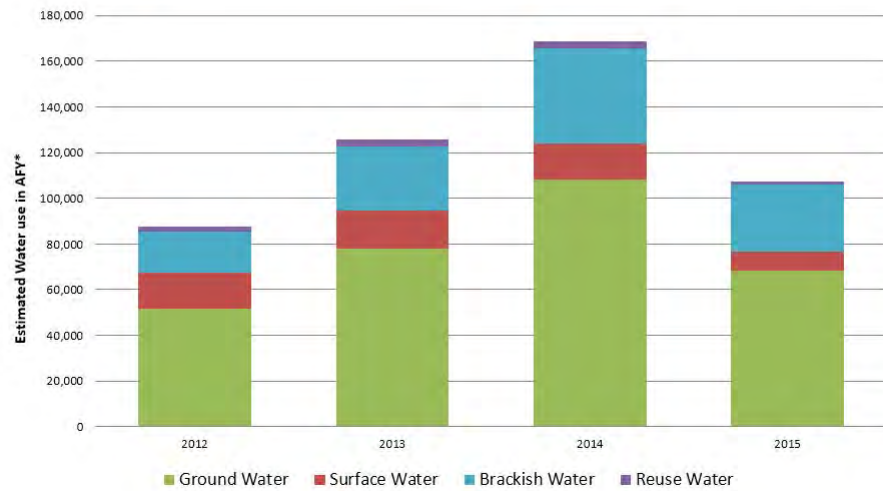


Livestock and Mining

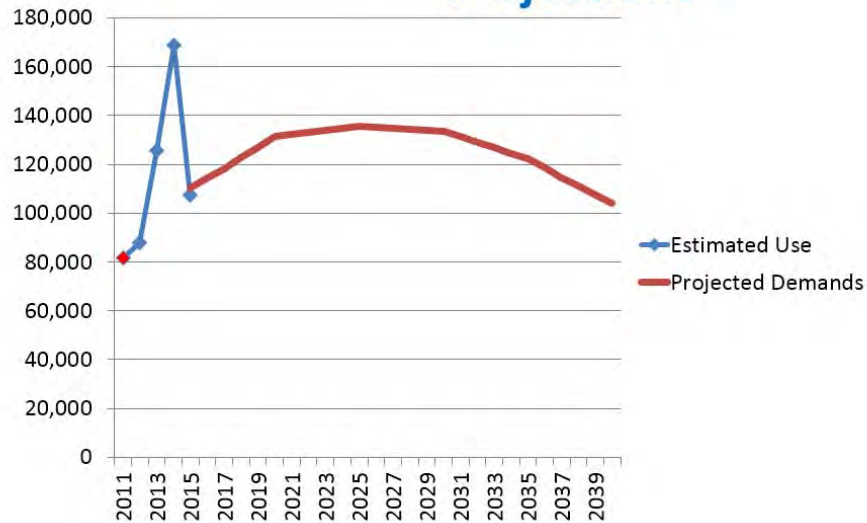
- Livestock Water Demands
 - 2017 SWP Projections as Draft 2022 Projections
 - Will provide any new per-head usage numbers to regions for revision
- Mining
 - 2012 UT-BEG study
 - Projections could vary dramatically



Hydraulic Fracturing Water Use



HF Estimates vs UT-BEG Projections



Population and Municipal

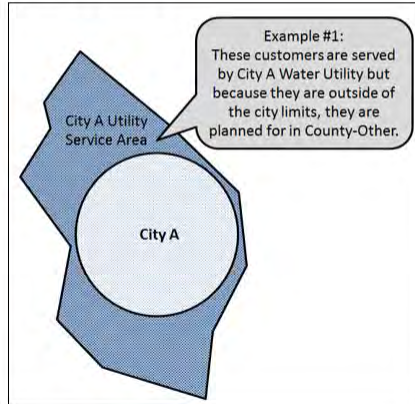
- Historically, projections for pop and demands associated with city limits.
- 2007 SWP – added non-city water utilities and groups of utilities.

Problem: Utility service areas don't follow city boundaries.

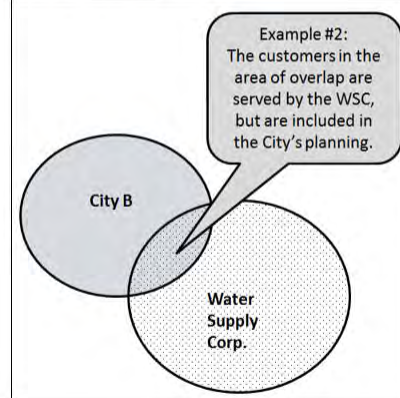


Problems in Planning

City Utility



WSC Utility



Solution: Utility Water Planning

- Population – permanent resident population served w/in utility service area.
- Water Demand – volume to serve utility's retail customers (minus large industrial)
- Adjustments to some will be minimal, some more substantial



Benefits

- Better continuity of information:
 - Historical use volumes → future demands
 - Current water source → existing water supplies
 - Water loss audit & conservation plan → water management strategies
 - Strategies & projects → financial-assistance application
 - Potential for smaller rural utilities



Changes

- Names will change: San Antonio → San Antonio Water System
- Some communities will be represented differently
- Annual pop. estimates for water systems and utilities



Some Things Won't Change

- Non-municipal water user groups will not be impacted.
- Data and basic steps to develop regional plans will remain the same.
- Use of grouped utilities (Collective Reporting Units) will continue.



Tentative Projections Timeline

- **July 2016** – List of new Municipal WUGs
- **Oct-Dec 2016** – Draft Pop, Mun, Livestock & Mining Demand Projections
- **June 2017** – Draft Irr, Mfg & Pwr Demand Projections (subject to peer-review results)
- **July 2017** – Post historical GPCD



Tentative Projections Timeline

- **January 2018** – Deadline for adjustment requests.
 - *Review by Coordination Agencies (TCEQ, TDA, TPWD, TWDB)*
- **March 2018** – Projections to Board
- **March 2020** – Draft plans due



January 24-26, 2017

AT&T Conference Center,
Austin, Texas

Hosted by the TWDB

WaterForTexas.twdb.texas.gov

Kevin Kluge

kevin.kluge@twdb.texas.gov

512-936-0829



Agenda Item 5

Receive presentation from Texas Water Development Board
on the draft 2017 State Water Plan.

Draft - Water for Texas 2017 State Water Plan

Lann Bookout
Project Manager
Water Use, Projections, & Planning
May 4, 2016

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Texas Water
Development Board



The following presentation is based upon professional research and analysis within the scope of the Texas Water Development Board's statutory responsibilities and priorities but, unless specifically noted, does not necessarily reflect official Board positions or decisions.

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Texas Water
Development Board



Purpose of state water plan

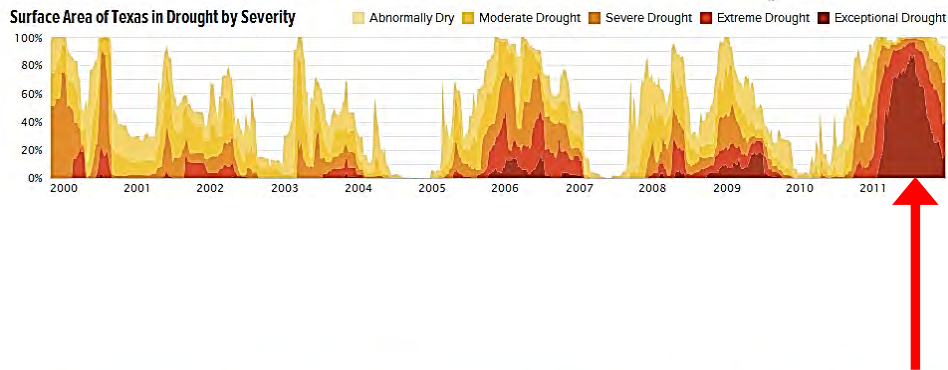
- provide for the orderly development, management, and conservation of water resources,
- prepare for and respond to drought conditions, and
- make sufficient water available at a reasonable cost to ensure public health, safety, and welfare and further economic development while protecting the agricultural and natural resources of the entire state.



State water planning



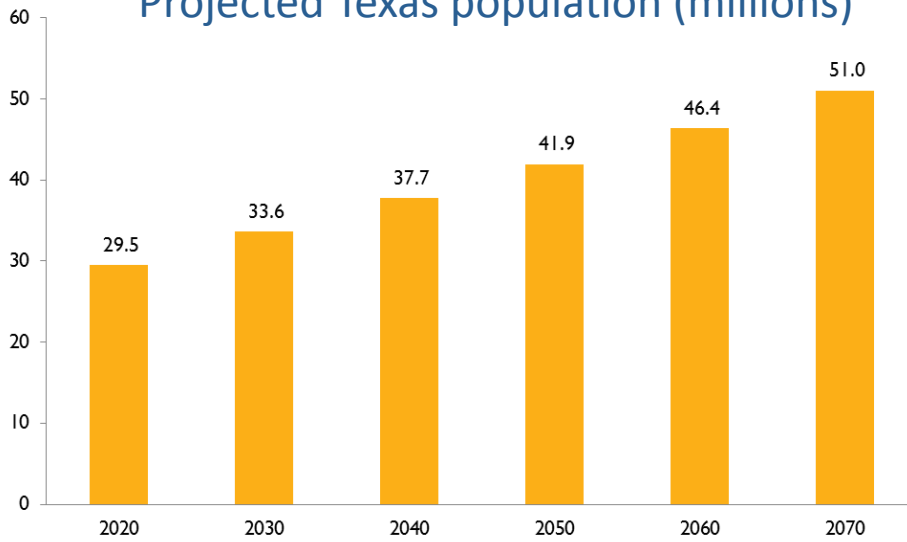
Why do we plan?



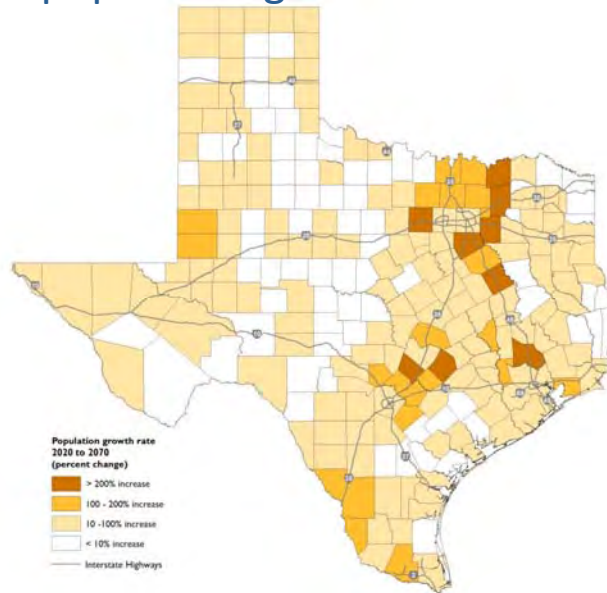
Planning (in a nutshell)

- How much are we going to need?
- How much do we have now?
- Do we have enough?
- If we don't, what do we need to do to get more?
- How much will it cost?

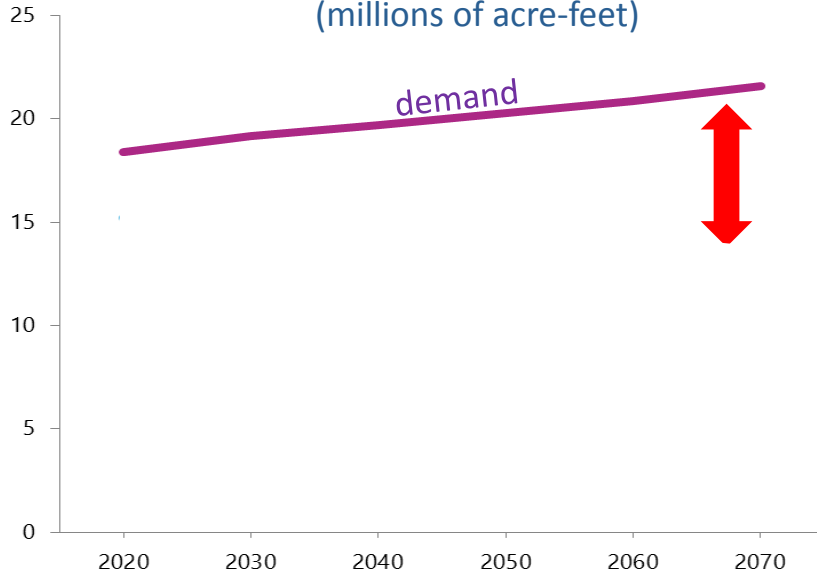
Projected Texas population (millions)



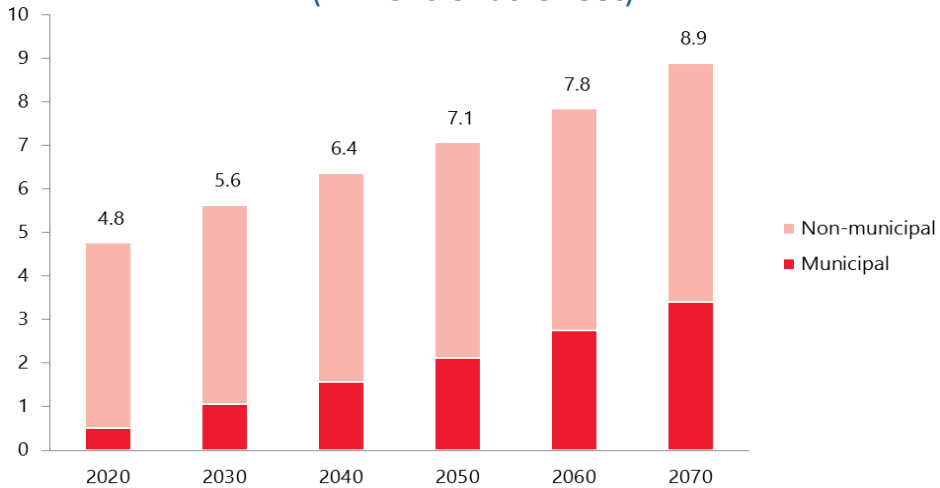
Projected population growth in Texas counties



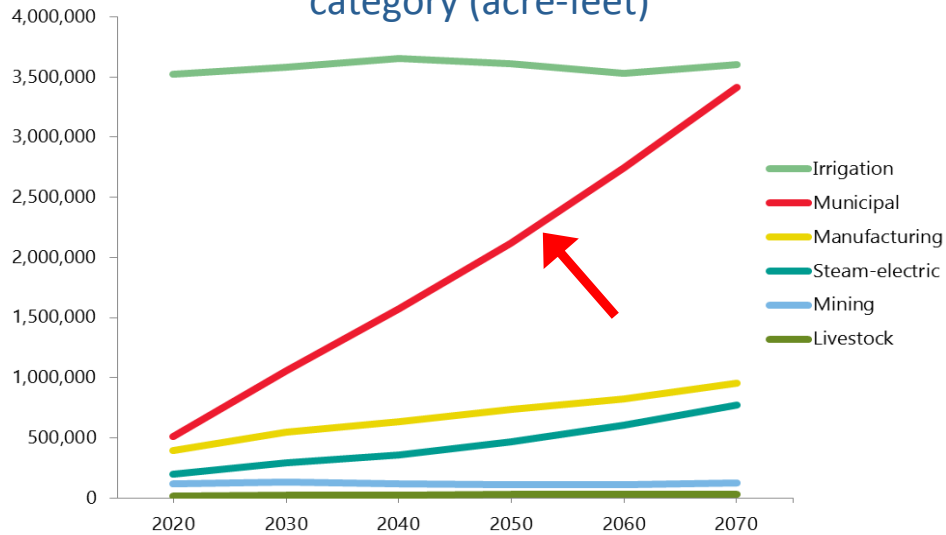
Projected water demand vs existing water supplies
(millions of acre-feet)



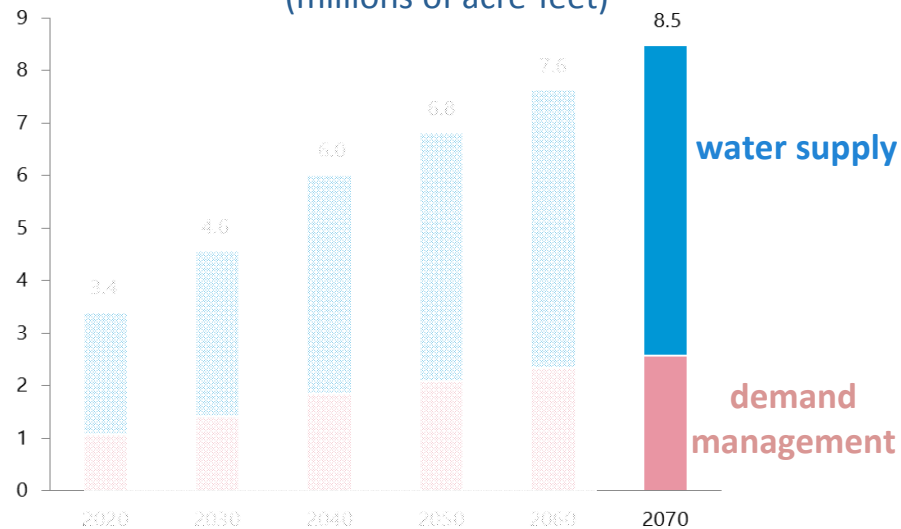
Projected annual water needs in Texas
(millions of acre-feet)



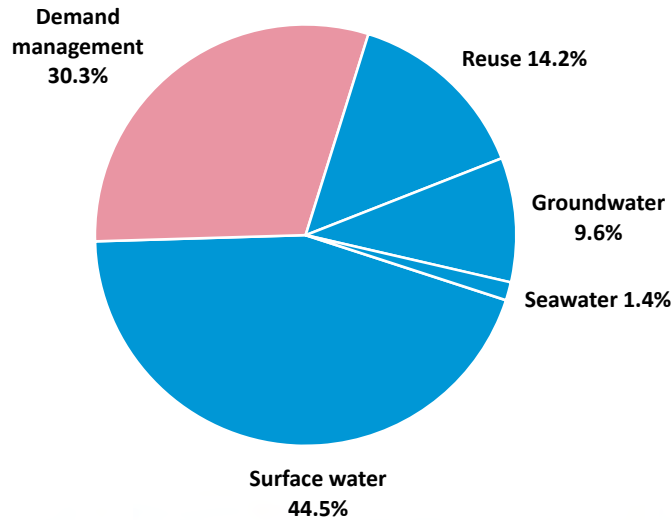
Water needs (potential shortages) by water use category (acre-feet)



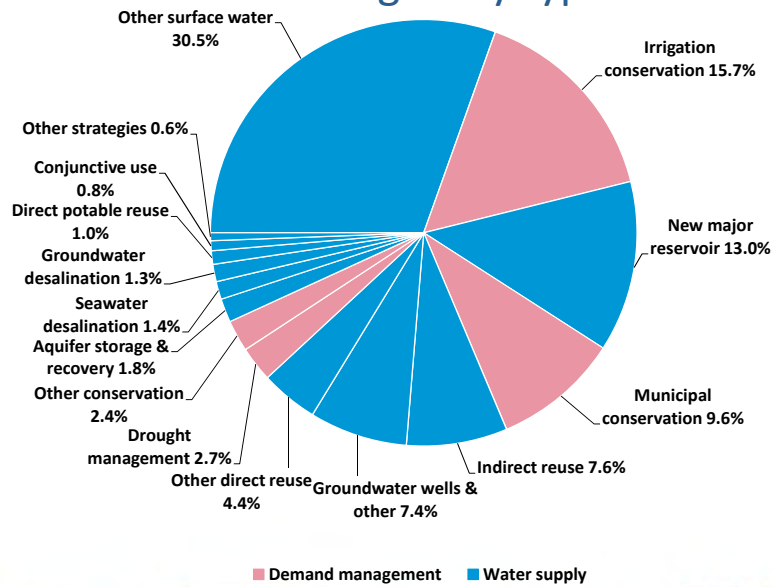
Recommended water management strategies (millions of acre-feet)



Strategies by water resource in 2070



Share of strategies by type in 2070

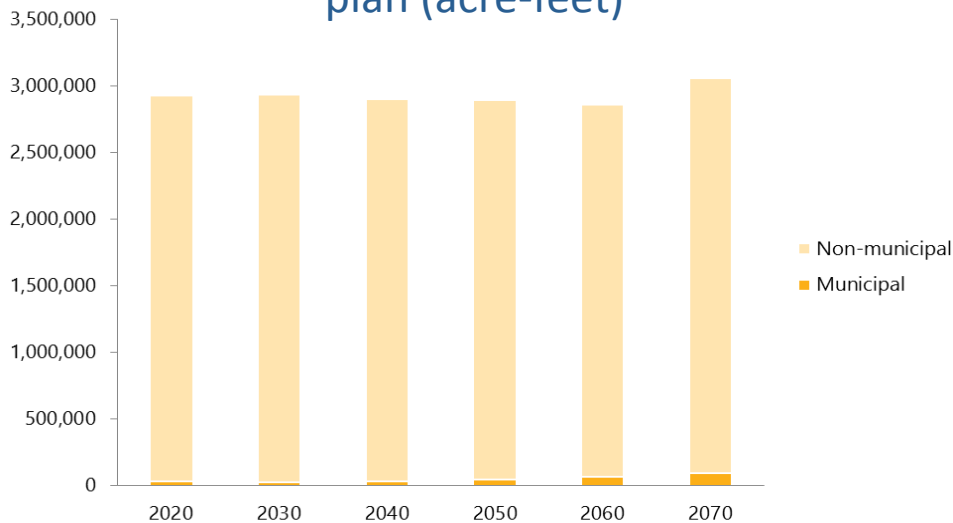


Conservation

- Conservation makes up 28% of total 2070 strategies volume with approximately:
 - 811,000 AF/YR in municipal conservation
 - 1.3 million AF/YR in irrigation conservation
 - 203,000 AF/YR other conservation
- Over \$3 billion in capital costs associated with conservation savings
- Recommended for over half of the 2,600 water user groups



Water supply needs that are unmet by the plan (acre-feet)



Cost of not implementing the plan

\$73 billion lost annual income - 2020

\$151 billion lost annual income - 2070

lost jobs: 424,000 - 2020

lost jobs: 1.3 million - 2070



Cost of the plan

Capital cost of **\$62.6 billion**

2,400 recommended projects

Reported need of **\$36.5 billion** from
state financial assistance programs



Policy recommendations



- 5 unique stream segments
- 11 unique reservoir sites
- Timing of joint groundwater and regional water planning processes



Timing of joint groundwater planning and regional water planning processes

- the next set of desired future conditions be adopted collectively by the district representatives of each groundwater management area by January 5, 2022 (and every five years thereafter), and
- require that the regional water plans under development as of that same date be consistent with those adopted desired future conditions in effect on that date.



The Draft 2017 State Water Plan is Interactive!

ISWP

Region H
Regional Water Planning Area in Texas

Population
20,000,000
10,000,000
0
2020 2030 2040 2050 2060 2070

SHOW DATA TABLE

The Region H Regional Water Planning Area is composed of all or parts of 15 counties and includes portions of the Trinity, San Jacinto, Brazos, Neches, and Colorado river basins. The Houston metropolitan area is located within this region. The largest economic sector in Region H is the petrochemical industry, which accounts for two-thirds of the petrochemical production in the United States. Other major economic sectors in the region include medical services, tourism, government, agriculture, fisheries, and transportation, with the Port of Houston being the nation's second largest port. The 2016 Region H Regional Water Plan can be found on the TWDB Web site at <http://www.twdb.texas.gov/waterplanning/rwp/plans/2016/#region-h>

REGION H Totals by Decade (acre-feet/year)

Demands Existing Supplies Needs (Potential Shortages) Strategy Supplies

4,000,000
3,000,000
2,000,000
1,000,000
0
2020 2030 2040 2050 2060 2070

<https://2017.texasstatewaterplan.org/region/H>

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Texas Water Development Board

Views of the Draft 2017 State Water Plan: Needs (Potential Shortages) in Region H in 2050

ISWP



Data by Planning Decade and Theme

Decades: 2020 2030 2040 2050 2060 2070

Themes: POPULATION DEMANDS EXISTING SUPPLIES NEEDS (POTENTIAL SHORTAGES) STRATEGY SUPPLIES

REGION H Water User Groups - 2050 - Needs (Potential Shortages) (acre-feet/year)

Potential shortage (as share of total demand)

- Greater than 50%
- Greater than 25%
- Greater than 10%
- Less than 10%

Each water user group is mapped to a single point near its primary location, therefore, an entity with a large or multiple service areas may be displayed outside the specific area being queried.

REGION H Raw Data - 2050 - Needs (Potential Shortages) (acre-feet/year)

County Entity Sub Dimension...

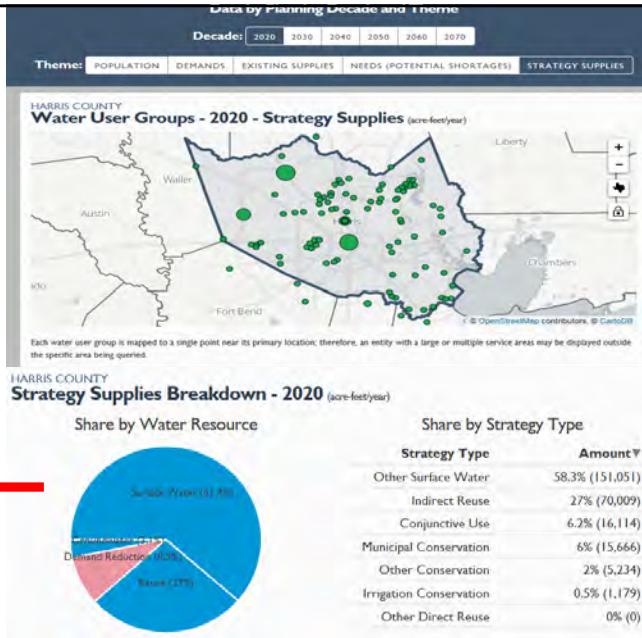
County Entity 2050 Needs (Potential Shortages)

ALUSTIN 40%

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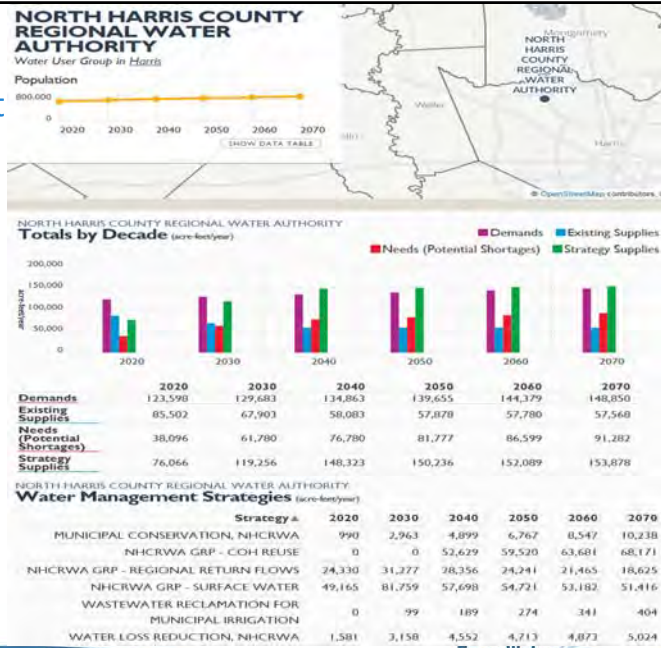
Texas Water Development Board

Views of the Draft 2017 State Water Plan:
Harris County Strategy Supplies in 2020



ISWP ←

Views of the Draft 2017 State Water Plan:
Overview for North Harris Co. Regional Water Authority



Next steps



- Public comments - received
- We are considering comments
- Board to consider adoption of the 2017 State Water Plan
- Graphically enhance, publish, and deliver plan to Governor and Legislature



Draft 2017 State Water Plan



Water
Planning
Group

REGION H



WATER for **TEXAS** 2017 conference

January 24-26, 2017

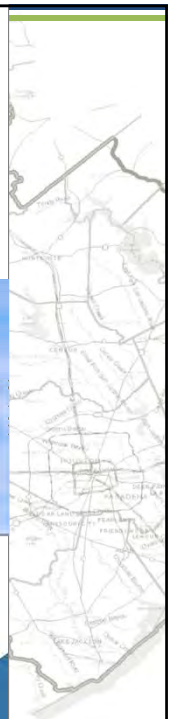
**AT&T Conference Center,
Austin, Texas**

Hosted by the TWDB

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Texas Water
Development Board

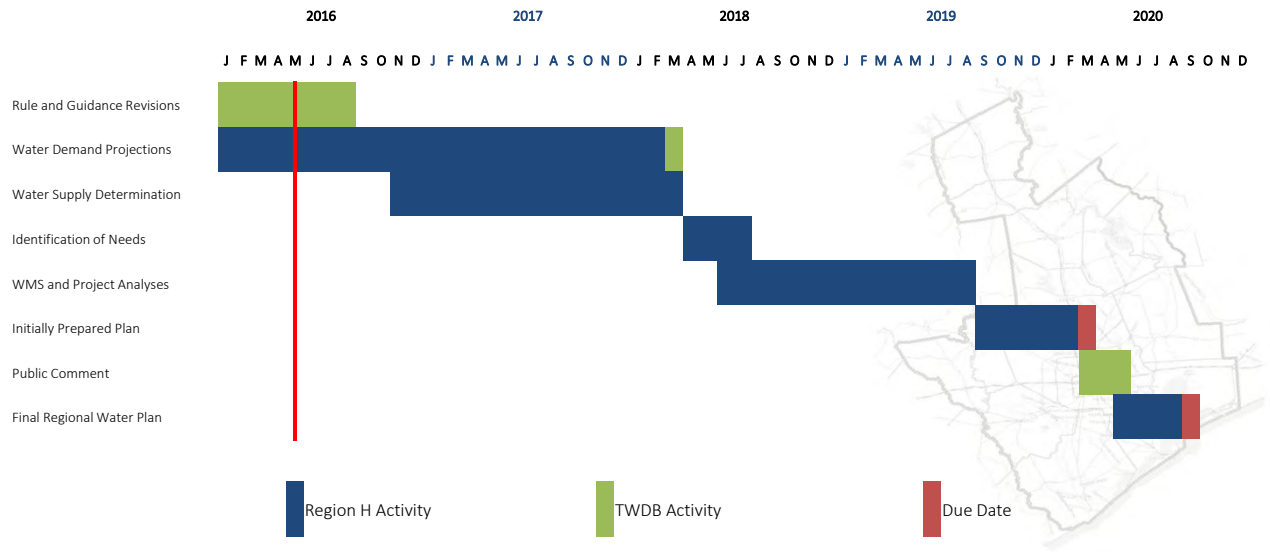


Agenda Item 6

Receive update from Consultant Team regarding the schedule and milestones for the development of the 2021 Region H Regional Water Plan.

Agenda Item 6

2021 RWP Schedule

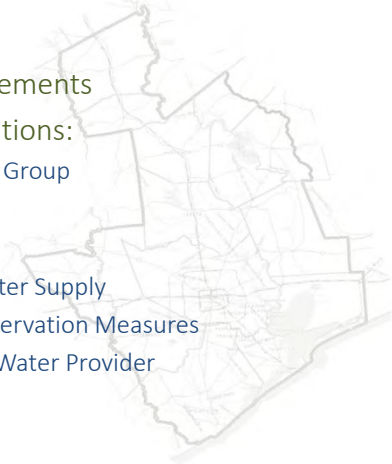


Agenda Item 7

Receive report from Consultant Team on preliminary input to Texas Water Development Board rulemaking process for water planning.

Agenda Item 7 Rulemaking Process

- TWDB seeking stakeholder input on revisions to planning rules
 - Prior to development of draft language
 - Various topics:
 - GW availability
 - Delivery of prioritization w/ RWPs
 - Minor changes to RWPs
 - Eligible projects
 - Run-of-river supplies
 - Petitions to amend RWPs
 - Unmet municipal needs
 - Formats and requirements for IPPs
 - Notice requirements
 - Various definitions:
 - Water User Group
 - Firm Yield
 - Availability
 - Existing Water Supply
 - Water Conservation Measures
 - Wholesale Water Provider
 - Others



Agenda Item 7 Rulemaking Process

- Freese and Nichols input on process

Topic	Comment
Groundwater Availability	Flexibility to work with GCDs and in areas without GCDs
Minor Corrections to RWPs	Support a streamlined process
Run-of-River Supplies	Availability subject to issues outside of WAMs
Unmet Municipal Needs	Support clarifying this flexibility
Copies for Public Review	Support alternative formats; requirement applies to IPPs only
Definition of WUG	Support alignment with water utility boundaries
Definition of Firm Yield	Consider information beyond Run 3
Definition of Water Conservation	Recommend aligning with SWIFT.
Definition of WWWP	Move to terminology aligned with database structure
Defining Additional Terms	Definitions for Unmet Need, Recommended WMS Project, Drought Management WMS
Defining Planning Decades	Recommend standardizing these periods.

February 22, 2016

Re: Preliminary Input on Revisions to TWDB Water Planning Rules

Dear Stakeholder,

Texas Water Development Board staff is preparing to propose revisions to 31 Texas Administrative Code (TAC) Chapters 357 and 358. The attached revision topics are being considered to comply with recent legislation, to clarify certain agency planning requirements, or to address stakeholder concerns. The scope of the potential rule revisions will not necessarily be limited to these topics.

Before determining the scope and specific content of the draft rulemaking, we would like your input. If interested, please provide comments related to the attached rule revision topics or any other potential revisions associated with 31 TAC Chapter 357 or Chapter 358.

One of the revision topics is amending 31 TAC §357.32(d) to implement Senate Bill 1101, 84th Legislative Session, related to the use of modeled available groundwater in regional water plans. Another revision topic is a potential change to 31 TAC §357.21 to incorporate House Bill 3357, 84th Legislative Session, related to posting of public notice. We are seeking feedback on whether and how HB 3357 should apply to notice of Regional Water Planning Group meetings.

We are also seeking input on ways to provide greater flexibility in the use of modeled available groundwater values in the regional water plans.

If there are other changes to 31 TAC Chapters 357 or 358 that you believe may be appropriate, please submit them as well. Please provide your comments and any additional suggested revisions to RulesComments@twdb.texas.gov by April 8, 2016. Please put the words “2016 Planning Rulemaking” in the subject line. If you have any questions about the revisions or the rulemaking process, you may contact Temple McKinnon at (512) 475-2057 or temple.mckinnon@twdb.texas.gov.

Our Mission

To provide leadership, information, education, and support for planning, financial assistance, and outreach for the conservation and responsible development of water for Texas

Board Members

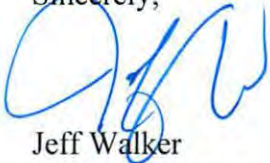
Bech Bruun, Chairman | Kathleen Jackson, Member | Peter Lake, Member
Kevin Patteson, Executive Administrator

February 22, 2016

Page 2

In parallel with this rule revision process and in accordance with Texas Water Code §16.051(d), we will review and update the planning guidance principles in §358.3, with input from the Texas Commission on Environmental Quality, Texas Department of Agriculture, and the Texas Parks and Wildlife Department.

Sincerely,



Jeff Walker
Deputy Executive Administrator
Water Supply & Infrastructure

Enclosure

TWDB Planning Rule Revisions under Consideration

Legislatively-mandated changes

- 1) 31 TAC §357.32(d) – Revise rule to incorporate the requirements of Senate Bill 1101, 84th Legislative Session, regarding the allowance of a regional water planning group (RWPG) to determine groundwater availability outside of the modeled available groundwater (MAG) for groundwater availability if no groundwater conservation districts exist with the regional water planning area.
- 2) 31 TAC §357.35 – Revise rule to require regional project prioritizations to accompany submittal of final adopted regional water plans and establish how and when they may be updated and resubmitted as required by House Bill (HB) 4, 83rd Legislative Session.

Process improvements under consideration

- 1) 31 TAC 357.32(d) - Revise rule to provide greater flexibility in groundwater availability volumes as incorporated numerically in the regional water plans (RWPs) under drought of record conditions while in accordance with Texas Water Code (TWC) §16.053(2)(a).
- 2) 31 TAC §357.51 – Revise rule to add a procedure for RWPGs to make minor corrections to their approved RWPs or the state water planning database.
- 3) 31 TAC §357.21(d) – Revise rule to move application for Board regional planning grant funding to a new subsection within §357.21. The objective is to re-establish the notice requirement in place prior to the last rule revision by eliminating the requirement to post Board funding applications in the Texas Register or on the Secretary of State’s website.

Clarifications under consideration

- 1) 31 TAC §357.34 - Revise rule to clarify that state and regional water plans must only include water management strategies and water management strategy projects that will, when implemented, actually reduce water use, save water, increase the efficient use of water, or deliver or treat additional water volumes to wholesale water providers or water user groups in any planning decade. Projects, or portions of projects, that do not meet this requirement would not be recommended in the state water plan and thus would not be eligible for funding from the State Water Implementation Revenue Fund of Texas (SWIFT program).
- 2) 31 TAC §357.32(c) – Revise rule to include language clarifying how run-of-river surface water supplies for municipal water user groups must be evaluated, for example, as “minimum monthly diversions”.
- 3) 31 TAC §357.51(a)(2) – Revise the rule to more explicitly describe how the Board considers and acts upon a petition to amend a regional water plan, if the RWPG does not act upon the petition.

- 4) 31 TAC §357.50 – Revise rule to add subsection clarifying the Board’s authority to approve a regional water plan with unmet municipal needs, if the RWPG has provided adequate justification.
- 5) 31 TAC §357.21(d)(5) – Revise rule to clarify what alternative formats, other than hard copies, may be used to make Initially Prepared Regional Water Plans available for public review. An example of an alternative format, for example, might include an internet web link accessible by computer available at public libraries rather than a hard copy of the document.
- 6) 31 TAC §357.21(d)(5) – Revise rule to clarify that making copies available in public libraries and county courthouses does not apply to adopted RWPs and that the minimum statutory requirement for adopted regional water plans is submittal to TWDB.
- 7) 31 TAC §357.21(b)(4) and (b)(5) – Consider revising rule to allow RWPGs to provide notice to county clerks in regional water planning areas, consistent with the options in HB 3357, 84th Legislative Session or to post public notices related to regional water planning on the RWPG’s internet website.

Definition revisions

- 1) 31 TAC §357.10(29)(A) – Revise definition of *water user group* to formalize the Board’s existing authority to develop population and municipal water demand projections for a water user group (WUG) to coincide with utility service area boundaries.
- 2) 31 TAC §357.10(13) - Refine definition of *firm yield* to better reflect planning practice.
- 3) 31 TAC §357.10(2) and (12) – Revise rules to more clearly define *availability* and *existing water supply* to reflect actual planning practice including, for example, eliminating the word “available” from the definition of *existing water supply*.
- 4) 31 TAC §357.10(26) – Update rule to align the definition of *water conservation measures* with SWIFT conservation terminology.
- 5) 31 TAC §357.10(30) – Revise the definition of *wholesale water provider* to clarify the process for designating an entity as a wholesale water provider.
- 6) 31 TAC §357.10 – Revise rule to include additional definitions for terms: *unmet need*, *recommended water management strategy project* (for prioritization purposes), and *drought management water management strategy*.

April 8, 2016

Mr. Jeff Walker
Deputy Executive Administrator
Texas Water Development Board
P.O. Box 13231, 1700 N. Congress Ave.
Austin, TX 78711-7847

Re: 2016 Planning Rulemaking

Dear Mr. Walker:

Freese and Nichols, Inc. (FNI) is aware of the proposed process by the Texas Water Development Board (TWDB) to review and propose revision to 31 Texas Administrative Code (TAC) Chapters 357 and 358 related to regional and state water planning. These rules are a cornerstone of the success of the State and Regional Planning processes, and this revision provides and an opportunity to further strengthen water planning throughout Texas. As an active participant in water planning in numerous regions throughout the state, FNI wishes to provide input on this process prior to the development of specific rule revisions so that these comments can be considered during the rulemaking process. This letter contains recommendations related to the revision topics included in your letter dated February 22, 2016 and also comments related to general issues as well.

Regarding the specific topics related to rule revisions listed in your letter, FNI offers the following comments of support or recommendation:

Legislatively-Mandated Changes

31 TAC §357.32(d) - Revise rule to incorporate the requirements of Senate Bill 1101, 84th Legislative Session, regarding the allowance of a regional water planning group (RWPG) to determine groundwater availability outside of the modeled available groundwater (MAG) for groundwater availability if no groundwater conservation districts exist with the regional water planning area.

Recommendations in the SWP imply that this is related to regions that do not have a Groundwater Conservation District (GCD) and, therefore, no planning group representation within a RWPG. FNI recommends that this change is also extended to counties or portions of a planning areas that do not have a Chapter 36 district in place and, therefore, no groundwater regulating authority under Chapter 36.

Process Improvements Under Consideration

31 TAC §357.32(d) - Revise rule to provide greater flexibility in groundwater availability volumes as incorporated numerically in the regional water plans (RWPs) under drought of record conditions while in accordance with Texas Water Code (TWC) §16.053(2)(a).

FNI recommends that flexibility be introduced for RWPGs to work with GMAs and GCDs to interpret groundwater availability for regional planning process. Of particular concern is the strict use of MAG (which represents a long-term average level of groundwater pumpage) to represent supplies for meeting RWP demands (which are, by definition, peak, dry-year demands). In addition, the timing of groundwater withdrawals over the planning period and the distribution of pumpage across basin boundaries may differ in such a way that would allow for achievement of the DFC without strict adherence to the MAG. Cooperation with groundwater-managing agencies would allow for a more realistic relationship to be drawn between the average condition MAGs and the peak condition RWP supplies.

31 TAC §357.51 - Revise rule to add a procedure for RWPGs to make minor corrections to their approved RWPs or the state water planning database.

FNI supports preparation of procedures for streamlining the incorporation of minor adjustments to the RWPs and associated database.

Clarifications Under Consideration

31 TAC §357.32(c) - Revise rule to include language clarifying how run-of-river surface water supplies for municipal water user groups must be evaluated, for example, as "minimum monthly diversions".

FNI would like to express some concern regarding how this clarification is made. This particular consideration is counter to our perspective on ROR supplies and its strict application would significantly impact the availability of water for some key users. Some considerations that must be included along with this revision include: 1) allowance for storage not considered in the base TCEQ Water Availability Models (WAMs), 2) inclusion of contract agreements among water rights holders 3) provisions for the use of multiple supplies conjunctively (rights and firm-water contracts) for meeting municipal needs, and 4) consideration of diversion efficiency which may limit effective diversions for supply purposes.

31 TAC §357.50 - Revise rule to add subsection clarifying the Board's authority to approve a regional water plan with unmet municipal needs, if the RWPG has provided adequate justification.

FNI supports this revision. One of FNI's regions, Region H, was required to submit a 2016 RWP with clarification for the allowance of unmet municipal shortages. In some cases, planning constraints mean that a realistic, viable water plan will show unmet municipal needs.

31 TAC §357.21(d)(5) - Revise rule to clarify what alternative formats, other than hard copies, may be used to make Initially Prepared Regional Water Plans available for public review. An example of an alternative format, for example, might include an internet web link accessible by computer available at public libraries rather than a hard copy of the document.

FNI recommends the use of alternative means for disseminating Initially Prepared RWPs in a manner that is consistent with contemporary means of communication. Existing approaches are wasteful of State and natural resources and provide limited utility when compared to electronic methods which are more commonly used and can be provided at a much-reduced cost.

31 TAC §357.21(d)(5) - Revise rule to clarify that making copies available in public libraries and county courthouses does not apply to adopted RWPs and that the minimum statutory requirement for adopted regional water plans is submittal to TWDB.

FNI supports this clarification to the planning rules.

Definition Revisions

31 TAC §357.10(29)(A) - Revise definition of water user group to formalize the Board's existing authority to develop population and municipal water demand projections for a water user group (WUG) to coincide with utility service area boundaries.

The fact that current definitions of water user groups do not necessarily align with the boundaries of entities responsible for water supply causes confusion for both the public and water planners in identifying needs and recommended projects. FNI supports the adaptation of the planning process to recognize utility-oriented water user groups and, therefore, supports this revision of the definition.

31 TAC §357.10(13) - Refine definition of firm yield to better reflect planning practice.

FNI recommends that this definition reflect the fact that surface water availability cannot be based solely on WAM Run 3. WAM Run 3 is the best starting point for estimating reliable supplies. However, the availability used in planning should reflect Run 3 results and other information as needed to supplement these results. As an example, WAM Run 3 does not include return flows of treated wastewater and will, therefore, not give an accurate assessment of reuse projects. Furthermore, various operational criteria for water projects may also limit yield and may be critical for determining firm yield for planning purposes.

31 TAC §357.10(26) - Update rule to align the definition of water conservation measures with SWIFT conservation terminology.

FNI support the alignment of this definition with the language associated with the SWIFT program.

31 TAC §357.10(30) - Revise the definition of wholesale water provider to clarify the process for designating an entity as a wholesale water provider.

FNI supports the revision to the definition of wholesale water providers (WWPs) in light of new capabilities within the planning database structure. The change to utility-based WUGs will remove the confusion caused by retail sales by one WUG in the boundaries of another. Since WUGs can be shown to sell water to other WUGs, the WWP category has become less important in regional planning. It might be wise to reserve the designation of WWP for entities that do not provide significant retail service and are not designated as WUGs.

31 TAC §357.10 - Revise rule to include additional definitions for terms: unmet need, recommended water management strategy project (for prioritization purposes), and drought management water management strategy.

Mr. Jeff Walker
April 8, 2016

FNI supports the inclusion of a definition of recommended water management strategy project in the rules so that the term can be consistently applied in the development of the RWPs.

In addition, FNI also offers the following recommendation not specifically called out in the list of proposed topics for revision:

31 TAC §357.10 - Revise rule to define planning decades for the planning process.

The definition of planning decades used in the 2017 SWP differs from that required in the development of the RWPs. Region H recommends that the beginning and end years of these decades be determined for the sake of consistency throughout the RWP and SWP processes.

FNI appreciates this opportunity to provide comment prior to the development of specific rule revisions and looks forward to the opportunity to review and comment on proposed rule revisions once they are available. Please feel free to contact me with any questions you may have regarding the aforementioned comments or any other matters regarding the development of RWPs for the 2021 round of planning.

Sincerely,



Jason Afinowicz
Project Manager

cc: Temple McKinnon (TWDB)
Tom Gooch
Mike Reedy
Jon Albright
Simone Kiel
Amy Kaarlela
Keely Kirksey
Philip Taucer
Spandana Tummuri

Agenda Item 8

Review Region H committee assignments for development of the 2021 Region H Regional Water Plan.

Agenda Item 8 Committee Assignments

Executive Committee

- Mark Evans – Chair
- Jun Chang – Vice Chair
- Jace Houston – Secretary
- John Bartos
- Pudge Willcox

Nominating Committee

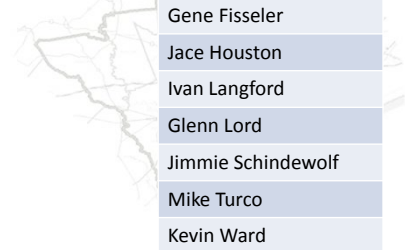
- Jimmie Schindewolf - Chair
- John Blount
- Jun Chang
- Bob Hebert
- Bill Teer



Agenda Item 8 Committee Assignments

Technical Committees

Non-Population Demands	Population Demands	Groundwater Supply	Surface Water Supply	Water Management Strategies
Pudge Willcox (Chair)	Marvin Marcell (Chair)	Mike Turco (Chair)	Jun Chang (Chair)	Bob Hebert (Chair)
James Comin	John Blount	David Bailey	David Collinsworth	John Bartos
Gene Fisseler	Art Henson	Kathy Jones	Jace Houston	Robert Bruner
John Howard	Robert Istre	James Morrison	Kevin Ward	Jun Chang
Robert Istre	Ivan Langford	Bill Teer	Pudge Willcox	David Collinsworth
Glenn Lord	Carl Masterson			Gene Fisseler
	Ruth Stultz			Jace Houston
	Mike Turco			Ivan Langford
				Glenn Lord
				Jimmie Schindewolf
				Mike Turco
				Kevin Ward



Agenda Item 9

Receive report regarding recent and upcoming activities related to communications and outreach efforts on behalf of the Region H Planning Group.

Agenda Item 9 Community Outreach

- Gulf Coast Water Conservation Symposium
United Way Community Resource Center
March 9
- Greater Houston Partnership
Environmental Advisory Committee
May 25



Agenda Item 10

Agency communications and general information.



CITY OF SUGAR LAND

INTERGOVERNMENTAL RELATIONS

January 29, 2016

Region H Water Planning Group
1577 Dam Site Rd.
Conroe, TX 77304

Dear Region H Water Planning Group,

The City of Sugar Land's Office of Intergovernmental Relations is pleased to announce the completion of its Regional/Local IGR Ambassador Program annual review. The City is dedicated to creating and strengthening our mutually beneficial intergovernmental relationship and this review reinforces our commitments to the highest levels of service. The purpose of the Ambassador Program is to provide your organization with an individual contact within the City dedicated to understanding your organization's important issues. Many of our Ambassadors have already developed strong relationships throughout the intergovernmental community and so this letter also serves as a reconfirmation of the City's devotion to maintaining those existing relationships.

Brian Butscher in the City's Ambassador for your organization. As an Ambassador, Brian's primary role is to serve as a liaison between the City and your organization. Brian will be attending your regularly scheduled and /or special meetings at least twice throughout the year and will be in open contact with your organization. Please include Brian and myself on the distribution list for all future agendas. Brian can be contacted by email at bbutscher@sugarlandtx.gov and by phone at (281) 275-2456. I can be contacted by email at rxramirez@sugarlandtx.gov and by phone at (281) 275-2451.

We are sure that the open communication this program promotes will be a benefit to both the City and your organization. If you have any questions regarding this Program or your Ambassador's role as a liaison, please feel free to contact the IGR Office or your Ambassador.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Ramirez".

Rick Ramirez, PE
Intergovernmental Relations Manager
City of Sugar Land

Xc: Brian Butscher, City of Sugar Land

