

REGION H

Water Planning Group

MEETING MATERIALS

November 2, 2016

San Jacinto River Authority

Region H Water Planning Group
10:00 AM Wednesday
November 2, 2016
San Jacinto River Authority Office
1577 Dam Site Rd, Conroe, Texas 77304

AGENDA

1. Introductions.
2. Review and approve minutes of August 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. Distribution and presentation of proposed amendments to the Region H bylaws.
5. Receive presentation from Harris County and Freese and Nichols regarding results of a supply and retention feasibility study conducted for northwestern Harris County for development of potential future water supplies.
6. Receive update from Consultant Team regarding the schedule and milestones for the development of the 2021 Region H Regional Water Plan.
7. Receive update from Consultant Team regarding identification of municipal WUGs for the 2021 Region H Regional Water Plan and ratify recommendations for new WUGs.
8. Discussion and possible action to authorize the San Jacinto River Authority to provide public notice and submit a grant application to the TWDB on behalf of Region H for funding to complete the fifth round of regional water planning, and to negotiate and execute the amendment to the TWDB contract.
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: March 1, 2017.
13. Adjourn

Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact Sonia Zamudio 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 August 3, 2016 meeting.

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

MEMBERS PRESENT: Michael Turco, James Comin, Jimmie Schindewolf, Jace Houston, Jun Chang, Mark Evans, Kathy Turner Jones, Art Henson, David Bailey, John Bartos, William Teer, Robert Bruner, Robert Istre, John Blount, Ruth Stultz, Marvin Marcell, Glenn Lord, Pudge Willcox, David Collinsworth, Gene Fisseler, and Ivan Langford.

DESIGNATED ALTERNATES: Jim Sims for Kevin Ward, Mike O'Connell for Bob Hebert, and Ken Kramer for Carl Masterson.

MEMBERS ABSENT: John Howard and James Morrison.

NON-VOTING MEMBERS PRESENT: Sarah Backhouse.

CALL TO ORDER

The meeting was called to order at 10:02 a.m.

1. INTRODUCTIONS

Mr. Evans welcomed Director Peter Lake, Chief of Staff Tara Rejino, and Ms. Sarah Backhouse of the Texas Water Development Board. Mr. Evans asked that each member of the Water Planning Group introduce themselves to the visitors.

2. REVIEW AND APPROVE MINUTES OF MAY 4, 2016 MEETING

Mr. Bartos made a motion to approve the minutes of May 4, 2016. The motion was seconded by Mr. Henson and carried unanimously.

3. RECEIVE PUBLIC COMMENTS ON SPECIFIC ISSUES RELATED TO AGENDA ITEMS 4 THROUGH 12.

There were no comments.

4. RECOGNIZE AND WELCOME MR. PETER LAKE, MEMBER OF THE TEXAS WATER DEVELOPMENT BOARD

Director Lake introduced himself and provided a brief summary of his experience. He explained the various types of financing programs relevant to State water planning as well as the cost savings of each plan. Director Lake announced that the Financial Assistance Workshop will be held at the San Jacinto River Authority in September, which will provide a more detailed explanation of the various financing options.

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

Mr. Philip Taucer provided an overview of the 2021 Regional Water Plan schedule, particularly providing information related to the rules and guidance revisions, the continued work regarding the identification of WUGs and the projection process, and the determination of water supplies.

6. RECEIVE UPDATE FROM CONSULTANT TEAM AND POPULATION DEMANDS COMMITTEE REGARDING IDENTIFICATION OF MUNICIPAL WUGS FOR THE 2021 REGION H REGIONAL WATER PLAN.

Mr. Marvin Marcell stated that the Population Demands Committee met on July 26, 2016, and acknowledged and embraced the Texas Water Development Board's (TWDB) rule change related to Water User Groups (WUGs). Mr. Taucer explained that the TWDB has proposed to take a more utility-based approach in terms of defining WUGs based upon retail service to an area. He explained the reasoning behind this change, namely that it allows more clarity and consistency to have a more specific definition, and it aligns more closely with how water is funded. Mr. Taucer stated that for Region H, this change would not be a drastic change, but a beneficial one, which will enable better "trackability" in terms of the existing alignment of water supply in the area. He discussed the process of the rule change and stated that the preliminary list of Municipal WUGs that was released was based upon the rule change. Mr. Taucer went on to explain the proposed definition of a municipal WUG, which, if approved, will be defined as serving a 100-acre tract on a retail basis. Mr. Taucer stated that currently Region H has 245 WUGs, however, with the proposed change, that number will be increased to 335.

7. CONSIDER AND TAKE ACTION REGARDING RECOMMENDATION OF ADDITION OF MUNICIPAL WUGS AND AUTHORIZING TRANSMITTAL OF RECOMMENDATIONS TO THE TEXAS WATER DEVELOPMENT BOARD

Mr. Taucer stated that the Populations Demand Committee met on July 26, 2016, and recommended the potential list of Municipal WUGs as identified by the Texas Water Development Board for inclusion in Region H, contingent upon those entities expressing interest. Following further discussion, Mr. Chang made a motion to recommend the addition of Municipal WUGs and authorize transmittal of recommendations to the Texas Water Development Board. The motion was seconded by Mr. Henson and carried unanimously.

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

Mr. Taucer stated that a presentation was made on May 25, 2016, to the Greater Houston Partnership Environmental Advisory Committee, and he mentioned the upcoming meeting on August 25, 2016, to the Gulf Coast Water Efficiency Network.

9. AGENCY COMMUNICATIONS AND GENERAL INFORMATION.

Ms. Sarah Backhouse with Texas Water Development Board ("TWDB") announced that the draft rules would be posted to the Texas Register and a link would be available on their website. She reviewed the timeline for the various stages of the proposed rule changes. Ms. Backhouse mentioned that the release of draft irrigation, manufacturing, and steam electric projections will be potentially

provided by next June. She stated that TWDB is working on revising the methodology of how these projections are estimated and will be providing the proposed methodologies by the end of the summer. Ms. Backhouse mentioned that the current regional water planning contract between SJRA and TWDB via Freese and Nichols will need to be amended in the fall to incorporate a full scope of work for the remaining tasks and estimate the total study cost for the remainder of the cycle and a request for applications will be submitted in October. Lastly, she provided information related to upcoming financial workshop as well as the Water for Texas conference. Mr. Kramer provided information regarding the Sierra Club's public education booklet related to Texas water.

10. RECEIVE PUBLIC COMMENTS.

Ms. Jill Savory spoke in regards to regulations related to water production data.

11. NEXT MEETING

Mr. Evans announced that the next regular meeting will take place on November 2, 2016.

12. ADJOURN

The meeting was adjourned at 11:09 a.m.

Agenda Item 4

Distribution and presentation of proposed amendments to the Region H bylaws.

Bylaws

Region H Water Planning Group

Originally adopted – May 1998
Amended – October 2007

Table of Contents

ARTICLE I. NAMES.....	1
Section 1. Organization.....	1
Section 2. Regional Water Planning Area.....	1
ARTICLE II. ESTABLISHMENT AND PURPOSE.....	1
ARTICLE III. PRINCIPAL ADMINISTRATIVE OFFICE	1
ARTICLE IV. RESPONSIBILITIES	1
ARTICLE V. VOTING MEMBERSHIP	2
Section 1. Composition	2
Section 2. Terms of Office.....	2
Section 3. Conditions of Membership.....	2
Section 4. Selection of Members.....	3
Section 5. Attendance	4
Section 6. Code of Conduct	4
Section 7. Removal of Voting Members	4
ARTICLE VI. NON-VOTING MEMBERSHIP	5
Section 1. Mandatory Members	6
Section 2. Discretionary Members	7
Section 3. Code of Conduct	7
ARTICLE VII. DESIGNATED ALTERNATES.....	7
ARTICLE VIII. OFFICERS.....	8
Section 1. Officers, Restrictions, and Terms of Office.....	8
Section 2. Selection.....	8
Section 3. Removal of Officers	8
Section 4. Vacancies of Officers	9
Section 5. Duties of Each Officer.....	9
Section 6. Executive Committee	10
Section 7. Designated Alternates	10
ARTICLE IX. MEETINGS.....	10
Section 1. Open Meetings and Notice.....	10
Section 2. Regular Meetings	11
Section 3. Called (Special) Meetings	11
Section 4. Agenda	11
Section 5. Quorum	11
Section 6. Applicability of Robert’s Rules of Order	12
Section 7. Public Hearings/Meetings Required by Law	12
Section 8. Minutes	12

ARTICLE X. MAKING DECISIONS	13
Section 1. Applicability; No Written Proxies	13
Section 2. Decision-Making Process	13
Section 3. Final Adoption of Regional Water Plan; Amendments	14
ARTICLE XI. BOOKS AND RECORDS	14
Section 1. Required Documents and Retainment	14
Section 2. Inspection and Copying	14
Section 3. Availability of Reports	14
ARTICLE XII. SUBREGIONAL WATER PLANNING GROUPS	14
Section 1. Establishment	14
Section 2. Membership	15
Section 3. Officers	15
Section 4. Meetings	15
Section 5. Books and Records	15
Section 6. Code of Conduct	16
ARTICLE XIII. COMMITTEES	16
Section 1. Establishment	16
Section 2. Membership	16
Section 3. Officers	16
Section 4. Meetings	16
Section 5. Books and Records	17
Section 6. Code of Conduct	17
ARTICLE XIV. COMPENSATION	17
ARTICLE XV. COST ALLOCATION	17
ARTICLE XVI. CONTRACTUAL SERVICES	17
ARTICLE XVII. ADOPTING AND AMENDING THE BYLAWS	18

ARTICLE I. NAMES

Section 1. Organization

The official name of this organization shall be the “Region H Water Planning Group” (hereinafter “Region H WPG”).

Section 2. Regional Water Planning Area

The official name of the regional water planning area designated as “Region H” by the Texas Water Development Board (hereinafter “TWDB”) in accordance with 31 Texas Administrative Code (hereinafter “TAC”) Chapter 357 on February 19, 1998, shall be the “Region H Water Planning Area” (hereinafter “Region H WPA”).

ARTICLE II. ESTABLISHMENT AND PURPOSE

The Region H WPG was established by appointment of an initial coordinating body by the TWDB on February 19, 1998, and one subsequent additional appointment by the initial coordinating body. The purpose of the Region H WPG shall be to provide comprehensive regional water planning and to carry out the related responsibilities placed on regional water planning groups by state law, including Texas Water Code Chapter 16 and TWDB rules, including 31 TAC Chapters 355, 357, and 358, in and for the Region H WPA.

ARTICLE III. PRINCIPAL ADMINISTRATIVE OFFICE

The principal administrative office of the Region H WPG and the administrative officer for purposes of the Texas Open Records Act shall be designated by the voting members by motion or resolution and may be changed from time to time as necessary. The Chair of the Region H WPG shall insure that the mailing address and physical address of the principal office and administrative officer are provided to all members of the Region H WPG and the Executive Administrator of the TWDB.

ARTICLE IV. RESPONSIBILITIES

The Region H WPG shall have the responsibility for performing the functions defined in Texas Water Code, Chapter 16 and in 31 TAC Chapters 355, 357, and 358 related to regional water planning groups for the Region H WPA. Foremost

among those responsibilities shall be the development of a regional water plan for the Region H WPA that identifies both short and long-term water supply needs and recommends water management strategies for addressing them.

ARTICLE V. VOTING MEMBERSHIP

Section 1. Composition

The initial voting members of the Region H WPG shall include the initial coordinating body appointed by the TWDB on February 19, 1998, plus the additional voting member appointed by the initial coordinating body to ensure adequate representation of the interests comprising the Region H WPA stated in Texas Water Code §16.053(c), if present, and other interests determined by the initial coordinating body. Thereafter, the voting membership of the Region H WPG shall include persons added or removed as provided under this Article. The voting membership of the Region H WPG shall not exceed ~~25-26~~ members.

Section 2. Terms of Office

The initial terms of all initial voting members shall expire on September 1, 2001. Upon the expiration of the initial terms, all voting members shall draw lots for additional terms of five years or two years, such that half of the voting members' terms will expire in two additional years and the other half in five additional years. If there is an odd number of voting members at the time that lots are drawn, one more than half shall draw lots for the two-year terms.

Except for the initial terms of the initial voting members and the two-year terms described above, all subsequent terms of office for voting members shall be five years, the goal of staggering the terms of office having been accomplished. There are no limits to the number of terms a member may serve.

Upon the expiration of a member's term, a majority vote of the total voting membership shall be required for the member to continue to serve for a subsequent term. If a member fails to be affirmed for a subsequent term, then the voting members shall initiate procedures to ~~remove the member and~~ appoint a successor utilizing the process set forth under Sections 7 and 4 of this Article.

Section 3. Conditions of Membership

In order to be eligible for voting membership on the Region H WPG, a person must represent the interest for which a member is sought, be willing to participate in the regional water planning process, and abide by these bylaws.

Section 4. Selection of Members

Within forty-five calendar days of the removal of a voting member, the ~~Executive Nominating~~ Committee shall solicit nominations for a successor. Members of the Region H WPG may also submit nominations to the ~~Executive Nominating~~ Committee.

The ~~Executive Nominating~~ Committee shall receive and process the nominations and shall recommend a nominee to the voting membership as a whole, giving strong consideration to a consensus nominee from those individuals and entities that collectively represent that interest. The ~~Executive Nominating~~ Committee shall not be bound by the nominations received and may consider any person who meets the conditions of membership as a nominee. The voting membership as a whole shall not be bound by the recommendation of the ~~Executive Nominating~~ Committee and may consider any person who meets the conditions of membership as a nominee.

An affirmative vote of two-thirds of the total voting membership of the Region H WPG shall be required to appoint a nominee as a new voting member. If voting fails to select a new voting member after no more than three votes regarding that nominee, the voting members shall consider other nominations until a new member can be selected by an affirmative vote of two-thirds of the total voting membership.

In addition to selecting new voting members to fill vacancies caused by removal, the voting members may add members to ensure adequate representation of the interests comprising the Region H WPA by generally utilizing the selection process set forth in this section. If such a new member is added, the existing voting members shall determine by a majority vote of the total voting membership, the exact applicability of the membership term provisions and restrictions to the new member at the time of the new members selection.

In both the consideration of nominees and the selection of new voting members, the ~~Executive Nominating~~ Committee and other voting members shall strive to achieve a representative diversity within the region.

Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors and shall serve until their successors take office.

Because initial members continue to serve for additional terms of either two or five years at the end of their initial terms as set forth under Section 2 of this Article, this Section 4 shall not apply to the regular expiration of the initial terms

of the initial members; however, this section shall apply to the selection of a successor for a removed voting member during the initial terms.

Section 5. Attendance

All members shall make a good faith effort to attend all Region H WPG meetings and hearings. Records of attendance shall be kept by the Secretary at all Region H WPG meetings and hearings and presented as part of the minutes. Voting members must attend at least one-half of the sum of all meetings and hearings during the preceding twelve months. Voting members of the Region H WPG that have not met the attendance requirement shall be considered to have excessive absences and shall be subject to removal from membership under Section 7 of this Article.

Section 6. Code of Conduct

Members and designated alternates of the Region H WPG shall ethically conduct the business of the Region H WPG and shall avoid any form or appearance of a conflict of interest, real or apparent, by observing the following:

- (a) No member or designated alternate of the Region H WPG shall participate in any deliberation, decision, or vote that would constitute a conflict of interest under federal, state, or local law.
- (b) Potential conflicts of interest shall be clearly stated by the voting member or designated alternate prior to any deliberation or action on an agenda item with which the voting member or designated alternate may be in conflict. Where the potential conflict is restricted to a divisible portion of an agenda item, the Chair may divide the agenda item into parts, at the Chair's discretion, for deliberation and voting purposes. An abstention from participation in deliberations, decisions, or voting and the reasons therefor shall be noted in the minutes.

Section 7. Removal of Voting Members

(a) Grounds for Removal of Voting Members. The following shall constitute grounds for removal of a voting member:

- (1) resignation;
- (2) inability to serve due to poor health or death;
- (3) change in status so that the member no longer represents the interest he or she was selected to represent;

- (4) excessive absenteeism as defined under Section 5 of this Article;
- (5) failure to abide by the code of conduct provisions set forth under Section 6 of this Article;
- (6) falsifying documents;
- (7) violation of these bylaws as determined by the voting members; or
- (8) the voting member's designated alternate engages in any acts described in subdivisions (5), (6), or (7) of this subsection.

(b) **Process for Removal of Voting Members.** Voting members may be removed at any time for any of the grounds for removal of voting members set forth in subsection (a) of this section. Any member with knowledge that events have occurred constituting a ground for removal under subsection (a) of this section shall report such information to the Chair. The Chair, upon discovering or receiving such information, shall contact that member to verify the events that have occurred or the acts that have been alleged. The member shall respond to the Chair within fifteen calendar days from the date of receipt of the Chair's request. The Chair may require any information or response to be in writing. If the Chair believes that a ground for removal may exist or if the member fails to make a timely response to the Chair's request, then the Chair shall confer with the Executive Committee regarding the matter, and the Executive Committee may vote to place an item on the next subsequent agenda addressing the possible removal of the member. If the Chair does not believe that a ground for removal exists and indicates that he or she will not place an item on the next agenda addressing the possible removal, then if five voting members request its inclusion on the agenda in writing, the Chair shall place an item on the next subsequent meeting agenda addressing the possible removal of the member.

At the meeting, all discussion and debate with regard to the possible removal shall take place in a closed, executive session, but the final vote on removal shall take place in an open meeting. During the executive session, the Chair shall lay out all of the correspondence and information that has been received related to the possible removal, and the member subject to the possible removal may present evidence refuting or verifying the information presented. The voting members may remove the member by a two-thirds vote of the total voting membership. The member subject to the removal action shall not participate in the removal vote, nor shall his or her membership count as part of the total voting membership for purposes of calculating a two-thirds vote.

ARTICLE VI. NON-VOTING MEMBERSHIP

Section 1. Mandatory Members

(a) The voting members of the Region H WPG shall add the non-voting members from the Texas Water Development Board, the Texas Parks and Wildlife Department, and each adjacent regional water planning group as set forth in 31 TAC §357.4(g)(1)-(g)(3) and accept the designees appointed by the entities set forth therein. Such designees shall have no terms of office and shall serve until replaced by the designating entity. However, if the voting members decide by a two-thirds vote of the total voting membership that a particular designee is hindering the regional water planning efforts of the Region H WPG, the Chair shall make a written request within ten calendar days to the entity requesting the designation of another person to serve as the entity's designee.

(b) The voting members of the Region H WPG shall add at least one non-voting member from another region representing entities that supply or receive 1,000 acre-feet or more per year as set forth in 31 TAC §357.4(g)(4). Within thirty calendar days of adoption of these bylaws, or within forty-five calendar days of the removal of a 31 TAC §357.4(g)(4) member, the ~~Executive-Nominating~~ Committee shall solicit nominations for persons to serve as a 31 TAC §357.4(g)(4) member. Members of the Region H WPG may also submit nominations to the ~~Executive-Nominating~~ Committee.

The ~~Executive-Nominating~~ Committee shall receive and process the nominations and shall recommend a nominee to the voting membership as a whole, giving strong consideration to a consensus nominee from those individuals and entities that collectively represent the interest as described in 31 TAC §357.4(g)(4). The ~~Executive-Nominating~~ Committee shall not be bound by the nominations received and may consider any person who meets the conditions of membership as a nominee. The voting membership as a whole shall not be bound by the recommendation of the ~~Executive-Nominating~~ Committee and may consider any person who meets the conditions of membership as a nominee.

An affirmative vote of two-thirds of the total voting membership of the Region H WPG shall be required to appoint a nominee as a non-voting 31 TAC §357.4(g)(4) member. If voting fails to select a member after no more than three votes regarding that nominee, the voting members shall consider other nominations until a 31 TAC §357.4(g)(4) member can be selected by a two-thirds vote of the total voting membership.

Once selected, a 31 TAC §357.4(g)(4) non-voting member shall have no term of office and shall serve until removed by the voting members by affirmative vote of two-thirds of the total voting membership.

Section 2. Discretionary Members

The voting members of the Region H WPG may add or remove as a non-voting member an entity set forth in 31 TAC §357.4(h) by a two-thirds vote of the total voting membership. If an entity is added, the Chair shall make a written request within ten calendar days to the entity requesting the designation of a person to serve as the entity's designee. Such designees shall have no terms of office and shall serve until replaced by the designating entity or until the entity is removed as a non-voting member. However, if the voting members determine by a two-thirds vote of the total voting membership that a particular designee is hindering the regional water planning efforts of the Region H WPG and that the entity should remain as a non-voting member, the Chair shall make a written request within ten calendar days to the entity requesting the designation of another person to serve as the entity's designee.

Section 3. Code of Conduct

All non-voting members shall comply with the code of conduct provisions under Section 6 of Article V of these bylaws.

ARTICLE VII. DESIGNATED ALTERNATES

Each member shall designate an alternate to represent him/her when he/she is unable to attend a meeting or hearing. Each member must notify the Chair in writing of the name and address of the member's designated alternate at least forty-eight hours prior to the first meeting or hearing at which the designated alternate will appear on behalf of the member. If the member fails to provide such notice, the Chair may forbid the participation of the designated alternate at the meeting or hearing. The Chair shall not recognize the designation of more than one alternate per member at any given time. The Chair shall not recognize more than two alternate designations of any kind per member per calendar year unless the Region H WPG expressly decides to waive this provision.

The designated alternate shall enjoy the same voting privileges, or lack thereof, and shall be bound by the same duties, terms, and conditions as the member they represent, except as otherwise provided in these bylaws. However, a designated alternate for a voting member who serves as an officer shall not be allowed to serve in the capacity as an officer in the member's absence.

The Chair shall provide each member with a current list of all members and their designated alternates.

ARTICLE VIII. OFFICERS

Section 1. Officers, Restrictions, and Terms of Office

Voting members of the Region H WPG shall select from the voting membership a Chair, Vice Chair, and Secretary to serve as officers. Each officer shall serve a term of one calendar year. However, the terms of the initial officers selected under Section 2 of this Article shall expire when the regular officers take office as provided under this Article. Except as provided under Section 4 of this Article, an officer shall serve until his or her successor takes office. No two voting members representing the same interest shall serve as officers at the same time. Elections shall be held annually, with no restrictions on the number of consecutive terms an individual may serve as an officer other than those that apply because of his or her status as a voting member under these bylaws.

Section 2. Selection

(a) Initial Officers. Within fourteen days after the adoption of these bylaws, the voting members shall select initial officers. Nominations shall be made from the floor by voting members. The voting members shall select officers from among the nominees by a majority vote of the total voting membership.

(b) Regular Officers. Regular officers shall be selected at the first meeting of each calendar year after the calendar year in which these bylaws were adopted. Written notice of the meeting to select officers shall be ~~mailed-sent~~ to all members of the Region H WPG by the current Secretary thirty calendar days prior to the meeting. The Nominating Committee shall solicit nominations for officers and shall recommend nominees to the voting membership. Nominations ~~shall may~~ also be made from the floor by voting members. The voting members shall select officers from among the nominees by a majority vote of the total voting membership.

Section 3. Removal of Officers

Any officer may be removed from office for any of the grounds for removal of voting members set forth under Article V of these bylaws or for repeated failure to carry out the duties of the office by a two-thirds vote of the total voting membership. Removal of an officer shall be set as an agenda item at the next

scheduled meeting upon written request signed by five voting members to the Chair or Secretary. Such request must include a copy of any documents or written information that the requesting members intend to present at the removal meeting.

The Chair or Secretary receiving the request shall notify the officer in writing that he or she shall be the subject of a removal action at the next scheduled meeting and shall include a copy of any documents or written information submitted by the requestors.

At the meeting, all discussion and debate with regard to the possible removal shall take place in a closed, executive session, but the final vote on removal shall take place in an open meeting. During the executive session, the presiding officer shall lay out all of the correspondence and information that has been received related to the possible removal, and the member subject to the possible removal may present evidence refuting or verifying the information presented. If the Chair is the subject of the possible removal action, the Vice-Chair shall preside over the meeting during the agenda item concerning the Chair's removal. The officer subject to the removal action shall not participate in the removal vote, nor shall his or her membership count as part of the total membership for purposes of calculating a two-thirds vote. Any vacancy caused by the removal shall be filled as provided under Section 4 of this Article.

Section 4. Vacancies of Officers

Whenever an officer vacancy exists because of death, resignation, or removal, the vacancy shall be filled at the next scheduled meeting after the event causing the vacancy. The Nominating Committee shall solicit nominations for a replacement officer and shall recommend a nominee to the voting membership. Nominations ~~shall~~ may also be made from the floor by voting members. The voting members shall select a replacement officer from among the nominees by a majority vote of the total voting membership. The next highest ranking officer shall serve in the vacant position until a successor takes office, unless the office of the Secretary becomes vacant, in which case the Chair shall appoint a willing voting member to serve as Secretary until the successor to the Secretary takes office. The person selected to fill a vacancy for an officer shall serve for the unexpired term of his or her predecessor in office.

Section 5. Duties of Each Officer

(a) Chair. The Chair shall be the executive officer of the Region H WPG. The Chair will preside at all meetings of the Region H WPG and perform all duties provided by these bylaws. If the Chair is unable to carry out his/her duties, the Vice Chair shall assume the duties of the Chair.

(b) Vice Chair. The Vice Chair shall assist the Chair in the discharge of his/her duties and, in the absence of the Chair, shall assume the Chair's full responsibilities and duties. In the event the Chair is unable to carry out his/her duties, the Vice Chair shall serve as Chair until the Region H WPG elects a new Chair under Section 4 of this Article. The Vice-Chair shall perform other duties as assigned by the Chair, or these bylaws.

(c) Secretary. The Secretary shall maintain the minutes and take attendance of the Region H WPG meetings. The minutes and attendance shall be kept as part of the Region H WPG official records. The Secretary shall insure that all notices are properly posted as provided in the bylaws, as required by law, and as required by the Texas Open Meetings Act. The Secretary shall perform other duties as assigned by the Chair or these bylaws. If both the Chair and Vice Chair are unable to carry out the duties of the Chair, the Secretary shall assume the duties of the Chair.

Section 6. Executive Committee

The Executive Committee shall be composed of five Region H WPG members, including the Chair, Vice Chair, Secretary, and two members-at-large. No two voting members representing the same interest shall serve as members of the Executive Committee at the same time. The two members-at-large shall be selected annually in the same manner and with the same terms as set forth for the selection of officers under this Article. Members-at-large shall be removed and their vacancies filled in the manner prescribed for officers under this Article.

The Executive Committee shall be responsible for carrying out the duties imposed on it in these bylaws. The voting members of the Region H WPG may delegate any purely administrative decisions to the Executive Committee unless provided otherwise in these bylaws. The Chair of the Region H WPG shall serve as Chair of the Executive Committee.

Section 7. Designated Alternates

A designated alternate of a member serving as an officer shall not serve in the member's capacity as an officer in lieu of the member. When an officer is absent or otherwise unable to serve, the next highest ranking officer shall serve for the officer. If no lower ranking officer exists or can serve, then a member designated by the Chair shall serve for the officer. In the event that the Chair has failed to designate a member, then the voting members shall select a member to serve for the officer.

ARTICLE IX MEETINGS

Section 1. Open Meetings and Notice

All meetings of the Region H WPG and any subregional water planning groups it has created, shall be posted and open to the public in the manner of a governmental body under the Texas Open Meetings Act and as set forth in TWDB rules. All actions of the Region H WPG shall be deliberated and undertaken in open meeting, unless otherwise authorized by the Texas Open Meetings Act. The time and place of meetings shall be set to facilitate, to the greatest extent possible, the participation of the public in the regional water planning process. Copies of all materials presented or discussed shall be made available for public inspection prior to and following any meeting of the Region H WPG. It shall be the practice of the Region H WPG to provide an opportunity for public comment near both the beginning and end of each regular meeting.

Section 2. Regular Meetings

The Region H WPG will generally hold at least one regular meeting in each calendar quarter, however, meetings may be scheduled less frequently if appropriate. The Secretary shall insure that an advance notice and an agenda for regular meetings is provided to the full membership of the Region H WPG at least ten calendar days in advance by first class U.S. Mail, facsimile, or electronic mail. Supporting information and member-requested materials shall be distributed to the full membership with the notice and agenda or at the meeting, as deemed appropriate by the Chair.

Section 3. Called (Special) Meetings

The Chair or a majority of the voting members of the Region H WPG may call special meetings of the Region H WPG. The Secretary shall insure that advance notice and an agenda for the called meeting is provided to the full membership of the Region H WPG at least five calendar days in advance by first class U.S. Mail, facsimile, or electronic mail. Supporting information and member-requested materials shall be distributed to the full membership with the notice and agenda or at the meeting, as deemed appropriate by the Chair.

Section 4. Agenda

The Secretary of the Region H WPG shall insure that an agenda is prepared and distributed for all meetings, in accordance with Sections 2 and 3 of this Article.

Items shall be placed on the agenda by the request of the Chair or by the request of at least three voting members of the Region H WPG. Consideration for approval of the previous meeting's minutes, as applicable, shall always be among the first items on the agenda. Copies of the agenda and all supporting information shall be made available for public inspection prior to and following any meeting of the Region H WPG.

Section 5. Quorum

A quorum of the Region H WPG shall be a simple majority of the voting members or their designated alternates excluding vacancies. At least a quorum shall be necessary to conduct any business of the Region H WPG.

Section 6. Applicability of Robert's Rules of Order

Except as otherwise provided in these bylaws, meetings of the Region H WPG shall be conducted under the provisions of the most current edition of *Robert's Rules of Order*. However, failure to follow such rules shall not constitute grounds for appeal of an action or a decision of the Region H WPG.

Section 7. Public Hearings/Meetings Required by Law

The Region H WPG shall post notice and conduct public hearings and public meetings that are specifically required by statute and/or TWDB rule, including those set forth for preplanning, draft regional water plan presentation, adoption of amendments to the regional water plan, and final regional water plan adoption, in accordance with the requirements of relevant state law and/or TWDB rules. Notification requirements may be different than those specified in Section 1 of this Article and are specifically delineated in Texas Water Code §16.053 and/or 31 TAC §357.12.

Section 8. Minutes

(a) The Secretary shall insure that minutes of all meetings of the Region H WPG are prepared. The minutes shall:

- (1) state the subject of each deliberation;
- (2) indicate each vote, order, decision, or other action taken;

(3) indicate those members in attendance, noting the presence of a quorum, and noting the presence of those members of the public who participate in the course of the meeting;

(4) represent an accurate summary of the meeting's record; and state any other information required by these bylaws to be included in the minutes.

(b) The Secretary shall insure that true copies of the minutes are provided to the full membership as soon as possible following the meeting, but no later than ten calendar days prior to the next regular meeting of the Region H WPG.

ARTICLE X. MAKING DECISIONS

Section 1. Applicability; No Written Proxies

(a) Unless the method for making a particular decision is set forth in these bylaws, the Region H WPG, its committees, and subgroups shall make all decisions utilizing the process set forth in Section 2 of this Article.

(b) Written proxies shall not be allowed in any decision-making by the Region H WPG, its committees, or its subregional water planning groups. However, designated alternates shall be allowed to participate in decision making as set forth in these bylaws. Because it is important in achieving consensus for all members to participate actively, keep up-to-date on the progress of the group, and develop a common base of information, members shall in good faith attempt to minimize the number of times they are absent from meetings or are represented by their designated alternates.

Section 2. Decision-Making Process

(a) Use of Consensus. The Region H WPG shall attempt to make decisions using a consensus decision-making process. Consensus is an agreement built by identifying and exploring all members' interests and by assembling a package agreement which satisfies these interests to the greatest extent possible. A consensus is reached when all voting members agree that their major interests have been taken into consideration and addressed in a satisfactory manner so that they can support the decision of the group. The process of building consensus involves the development of alternatives and the assessment of the impacts of those alternatives.

Consensus does not necessarily mean unanimity. Some members may strongly endorse a particular solution while others may accept it as a workable agreement.

A member can participate in the consensus without embracing each element of the agreement with the same fervor as other members, or necessarily having each of his or her interests satisfied to the fullest extent. In a consensus agreement, the members recognize that, given the combination of gains and trade-offs in the decision package and given the current circumstances and alternative options, the resulting agreement is the best one the voting members can make at this time.

(b) Failure to Reach Consensus. If after good faith negotiations it appears likely to the Chair that the voting members will be unable to reach consensus, the Chair shall entertain a motion to put the issue to a vote to be conclusively decided by agreement of not less than a majority of the total voting membership, unless otherwise specified in these bylaws.

Section 3. Final Adoption of Regional Water Plan; Amendments

The voting members of the Region H WPG shall finally adopt the regional water plan for the Region H WPA, and any amendments thereto, by a two-thirds vote of the total voting membership.

ARTICLE XI. BOOKS AND RECORDS

Section 1. Required Documents and Retainment

Records of the Region H WPG shall be kept at the principal administrative office of the Region H WPG for a period of time equal to the retention period required of a local government entity subject to the Local Government Records Act.

Section 2. Inspection and Copying

Records of the Region H WPG shall be available for inspection and copying at the principal administrative office during normal business hours. Procedures and fees for copying and inspection shall be the same as those used by the political subdivision housing the principal administrative office of the Region H WPG for inspection and copying of its own public records.

Section 3. Availability of Reports

All reports, planning documents, and work products resulting from projects partially funded by the TWDB shall be made available to the TWDB, the Texas Parks and Wildlife Department, and the Texas Natural Resource Conservation

Commission or their successor agencies. At least one copy of the approved regional water plan shall be placed in the county clerk's office for each county and in at least one public library of each county having land within the Region H WPA, in accordance with state law.

ARTICLE XII. SUBREGIONAL WATER PLANNING GROUPS

Section 1. Establishment

The Region H WPG may by motion establish subregional water planning groups to assist and advise the Region H WPG in the development of the regional water ~~management~~ plan. Subregional water planning groups may be formed to address specific issues assigned by the Region H WPG and may have a specified term of membership.

Section 2. Membership

Membership in subregional water planning groups shall generally follow the requirements and procedures of Article V of these bylaws; membership of subregional water planning groups should be inclusive, rather than exclusive in nature; the interests identified in the initial coordinating body will be invited to participate, as well as other interests that have been identified. Appointments to subregional water planning groups shall be made by a two-thirds vote of the total voting membership. The terms of office for all members of subregional water planning groups shall be either upon the expiration of the term, if any, specified by the Region H WPG in the establishing motion for the subregional water planning group, or upon the expiration of the persons membership in the Region H WPG.

Section 3. Officers

The Chair, Vice Chair, and Secretary of a subregional water planning group shall be selected from the duly-elected members of the respective subregional water planning group and shall be elected to their respective offices by a majority vote of the total membership of the subregional water planning group. Additional subregional water planning group offices with associated responsibilities may be created as necessary by the members of the subregional water planning group. The additional officers shall be elected by a majority affirmative vote of the total membership of the subregional water planning group.

Section 4. Meetings

Requirements and procedures for subregional water planning group meetings shall follow those established in Article IX of these bylaws, including requirements for notice. Subregional water planning groups may adopt their own rules of procedure if authorized by the Region H WPG and if the rules are not in conflict with state law, TWDB rules, or these bylaws.

Section 5. Books and Records

Requirements and procedures for subregional water planning group books and records shall follow those established for the Region H WPG in Article XI of these bylaws.

Section 6. Code of Conduct

Members of a subregional water planning group are subject to the requirements of Article V, Section 6 of these bylaws.

ARTICLE XIII. COMMITTEES

Section 1. Establishment

The Region H WPG may establish committees to address issues deemed appropriate by the Region H WPG. Committees may be formed to address specific issues assigned by the Region H WPG and may have a specified term of membership.

Section 2. Membership

Membership in committees shall be determined by the Chair of the Region H WPG. Committees may include both voting and nonvoting members of the Region H WPG, but in no case shall a committee contain more than ~~nine-half of~~ the voting members. The terms of committee membership for all members of committees shall expire either upon the expiration of the term of the committee, if any, specified by the Chair of the Region H WPG, upon the expiration of the persons membership in the Region H WPG, or upon the dissolution of the committee by the Chair of the Region H WPG.

Section 3. Officers

A Chair for each committee shall be chosen from its membership by the Chair of the Region H WPG.

Section 4. Meetings

Committees shall post notice of meetings at the principal administrative office of the Region H WPG unless a quorum of the voting members of the Region H WPG will be present at the meeting, in which case the committee must post notice in accordance with the Texas Open Meetings Act and as set forth in TWDB rules.

In order to determine ahead of time whether full posting will be required for a committee meeting, any members of the Region H WPG that are not members of a particular committee but are intending to attend the meetings of that committee, must notify the committee Chair at least a week in advance of any meetings that they plan to attend. In order to make the regional planning process as transparent to the public as possible, the Chair of each Region H committee that meets on a subject pertaining to the substantive development of the regional plan is encouraged to exceed the requirements of the Texas Open Meetings Act by holding all committee meetings open to the public.

Section 5. Books and Records

Requirements and procedures for committee books and records shall follow those established for the Region H WPG in Article XI of these bylaws.

Section 6. Code of Conduct

Members of a committee are subject to the requirements of Article V, Section 6 of these bylaws.

ARTICLE XIV. COMPENSATION

Members of the Region H WPG are not to be compensated for their expenses by the State of Texas or by the political subdivision designated by the Region H WPG to make application for grant funding. All travel expenses will be documented by the members and submitted to the political subdivision designated by the Region H WPG to apply to TWDB for funding. The political subdivision contracting with the TWDB for the Region H WPG shall compile the travel information from the members, which will be counted as an in-kind expense at the state rate that is in effect at the time the travel occurred.

ARTICLE XV. COST ALLOCATION

The voting members of the Region H WPG shall develop and approve an equitable method or formula for the allocation of costs associated with the local match for state funding.

ARTICLE XVI. CONTRACTUAL SERVICES

The voting members of the Region H WPG shall make all decisions related to final approval of persons or entities selected to provide contractual services for the Region H WPG, including all services related to preparation, development, or revisions of the regional water plan for the Region H WPA. However, the voting members may delegate to the Executive Committee the authority to make purely administrative decisions concerning amendments to TWDB Research and Planning Fund grant contracts for services related to regional water planning, except those decisions concerning amendments related to scopes of work and budgets.

ARTICLE XVII. ADOPTING AND AMENDING THE BYLAWS

These bylaws shall have full force and effect upon approval and adoption by the voting members of the Region H WPG, acting on behalf of the interests comprising the Region H WPA, and upon submission to the TWDB in compliance with 31 TAC §357.4. The voting members shall adopt these bylaws and any amendments thereto by a two-thirds vote of the total voting membership.

Agenda Item 5

Receive presentation from Harris County and Freese and Nichols regarding results of a supply and retention feasibility study conducted for northwestern Harris County for development of potential future water supplies.

WATER SUPPLY AND RETENTION FEASIBILITY STUDY



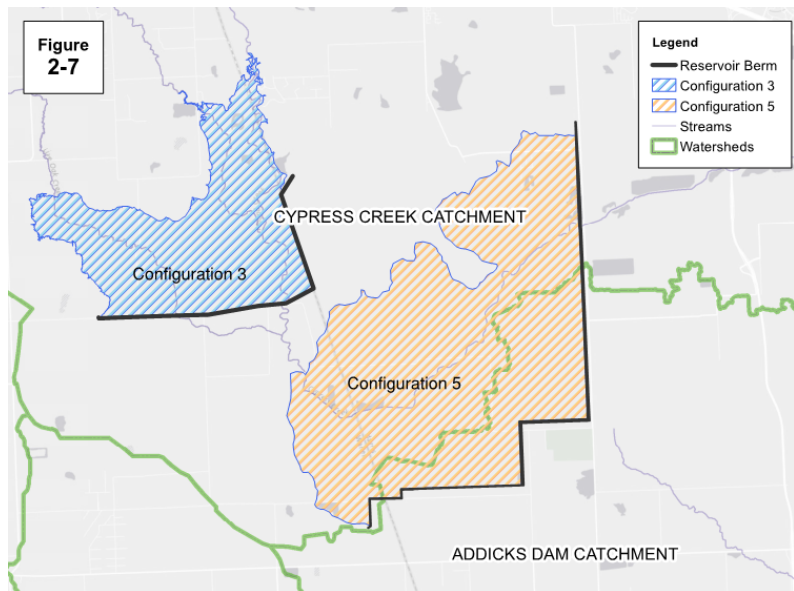
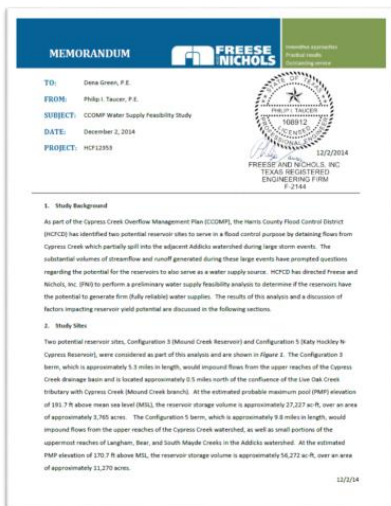
Harris County Flood Control District
Freese and Nichols, Inc.

November 2, 2016

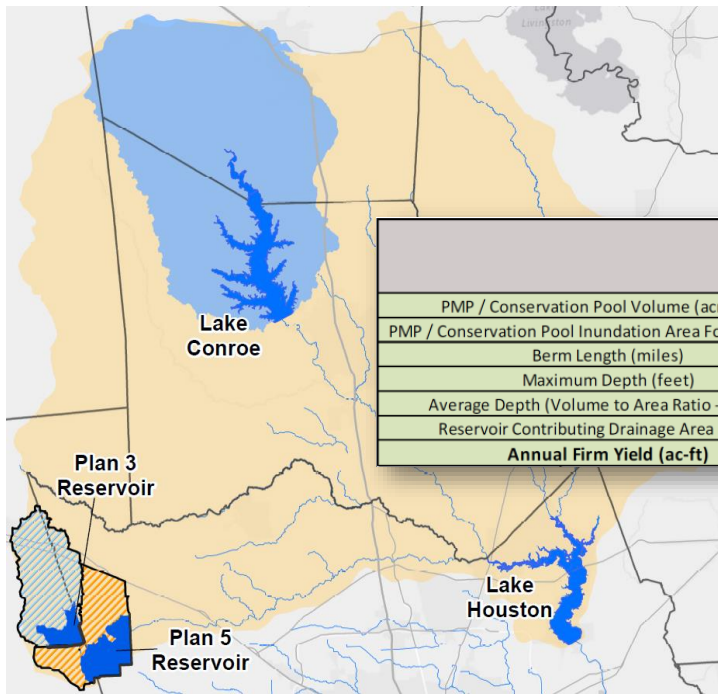


BACKGROUND

2014- FNI CCOMP Water Supply Feasibility Study



BACKGROUND



	Plan 3 "Mound Creek" Reservoir	Plan 5 "Katy-Hockley" Reservoir	Lake Conroe	Lake Houston
PMP / Conservation Pool Volume (acre-feet)	27,227	56,272	411,022	124,661
PMP / Conservation Pool Inundation Area Footprint (acres)	3,765	11,270	19,640	10,160
Berm Length (miles)	5.3	9.8	N/A	N/A
Maximum Depth (feet)	17.7	10.7	63.2	41.7
Average Depth (Volume to Area Ratio - ac-ft/ac)	7.2	5.0	20.9	12.3
Reservoir Contributing Drainage Area (sq. mi.)	61.5	108.4	445	2,828
Annual Firm Yield (ac-ft)	4,200	4,300	79,300	179,000

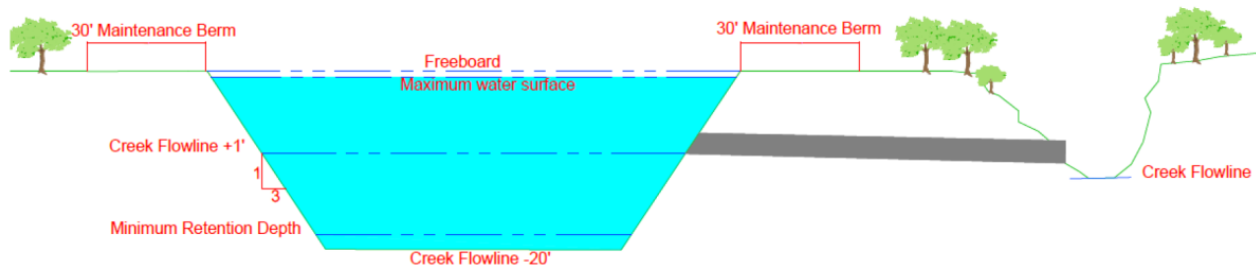
FLOOD CONTROL AND WATER SUPPLY



PROJECT TEAM

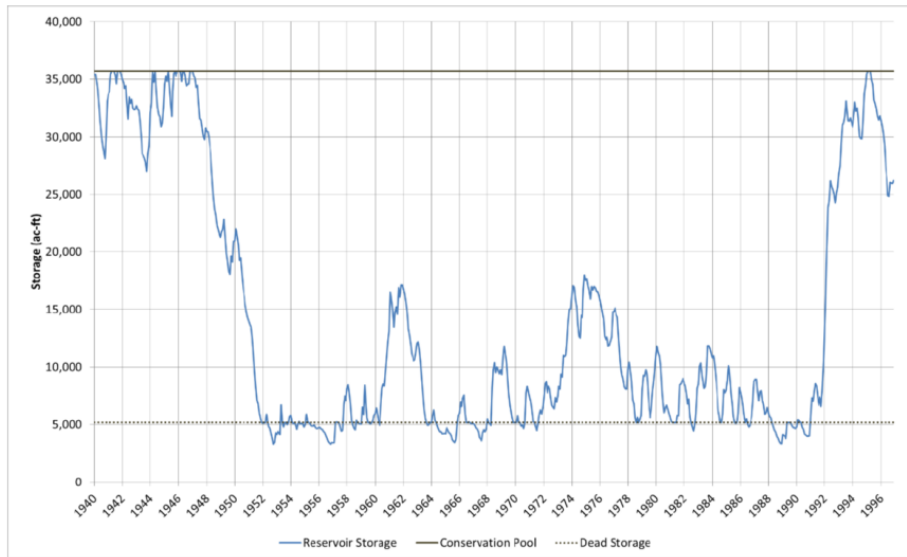


FIRM YIELD FOR BEAR CREEK AND LITTLE CYPRESS SITES

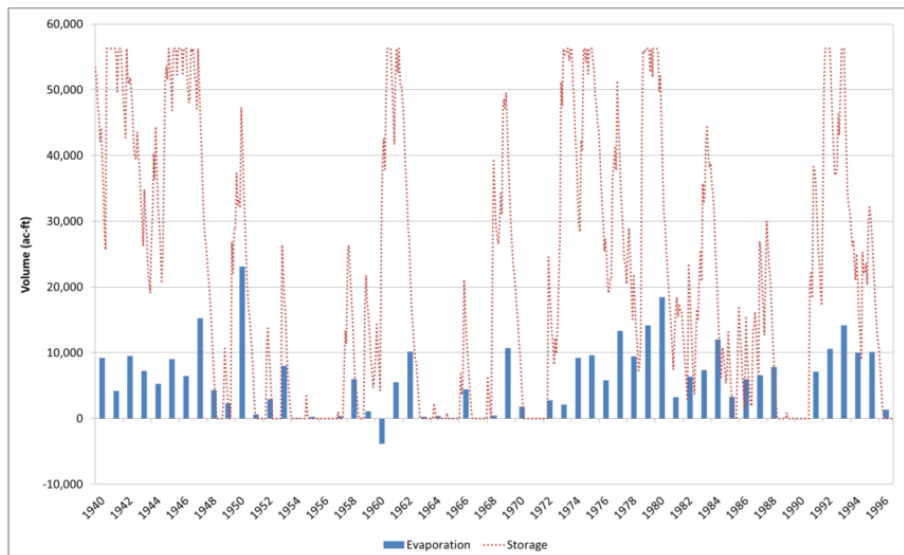


Scen.	Flow Source	Dead Storage (ft.)	Conservation Pool	Firm Yield (ac-ft.)	
				Bear Creek	Little Cypress
1	Overland	6	FL+1	0	200
2	Overland	6	Max	0	400
3	On Channel	6	FL+1	2,100	600
4	On Channel	6	Max	4,000	1,600

INTERRUPTIBLE SUPPLIES



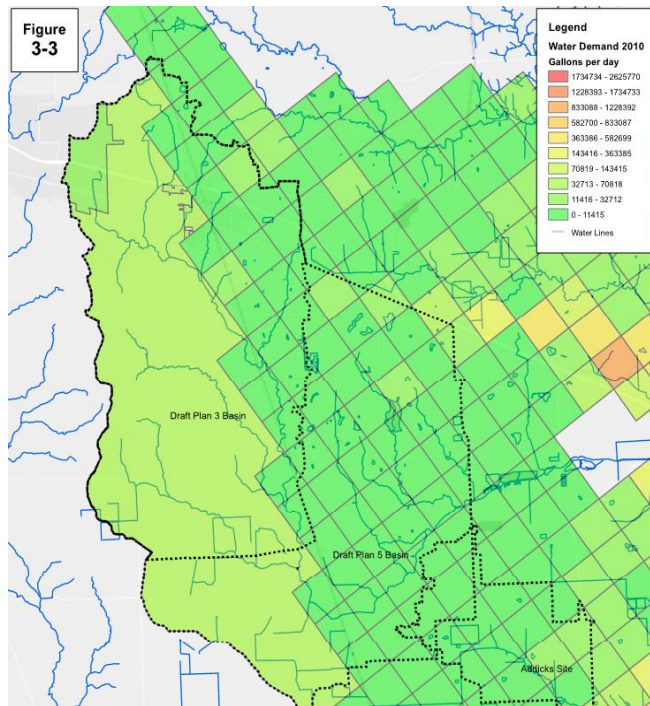
INTERRUPTIBLE SUPPLIES



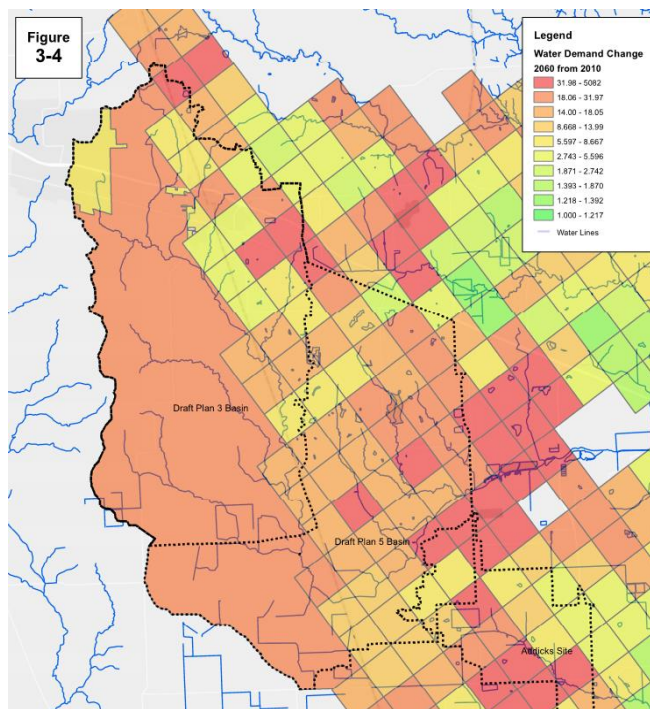
INTERRUPTIBLE SUPPLIES

Reservoir	Scen.	Cons. Pool	Firm Yield (ac-ft./ yr.)	Interruptible Yield (ac-ft./yr.)
Bear Creek	1	FL +1	N/A	N/A
	2	Max	N/A	N/A
	3	FL +1	2,100	6,900
	4	Max	4,000	7,400
Little Cypress	1	FL +1	200	600
	2	Max	400	500
	3	FL +1	600	3,400
	4	Max	1,600	7,800
Conf. 3	1	25 % PMP	1,000	7,700
	2	50 % PMP	1,800	13,700
	3	100 % PMP	4,200	19,000
Conf 5.	1	25 % PMP	1,100	13,800
	2	50 % PMP	2,200	23,400
	3	75 % PMP	4,300	31,100

RETURN FLOWS



RETURN FLOWS



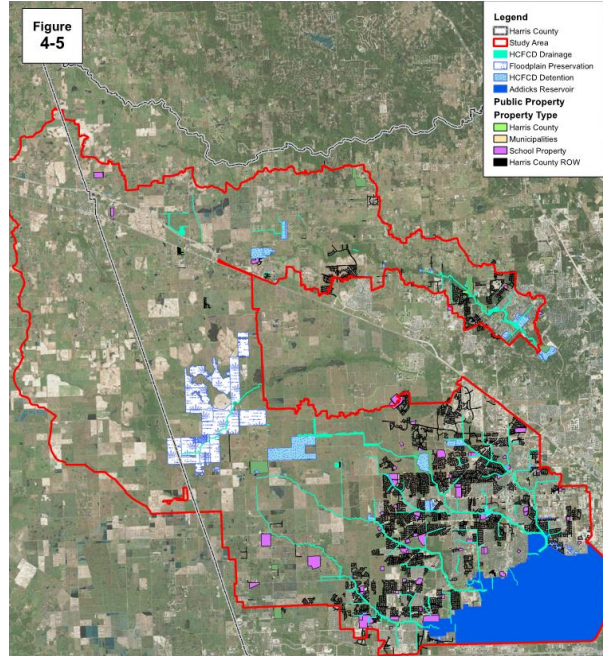
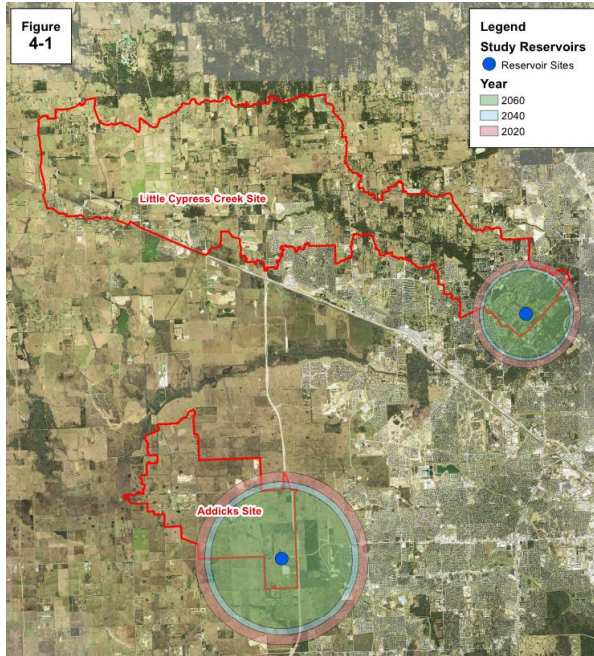
RETURN FLOWS

Table 3-2: Municipal Demand and Return Flow Projections for Study Reservoirs

Subbasin	Demand (gallons/day)			Return flows (gallons/day)		
	2020	2040	2060	2020	2040	2060
CCOMP Plan 3	2,081,287	3,021,754	3,843,649	1,040,643	1,510,877	1,921,824
CCOMP Plan 5	4,757,276	6,977,982	8,487,156	2,378,638	3,488,991	4,243,578
Bear Creek Site	884,668	1,190,146	1,398,110	442,334	595,073	699,055

Reservoir	Scen.	Return Flow (ac-ft./yr.)	Firm Yield (ac-ft./ yr.)	Firm Yield Increase (ac-ft./yr.)
Bear Creek	No RF	0	4036	0
	2020	495	4527	491
	2040	667	4,699	663
	2060	782	4,796	760
Conf. 3	No RF	0	4,212	0
	2020	1168	5,379	1,167
	2040	1692	5,902	1,690
	2060	2152	6361	2149
Conf. 5	No RF	0	4,309	0
	2020	2665	6,971	2,662
	2040	3908	8,212	3,903
	2060	4753	9057	4748

WATER DEMAND



WATER TREATMENT and TRANSMISSION

Table 4-6: TCEQ Reclaimed Water Quality Standards

Texas Category	Is human contact likely?	Examples	Monitoring Frequency	Enterococci (CFU/100 mL)	Fecal Coliforms or E. Coli (CFU/100 mL)	CBOD ₅ or BOD ₅ (mg/L)	Turbidity (NTU)
Type I	Yes	Irrigation, recreational impoundments, firefighting, toilet flush water	Twice weekly	9/4 ¹	75/20 ¹	5/5 ²	3
Type II- Not a pond system	No	Restricted or remote reuse	Once weekly	89/35 ¹	800/200 ¹	15/20 ²	X
Type II- Pond system						X/30 ²	X

Source: Texas Administrative Code, Title 30, Chapter 210, Rule 210.33
 1. Single sample maximum / 30-day average (geometric mean)
 2. CBOD₅ / BOD₅

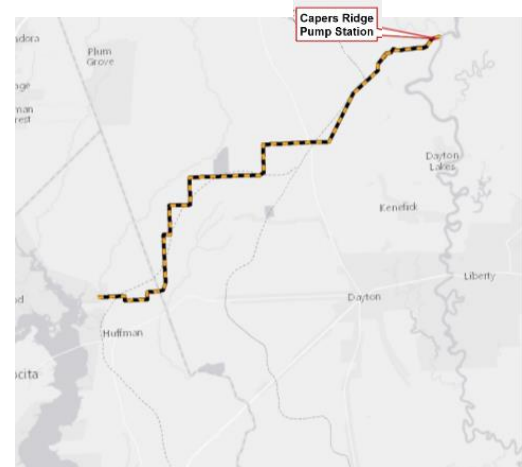
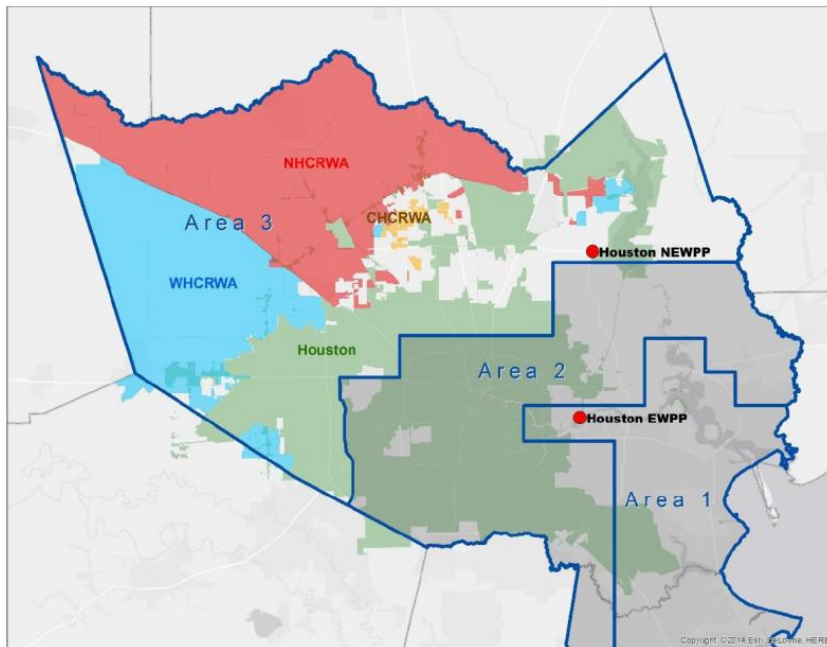


Table 4-7: EPA Reclaimed Water Quality Standards for Urban Reuse

Reuse Description	Treatment	Reclaimed Water Quality	Reclaimed Water Monitoring	Setback Distance
Unrestricted Urban Reuse	Secondary Filtration Disinfection	pH= 6-9.0 Maximum BOD = 10mg/L Maximum turbidity= 2 NTU No detectable fecal coliform/ 100 mL Minimum Cl ₂ residual = 1mg/L	pH and BOD= weekly Fecal coliform = daily turbidity and Cl ₂ residual = continuous	50 ft. to potable water supply wells, 100 ft. if located in porous media
Restricted urban Reuse	Secondary Disinfection	pH= 6-9.0 Maximum BOD = 30mg/L Maximum TSS= 30 mg/L Maximum fecal coliform= 200/ 100 mL Minimum Cl ₂ residual = 1mg/L	pH and BOD= daily TSS and fecal coliform = continuous Cl ₂ residual = daily	300 ft. to potable water supply wells, 100 ft. to areas accessible to the public (if spray irrigation)



EXISTING AND FUTURE SUPPLIES

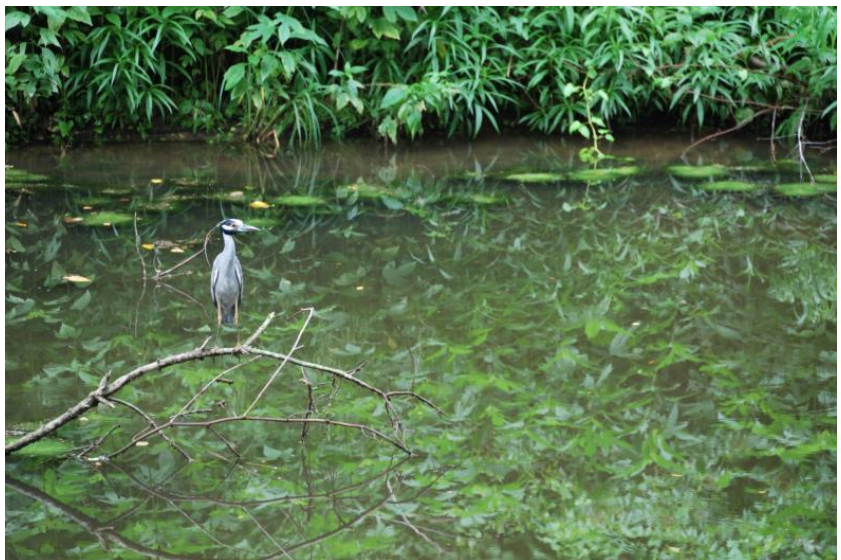


PERMITTING



**TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY**

- TCEQ approval
 - Sufficient Supply
 - Sufficient Reliability
 - Beneficial use
 - No impact on senior rights
 - Environmental Impact



DISTRIBUTED RETENTION

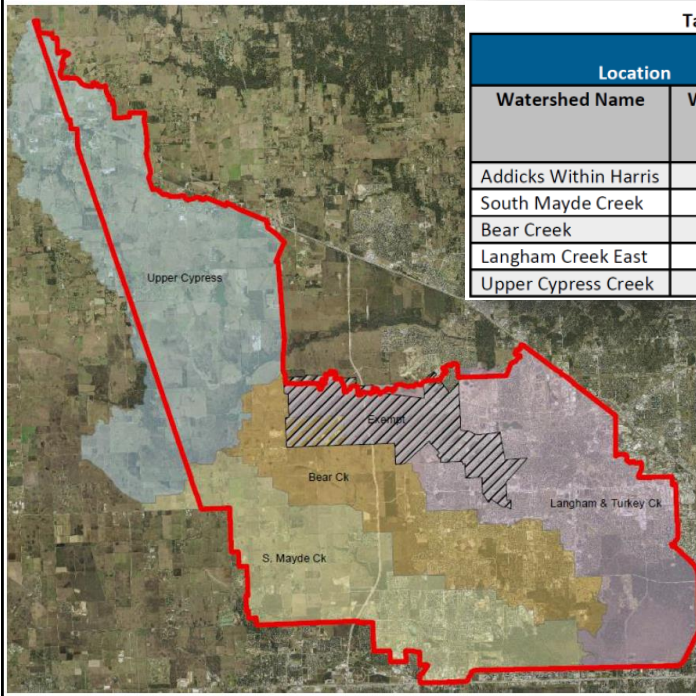
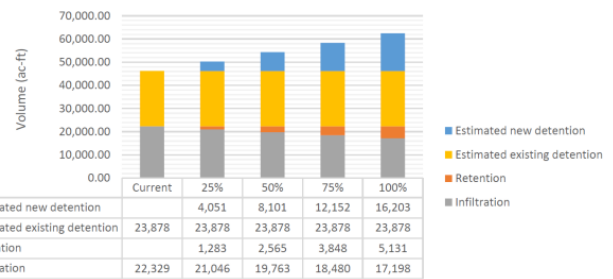


Table 7-13: Reuse Potential for Selected Watersheds

Location		Maximum Volume	Irrigation Provided ⁴	Population Served ^{3,5}	
Watershed Name	Watershed Area (ac.)	Retention Volume ¹ (ac.-ft.)	Green Space Area ² (ac.)	Min Residential Population ⁶	Max Residential Population ⁷
Addicks Within Harris	87,900	6,797	1,305	51,601	120,402
South Mayde Creek	26,200	2,906	558	22,058	51,468
Bear Creek	22,200	2,331	448	17,698	41,294
Langham Creek East	39,600	2,440	468	18,520	43,213
Upper Cypress Creek	30,000	5,476	1,051	41,571	97,000

Addicks Watershed (within Harris County)
Contributing area = 87,900 ac



TCEQ FINANCING

Water Districts

- Projects within its boundaries
- Shared ownership= Shared costs (based on use)
- Amenity lakes may be financed
- Project land purchase
- Required detention/retention



STUDY CONCLUSIONS

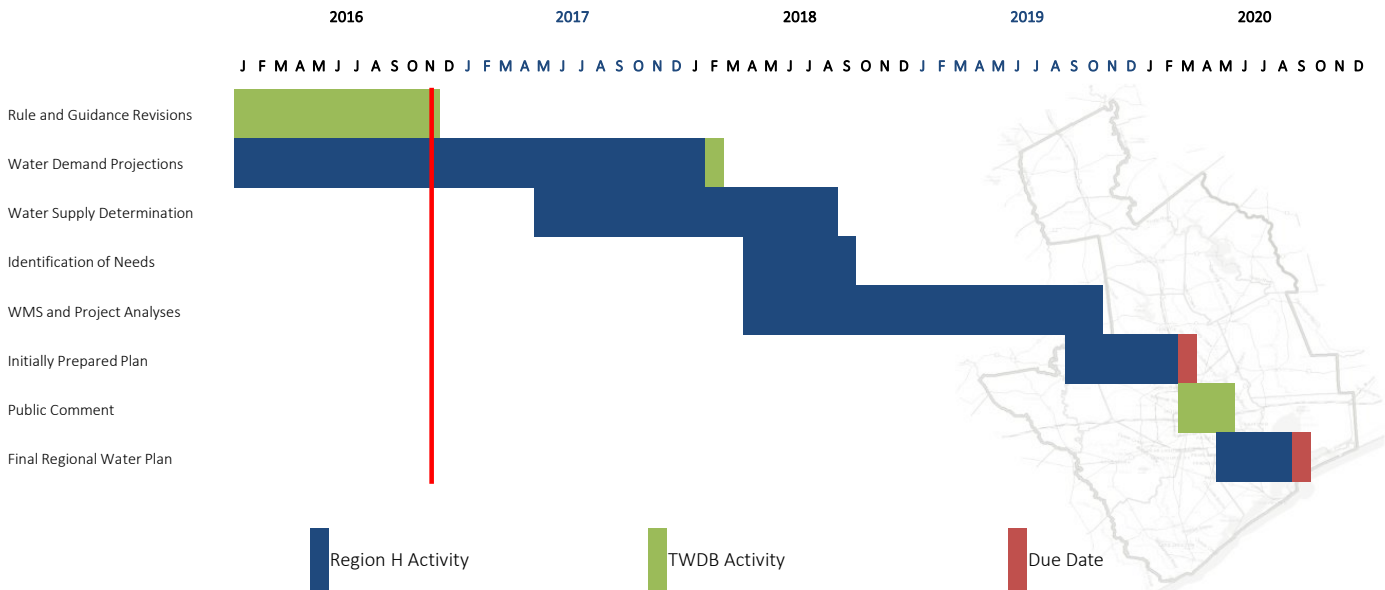
- Modeled reservoirs not a viable source of water supply.
- Dual Use (flood control and water supply) reduces the volume available to each use.
- Distributed retention may provide the potential to supplement irrigation and other non-potable demands.
- Permitting, treatment and transmission requirements may hinder implementation.

QUESTIONS

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 6 2021 RWP Schedule

Date	Scheduled Events/Tasks
11/2016	RWPG Meeting
01/2017	Estimated release date for draft municipal, livestock, and mining projections
06/2017	Estimated release date for draft irrigation, manufacturing, and power projections
01/2018	Estimated due date for adjustment requests to TWDB
02/2018	Estimated adoption date for projections
09/2018	DUE DATE: Technical Memorandum
03/2020	DUE DATE: Initially Prepared Plan
09/2020	DUE DATE: FINAL RWP

Agenda Item 7

Receive update from Consultant Team regarding identification of municipal WUGs for the 2021 Region H Regional Water Plan and ratify recommendations for new WUGs.

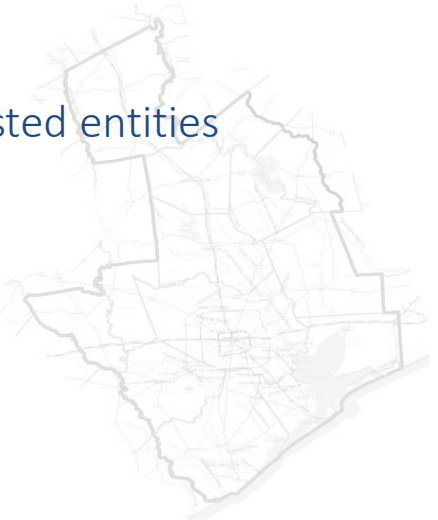
Agenda Item 7 Municipal WUGs

- Provide >100 ac-ft water for municipal use
- Automatic for retail public utilities owned by political subdivision
- With RWPG / entity request
 - CRUs
 - Privately owned utilities
 - State or Federal Facilities
- This cycle, based on 2011 or 2014 Water Use Survey



Agenda Item 7 Municipal WUGs

- TWDB request for RWPG recommendations
 - Recommendation by RWPG
 - Utilities and facilities must show interest
- RWPG recommended conditional inclusion of listed entities
 - Input requested from utilities and facilities
 - Ratification at November meeting
- Additional TDCJ coordination by TWDB



Agenda Item 7 Municipal WUGs

- Collective Reporting Units (CRUs)
 - Central Harris County Regional Water Authority
 - Greatwood
 - North Channel Water Authority
 - North Fort Bend Water Authority
 - North Harris County Regional Water Authority
 - Sienna Plantation
 - The Woodlands
 - West Harris County Regional Water Authority



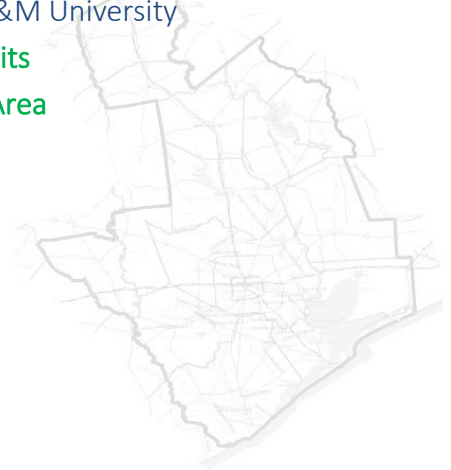
Agenda Item 7 Municipal WUGs

Privately-Owned Utilities

- Brazos River Club
- Domestic Water
- Douglas Utility
- Johnston Water Utility
- Oak Hollow Utility
- Pinewood Community
- Rice University
- Royal Valley Utilities
- Southern Water
- ✓ The Commons Water Supply
- White Oak Utilities

State or Federally-Owned Facilities

- ✓ Fort Bend County MUD 187
- Prairie View A&M University
- ✓ TDCJ Jester Units
- ✓ TDCJ Ramsey Area



Agenda Item 8

Discussion and possible action to authorize the San Jacinto River Authority to provide public notice and submit a grant application to the TWDB on behalf of Region H for funding to complete the fifth round of regional water planning, and to negotiate and execute the amendment to the TWDB contract.

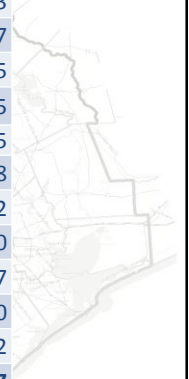
Agenda Item 8 Funding

- Funding for first phase approved by TWDB in April 2015
- Application must be made for funding of additional tasks
- RFA anticipated late 2016
- Applications due early 2017
- 30 day notice period before TWDB action
- Scope primarily developed by TWDB
- Budget specified by TWDB formula



Agenda Item 8 Funding

Task	Description	Budget
1	Description of Regional Water Planning Area	\$24,694
3	Water Supply Analysis	\$107,997
4A	Identification of Water Needs	\$23,332
4B	Identification of Potentially Feasible WMS	\$60,943
4C	Technical Memorandum	\$36,647
5A	Evaluation and Recommendation of WMS	\$948,695
5B	Conservation Recommendations	\$81,615
6	Impacts of RWP and Consistency with Protection of Resources	\$106,355
7	Drought Response	\$130,918
8	Policy Recommendations and Unique Sites	\$14,212
9	Infrastructure Financing Analysis	\$46,590
10	Public Participation and Plan Adoption	\$225,987
11	Implementation and Comparison to Previous RWP	\$56,430
12	Project Prioritization	\$46,822
TOTAL		\$1,911,237



TO: Board Members

THROUGH: Jeff Walker, Executive Administrator
Les Trobman, General Counsel
Rebecca Trevino, Chief Financial Officer
David Carter, Manager, Contracting & Purchasing
Jessica Zuba, Deputy Executive Administrator, Water Supply & Infrastructure

FROM: Temple McKinnon, Manager, Regional Water Planning

DATE: October 20, 2016

SUBJECT: Proposed funding allocations for the fifth cycle of regional water planning.

ACTION REQUESTED

No action is required. This is an informational and discussion item presenting an overview of proposed funding allocations and contracting process for the completion of the 2021 regional water plans.

EXECUTIVE SUMMARY

- The Executive Administrator (EA) anticipates posting a request for applications (RFA), pursuant to 31 Texas Administrative Code Section 355.91(a), allocating the \$5,689,712 in currently available fiscal year (FY) 2016-2017 funds and \$8,534,568 in anticipated future funds.
- The applications will be required to utilize formula funding amounts and a standard scope of work.
- After receiving the 16 grant applications from political subdivisions on behalf of the regional water planning groups (RWPGs), a request for Board authorization to amend the existing 16 regional water planning contracts is anticipated in the Spring of 2017.
- The five-year contracts would be amended based on the \$5.7 million currently available and would include a full scope of work and total study cost reflective of anticipated legislative appropriations through the remainder of the fifth cycle of planning (through FY 2020), similar to how the agency funded the fourth cycle of regional water planning. The full scope of contracted activities would be contingent upon receipt of future appropriations.

PROPOSED REQUEST FOR APPLICATIONS

Activities to be performed under this RFA (Attachment A) will be based on a scope of work developed by Texas Water Development Board (TWDB) that supports RWPG efforts to complete their 2021 Regional Water Plans in accordance with statute, rule and guidance requirements.

The proposed funding allocations shown in Attachment B are estimates of the amount of funding that RWPGs will require to develop their regional plans. These funds will be used to perform all tasks necessary to meet existing statute and rule requirements for the 2021 Regional Water Plans including holding meetings, entering data in the online planning database, and preparing and submitting all plan documents.

These formula funding amounts are based on region-specific quantitative factors, as relevant to each task, including: a) underlying parameters of each region, such as the number of counties and water user groups, b) counts or measures of items from the 2016 regional water plans, such as identified water needs and the number of recommended water management strategies, and c) new considerations relevant to work that will be required, for example, the shift to utility-based planning.

Funds are allocated to the following planning tasks:

- Task 1: Planning area description;
- Task 2A (previously allocated and already under contract): non-population-related water demand projections (manufacturing, mining, irrigation, steam electric power, livestock);
- Task 2B (previously allocated and already under contract): population and population-related demand projections;
- Task 3: Evaluation of existing water supplies;
- Task 4A: Identification of water needs;
- Task 4B: Identification of potentially feasible water management strategies;
- Task 4C: Technical Memorandum delivery;
- Task 5A: Evaluation of potentially feasible water management strategies and projects, and recommendation of water management strategies and projects. Funding for this task will be contingent on approval of a scope of work submission describing specific strategies to be evaluated and TWDB notice-to-proceed. If a proposed scope of work cannot support the associated funding request, final, allowed expenditures under Task 5A may be less than the amounts shown in Attachment B.
- Task 5B: Water conservation information and recommendations;
- Task 6: Impacts of the regional water plan and consistency with long-term protection of water, agricultural, and natural resources;
- Task 7: Drought response information, activities, and recommendations;
- Task 8: Regulatory, administrative, or legislative recommendations;
- Task 9: Infrastructure financing analysis;
- Remaining portion of Task 10: Administration, public participation, and plan adoption;
- Task 11: Implementation and comparison to the previous regional water plan; and
- Task 12: Project prioritization

TENTATIVE SCHEDULE

- Post Request for Applications for Funding - Estimated Fall of 2016.
- Estimated deadline for grant applications would be early 2017.
- Negotiate and amend 16 regional planning contracts - Estimated Spring of 2017.
- Contract execution deadline August 31, 2017.

KEY ISSUES

Although funding for regional water planning grant contracts is appropriated every two years, TWDB has historically entered five-year contracts at the beginning of each regional water planning cycle. Only those funds that have already been appropriated are classified as “committed” within the regional water planning grant contracts. This requires amending the contracts to incorporate increased committed funds as additional appropriations become available. The contract amendments will also include a “total study costs” dollar amount that reflects the full amount of appropriations anticipated to be received over the remainder of the five-year planning cycle. This approach allows the RWPGs to better plan their work effort and manage their budgets resulting in better processes and regional water plans. Total study costs have been estimated and incorporated into the contracts since the first cycle of regional water planning.

There is a risk that the 85th or 86th Texas legislatures take actions that result in either: a) new requirements for planning groups or b) appropriations of an amount less than \$8,534,568. In these events, the task or total study funding amounts for each region will be adjusted or reduced proportionally to facilitate completion of regional water plans that meet new statutory or minimum rule requirements. Any such change would be brought to the EA well before the need to request any associated Board authorization.

The attached funding recommendations for this cycle of regional water planning recognize that not all regions will require an equal amount of effort to complete the fundamental planning tasks as defined in the statute and rule. The approach used to allocate funding is based on the same approach that was used to successfully allocate funding for the fourth cycle of regional water planning, though individual factors have been adjusted in consideration of actual task expenditures during the fourth cycle of regional water planning, and new requirements for the fifth cycle of regional water planning.

The TWDB contracts have considerable flexibility for RWPGs to, at any point, emphasize certain planning activities and shift budgeted funds accordingly within their total contract amount.

The funding amounts are not guaranteed funds and must be requested by the RWPGs in grant applications submitted to TWDB by the deadline. All proposed work activities and associated expenditures will have to be fully justified and associated with the contract scope of work in order to be reimbursed.

RECOMMENDATION

No action is needed. This item is for discussion only.

ATTACHMENTS:

- A. Draft Request for Applications
- B. Summary of Recommended Funding Allocations to Complete the Fifth Cycle of Regional Water Planning

DRAFT
Request for Applications for Funding to Complete the Fifth Cycle of Regional Water Planning

Texas Water Development Board
Request for Applications

The Texas Water Development Board (TWDB) requests, pursuant to 31 Texas Administrative Code (TAC) §355.91, the submission of regional water planning applications leading to the possible award of contracts to develop, revise and/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 set forth 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 set forth in 31 TAC §355.93. Funds awarded for grants under this request for applications may total up to the amount of funds appropriated for such activities for the Fiscal 2016-2017 biennium and the anticipated future appropriations for the remainder of the fifth cycle of regional water planning as a total study cost.

In the event that acceptable applications are not submitted or that insufficient funds are available to fund proposed activities, the TWDB retains the right to not award and/or commit contract funds.

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

Five double-sided copies and one electronic version (CD) of the complete regional water planning grant application must be filed with the TWDB prior to 12:00 p.m. (noon), DATE TBD. All applications should be prepared using the TWDB's application instruction sheet for Regional Water Planning Grants and the Guidance for Preparation of the Application for Regional Water Planning Grants. Applications will be evaluated according to the criteria listed in 31 TAC §355.91. All potential applicants may contact the TWDB to obtain the application instruction sheet and guidance document or they may be obtained from the Texas Water Development Board's webpage at:

http://www.twdb.texas.gov/about/contract_admin/request/index.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 Temple McKinnon at the preceding address or by calling (512) 475-2057, or by e-mail at temple.mckinnon@twdb.texas.gov

TRD-

Todd Chenoweth

Senior Advisor

Texas Water Development Board

Filed:

Summary of Recommended Formula Funding Allocations to Complete the Fifth Cycle of Regional Water Planning

Region	Planning Area Description	PLANNING TASK												Total Additional Funding	Committed and Contracted		
		1	3	4A	4B	4C	5A	5B	6	7	8	9	10*			11	12
	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount
A	\$16,111	\$63,562	\$13,553	\$12,739	\$16,184	\$209,893	\$19,930	\$28,564	\$52,410	\$7,663	\$6,541	\$120,890	\$16,453	\$9,280			
B	\$56,880	\$54,365	\$11,342	\$8,330	\$10,571	\$122,801	\$11,253	\$19,350	\$32,592	\$6,363	\$2,737	\$91,858	\$12,739	\$5,739			
C	\$188,667	\$29,684	\$36,125	\$83,388	\$46,077	\$1,095,005	\$119,097	\$129,107	\$143,342	\$13,402	\$44,843	\$244,469	\$78,321	\$37,378			
D	\$127,997	\$20,436	\$18,074	\$19,612	\$25,932	\$387,695	\$28,672	\$45,037	\$91,930	\$10,361	\$8,467	\$161,986	\$19,374	\$11,582			
E	\$45,446	\$8,269	\$10,606	\$8,142	\$8,193	\$97,129	\$11,074	\$17,137	\$25,122	\$5,676	\$3,853	\$80,091	\$12,204	\$7,155			
F	\$107,108	\$23,819	\$19,681	\$19,985	\$25,555	\$330,868	\$25,918	\$41,194	\$79,394	\$9,502	\$11,055	\$163,486	\$22,363	\$13,058			
G	\$187,800	\$39,657	\$35,823	\$34,285	\$54,484	\$703,546	\$55,839	\$76,893	\$154,321	\$15,095	\$10,130	\$262,504	\$29,990	\$11,582			
H	\$177,909	\$24,694	\$23,332	\$60,943	\$36,647	\$948,695	\$81,615	\$106,355	\$130,918	\$14,212	\$46,590	\$225,987	\$56,430	\$46,822			
I	\$117,891	\$25,228	\$22,694	\$17,966	\$34,966	\$392,001	\$26,613	\$45,941	\$104,312	\$11,195	\$5,441	\$177,293	\$15,308	\$7,923			
J	\$44,567	\$7,124	\$9,166	\$7,288	\$6,453	\$76,608	\$7,627	\$15,123	\$21,103	\$5,308	\$4,441	\$72,876	\$12,357	\$7,746			
K	\$109,356	\$14,691	\$13,754	\$17,996	\$17,191	\$319,178	\$29,353	\$39,816	\$64,400	\$8,669	\$9,629	\$136,018	\$21,865	\$11,760			
L	\$138,032	\$930,969	\$104,594	\$18,912	\$18,777	\$373,405	\$38,405	\$44,941	\$94,545	\$9,797	\$6,096	\$161,471	\$21,801	\$8,100			
M	\$85,685	\$17,663	\$29,494	\$29,673	\$26,431	\$316,449	\$29,663	\$42,577	\$41,875	\$6,927	\$16,335	\$118,653	\$28,597	\$16,010			
N	\$61,774	\$39,479	\$11,041	\$7,126	\$11,396	\$121,160	\$10,597	\$18,933	\$30,050	\$6,608	\$2,242	\$91,798	\$10,593	\$5,562			
O	\$84,656	\$14,903	\$10,472	\$22,673	\$13,768	\$291,368	\$31,111	\$37,207	\$73,023	\$8,129	\$8,093	\$128,440	\$20,716	\$11,110			
P	\$38,997	\$6,724	\$17,282	\$5,267	\$7,301	\$45,001	\$5,924	\$11,678	\$12,427	\$5,063	\$1,669	\$65,707	\$9,608	\$5,148			
TOTAL	\$1,649,885	\$1,439,704	\$287,941	\$374,323	\$359,926	\$5,880,803	\$522,691	\$719,852	\$1,151,764	\$143,970	\$187,162	\$2,303,527	\$388,720	\$215,956			

* This task was partially funded in the initial fifth cycle contracts.

Summary of Previously Committed and Total Anticipated Funding to Complete the Fifth Cycle of Regional Water Planning

Region	Previously contracted and committed	Additional funds to commit	Anticipated future appropriations**	Total estimated fifth cycle funding
A	\$77,520	\$237,509	\$356,265	\$671,294
B	\$56,880	\$160,239	\$240,359	\$457,478
C	\$188,667	\$890,648	\$1,335,972	\$2,415,287
D	\$127,597	\$409,501	\$614,252	\$1,151,350
E	\$45,446	\$137,662	\$206,494	\$389,602
F	\$107,108	\$371,371	\$557,056	\$1,035,535
G	\$187,800	\$667,002	\$1,000,503	\$1,855,305
H	\$177,909	\$764,495	\$1,146,742	\$2,089,146
I	\$117,891	\$403,893	\$605,840	\$1,127,624
J	\$44,567	\$114,966	\$172,449	\$331,982
K	\$109,356	\$313,844	\$470,765	\$893,965
L	\$138,032	\$372,388	\$558,581	\$1,069,001
M	\$85,685	\$312,817	\$469,226	\$867,728
N	\$61,774	\$151,021	\$226,532	\$439,327
O	\$84,656	\$298,807	\$448,210	\$831,673
P	\$38,997	\$83,548	\$125,322	\$247,867
TOTAL	\$1,649,885	\$5,689,712	\$8,534,568	\$15,874,165

**Subject to change in response to future Legislative action.

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
Efficiency Network
August 25



