

REGION H

Water Planning Group

MEETING MATERIALS

February 2, 2022

Common Region H Terms and Conversion Factors

List of Abbreviations

CRU	Collective Reporting Unit
DCP	Drought Contingency Plan
DFC	Desired Future Condition
DOR	Drought of Record
EA	Executive Administrator
EPA	Environmental Protection Agency
FWSD	Fresh Water Supply District
GAM	Groundwater Availability Model
GCD	Groundwater Conservation District
GMA	Groundwater Management Area
GPCD	Gallons Per Capita Per Day
GRP	Groundwater Reduction Plan
IFR	Infrastructure Finance Report
IPP	Initially Prepared Plan
MAG	Modeled Available Groundwater
MPC	Master Planned Community
MUD	Municipal Utility District
MWP	Major Water Provider
PDSI	Palmer Drought Severity Index
PWS	Public Water Supply
RFIG	Regional Flood Planning Group
RHWPG	Region H Water Planning Group
ROR	Run-of-River
RWP	Regional Water Plan
RWPA	Regional Water Planning Area
RWPG	Regional Water Planning Group
SWIFT	State Water Implementation Fund for Texas
SWP	State Water Plan
TAC	Texas Administrative Code
TCEQ	Texas Commission on Environmental Quality
TPWD	Texas Parks and Wildlife Department
TWC	Texas Water Code
TWDB	Texas Water Development Board
UCM	Unified Costing Model
URS	Unique Reservoir Site
USS	Unique Stream Segment
WAM	Water Availability Model
WCID	Water Control and Improvement District
WCP	Water Conservation Plan
WMS	Water Management Strategy
WRAP	Water Rights Analysis Package
WUD	Water Utility Database
WUG	Water User Group
WWP	Wholesale Water Provider

Water Measurements

1 acre-foot (AF) = 43,560 cubic feet = 325,851 gallons

1 acre-foot per year (ac-ft/yr) = 325,851 gallons per year = 893 gallons per day

1 gallon per minute (gpm) = 1,440 gallons per day = 1.6 ac-ft/yr

1 million gallons per day (mgd) = 1,000,000 gallons per day = 1,120 ac-ft/yr

Region H Water Planning Group
10:00 AM Wednesday
February 2, 2022
San Jacinto River Authority Office
1577 Dam Site Rd, Conroe, Texas 77304
AGENDA

1. Call to order.
2. Introductions.
3. Review and approve minutes of November 3, 2021 meeting.
4. **Receive public comments on specific issues related to agenda items 5 through 8.** (Public comments limited to 3 minutes per speaker)
5. Planning Group Membership
 - a. Receive Nominating Committee report and consider taking action to approve members to fill vacancies on the Region H Water Planning Group (RHWPG) and RHWPG Executive Committee.
 - b. Discuss and elect officers and members of the Executive Committee of the RHWPG.
 - c. Review RHWPG bylaws and discuss potential revisions.
6. Special Items and Informational Presentations
 - a. Discuss and consider taking action to ratify all formal actions taken by the RHWPG during meetings held remotely due to the COVID-19 pandemic.
7. Plan Development and Administration
 - a. Receive report on revisions to State Water Planning Guidance Principles and Regional Water Planning rules.
 - b. Discuss and consider taking action regarding certification of administrative expenses to be submitted to the Texas Water Development Board for reimbursement for the sixth cycle of Regional Water Plan (RWP) development.
 - c. Receive report from Consultant Team and Non-Population Demands Committee regarding TWDB draft non-municipal demand projections for the 2026 Region H RWP.
 - d. Receive report from Consultant Team and Population Demands Committee regarding preliminary water user group data for the 2026 Region H RWP.
 - e. Discuss and consider a course of action for interregional coordination with other Regional Water Planning Groups.
8. General Updates and Outreach
 - a. Receive update regarding the schedule and milestones for the development of the 2026 Region H RWP.
 - b. Receive update from liaisons to other groups.
 - c. Receive report regarding recent and upcoming activities related to communications and outreach efforts on behalf of the RHWPG.
 - d. Agency communications and general information.
9. **Receive public comments.** (Public comments limited to 3 minutes per speaker)
10. Next Meeting: May 4, 2022.
11. 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 3

Review and approve minutes of November 3, 2021 meeting.

**REGION H WATER PLANNING GROUP
MINUTES OF REGULAR MEETING
NOVEMBER 3, 2021**

MEMBERS PRESENT: Gary Ashmore, David Bailey, John Bartos, Brad Brunett, Jun Chang, James Comin, Mark Evans, Yvonne Forrest, Jace Houston, Ivan Langford, Byron Ryder, Michael Turco, Brandon Wade, and Kevin Ward.

DESIGNATED ALTERNATES: Lloyd Smith for John Blount, Mike Uhl for Glenn Lord, Ken Kramer for Carl Masterson, Robert Thompson for Marvin Marcell, and Mike O'Connell for Bob Hebert.

MEMBERS ABSENT: W.R. Baker, Carl Burch, Caleb Cooper, Robert Istre, and James Morrison.

NON-VOTING MEMBERS PRESENT: Lann Bookout

1. CALL TO ORDER

The meeting was called to order at 10:00 a.m.

2. INTRODUCTIONS

There were not introductions.

3. REVIEW AND APPROVE MINUTES OF JULY 7, 2021, MEETING

Mr. Chang made a motion to approve the minutes of July 7, 2021. The motion was seconded by Mr. Turco and carried unanimously.

4. RECEIVE PUBLIC COMMENTS ON SPECIFIC ISSUES RELATED TO AGENDA ITEMS 5 THROUGH 13

Mr. John Graziano commented on property rights and environmental issues.

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

Mr. Philip Taucer provided an overview of the existing terms for the voting members. Mr. Wade 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. Chang and carried unanimously.

6. DISCUSS VACANCY ON THE RHWPG FOR A VOTING MEMBER REPRESENTING AGRICULTURE AND CONSIDER TAKING ACTION TO APPROVE MEMBER TO FILL THE VACANCY

Mr. Taucer provided an overview of the various vacant positions, in particular the member representing agriculture. Mr. Evans asked that a meeting of the Nominating Committee take place

prior to the next Region H Water Planning Group meeting and the Committee recommend members to be appointed to the various vacant positions within the Water Planning Group.

7. RECEIVE UPDATE REGARDING THE SCHEDULE AND MILESTONES FOR THE DEVELOPMENT OF THE 2026 REGION H REGIONAL WATER PLAN (RWP)

Mr. Taucer provided information related to the milestones for the development of the 2026 Region H Regional Water Plan.

8. RECEIVE PUBLIC COMMENTS ON ISSUES THAT SHOULD BE ADDRESSED OR PROVISIONS THAT SHOULD BE INCLUDED IN THE 2026 RWP AND 2027 STATE WATER PLAN

Mr. Taucer stated that one written comment had been provided by Mr. Ellingsworth of Gulf Coast Water Authority related to the restriction of non-agricultural Brazos River Alluvium well usage until such time that it is determined that pumping from the alluvium does not impact the availability of water of the Brazos River downstream users. He also suggested the plan address the opportunity for collaboration among Brazos G, Region H, the Brazos River Authority, and coastal wholesale providers to develop seawater desalination as a water portfolio option for the State of Texas. The public was invited to comment on the 2026 RWP and the 2027 State Water Plan. There were no further comments.

9. DISCUSS THE POTENTIAL PROCESS FOR CONDUCTING INTERREGIONAL COORDINATION REGARDING WATER MANAGEMENT STRATEGIES DURING DEVELOPMENT OF THE 2026 RWP

Mr. Taucer provided an overview of the recommendations provided by the Interregional Planning Council related to improving the interregional coordination process for regional planning. He reviewed the current ongoing interregional coordination process and the recommendations of the Interregional Planning Council for same. He stated that the Texas Water Development Board recommended that the Planning Groups identify management strategies that develop or use a water resource in another region and to determine which strategies may create interregional coordination opportunities. Mr. Taucer provided an overview of the existing connections to other regions as well as the various water management strategies and corresponding infrastructure projects. He explained some potential actions for interregional coordination: utilize liaisons and sponsors to gather WMS data, meet with liaisons from potentially affected regions, and report to planning groups; form committee to meet with neighboring RWPGs or representatives; and authorize RWPG administrators or consultants to meet with neighboring regions or representatives. Discussion ensued related to the Brazos River Alluvium, seawater desalination, and the Lake Whitney reallocation projects as potential water management strategies.

10. CONSIDER THE IDENTIFICATION OF WATER MANAGEMENT STRATEGIES WHICH MAY CREATE OPPORTUNITIES FOR COLLABORATION AND COOPERATION WITH OTHER PLANNING REGIONS

Various Water Management Strategies were discussed in agenda item 9.

11. CONSIDER A COURSE OF ACTION FOR INTERREGIONAL COORDINATION WITH OTHER RWPGS

No action was taken regarding this item.

12. RECEIVE REPORT REGARDING RECENT AND UPCOMING ACTIVITIES RELATED TO COMMUNICATIONS AND OUTREACH EFFORTS ON BEHALF OF THE RHWPG

Mr. Taucer provided an update of recently attended meetings: West Houston Association Water Resources Committee and the Gulf Coast Water Conservation Symposium.

13. AGENCY COMMUNICATIONS AND GENERAL INFORMATION

Mr. Lann Bookout provided various updates related to the Texas Water Development Board.

14. RECEIVE PUBLIC COMMENTS

There were no comments.

15. NEXT MEETING: FEBRUARY 2, 2022

Mr. Evans announced that the next Region H Water Planning Group meeting would be February 2, 2022.

16. ADJOURN

Without objection, the meeting was adjourned at 10:52 a.m.

Agenda Item 5a

Receive Nominating Committee report and consider taking action to approve members to fill vacancies on the Region H Water Planning Group (RHWPG) and RHWPG Executive Committee.

Agenda Item 5a Vacancies

Nominating Committee Recommendations



Agriculture

Danny Pierce
Toni Bruner



Counties

Loyd Smith



General Public

Ken Kramer



Executive Committee

Yvonne Forrest (Mun.)

Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 5a Vacancies

Action:

Approve members to fill vacancies on the Region H Water Planning Group (RHWPG) and RHWPG Executive Committee.

Freese and Nichols, Inc. | INTERA Inc.

**NOTICE OF VACANCY FOR
REGION H WATER PLANNING GROUP
MEMBER REPRESENTING AGRICULTURE**

The Region H Water Planning Group (WPG) is hereby giving notice of a vacancy on the Region H Water Planning Group for a voting member representing agriculture. The Region H WPG may consider making an appointment to fill this vacancy on or after February 2, 2022. The term of this appointment ends in 2026.

Background:

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 Water Planning Area (WPA).

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.

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 the bylaws.

Any entity or individual within the Region H area interested in nominating a representative to serve as a voting member representing agriculture may submit a letter of interest or recommendation to:

Mark Evans, Chair Region H WPG
c/o San Jacinto River Authority
P.O. Box 329
Conroe, Texas 77305

**NOTICE OF VACANCY FOR
REGION H WATER PLANNING GROUP
MEMBER REPRESENTING COUNTIES**

The Region H Water Planning Group (WPG) is hereby giving notice of a vacancy on the Region H Water Planning Group for a voting member representing counties. The Region H WPG may consider making an appointment to fill this vacancy on or after February 2, 2022. The term of this appointment ends in 2026.

Background:

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Any county within the Region H area interested in nominating a representative to serve as a voting member representing counties may submit a letter of interest or recommendation to:

Mark Evans, Chair Region H WPG
c/o San Jacinto River Authority
P.O. Box 329
Conroe, Texas 77305



Harris County, Texas

1001 Preston St., Suite 934
Houston, Texas 77002

Request for Court Action

Commissioners Court

File #: 21-5341

Agenda Date: 10/12/2021

Agenda #: 259.

Department: County Engineer

Department Head/Elected Official: Loyd Smith, P.E., Interim County Engineer

Regular or Supplemental RCA: Regular RCA

Type of Request: Executive Session

Project ID (if applicable): N/A

Vendor/Entity Legal Name (if applicable): N/A

MWDBE Participation (if applicable): N/A

*See Attached Order

	YES	NO	ABSTAIN
Judge Lina Hidalgo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Tom S. Ramsey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. R. Jack Cagle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Request Summary (Agenda Caption):

Request by the Office of the County Engineer for an Executive Session for discussion and possible action concerning the nomination of Loyd Smith, P.E., to the Texas Water Development Board’s Region H Water Planning Committee (TWDB) to represent counties, to fill the seat vacated by John R. Blount, P.E., upon his retirement from Harris County.

Background and Discussion:

The Texas Water Development has established regional committees to address the planning required to ensure the state has adequate (drinking) water in the future; Harris County is located in Region H. John Blount, P.E., has served as a representative for counties within Region H for many years. Loyd Smith, P.E., has served as John’s alternate to this committee at the time of John’s retirement. The Committee will determine who John’s replacement is amongst all the counties within its boundaries. This letter is to endorse Loyd as the candidate from Harris County. <http://regionhwater.org/about/planninggroup.html>

Expected Impact:

The support of the nomination of Loyd Smith, P.E., will provide additional credibility to Loyd’s application materials for this position.

Alternative Options:

Court may choose to nominate a different individual to serve on the Committee, or Court may choose to pull Harris County out of participating in the committee.

Alignment with Goal(s):

- Justice and Safety
- Economic Opportunity
- Housing
- Public Health
- Transportation
- Flooding
- Environment
- Governance and Customer Service

Presented to Commissioners Court

October 12, 2021

Approve: R/E *See attached order

Prior Court Action (if any):

Date	Agenda Item #	Action Taken
12/1/2020		Loyd Smith, P.E. named as alternate to John R. Blount, P.E.

Location:

Address (if applicable):

Precinct(s): Countywide

Fiscal and Personnel Summary				
Service Name	-	FY 21-22	Estimates	
			FY 22	Next 3 FYs
Incremental Expenditures				
Labor Expenditures	-	-	-	-
Non-Labor Expenditures	-	-	-	-
Total Incremental Expenditures	-	-	-	-
Funding Sources (General Fund, PIC Fund, Debt or CP, Grants, or Other - Please Specify)				
Existing Budget	-	-	-	-
	-	-	-	-
	-	-	-	-
Total Current Budget	-	-	-	-
Additional Budget Requested	-	-	-	-
	-	-	-	-
	-	-	-	-
Total Additional Budget Requested	-	-	-	-
Total Funding Sources	-	-	-	-
Personnel (Fill out section only if requesting new PCNs)				
Current Position Count for Service	-	-	-	-

Additional Positions Requested	-	-	-
Total Personnel	-	-	-

Anticipated Implementation Date: October 12, 2021

Emergency/Disaster Recovery Note: Not an emergency, disaster, or COVID-19 related item

Contact(s) name, title, department: Loyd Smith, P.E., Interim County Engineer, Harris County Engineering Department

Attachments (if applicable): N/A

ORDER OF COMMISSIONERS COURT

The Commissioners Court of Harris County, Texas, convened at a meeting of the Court at the Harris County Administration Building in the City of Houston, Texas, on October 12, 2021 with all members present.

Commissioner Ramsey introduced an order and made a motion that the same be adopted. Commissioner Ellis seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

Vote of the Court	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Judge Hidalgo	✓	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ellis	✓	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Garcia	✓	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ramsey, P.E.	✓	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Cagle	✓	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

IT IS ORDERED that:

1. The nomination of Loyd Smith, P.E., to the Texas Water Development Board’s Region H Water Planning Committee (TWDB) to represent counties, to fill the seat vacated by John R. Blount, P.E., upon his retirement from Harris County be approved.

Presented to Commissioners Court

October 12, 2021

Approve: R/E

**NOTICE OF VACANCY FOR
REGION H WATER PLANNING GROUP
MEMBER REPRESENTING PUBLIC**

The Region H Water Planning Group (WPG) is hereby giving notice of a vacancy on the Region H Water Planning Group for a voting member representing the public. The Region H WPG may consider making an appointment to fill this vacancy on or after February 2, 2022. The term of this appointment ends in 2026.

Background:

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Any entity or individual within the Region H area interested in nominating a representative to serve as a voting member representing the public may submit a letter of interest or recommendation to:

Mark Evans, Chair Region H WPG
c/o San Jacinto River Authority
P.O. Box 329
Conroe, Texas 77305

Hon. Mark Evans, Chairman
Region H Planning Group
c/o San Jacinto River Authority
P.O. Box 329
Conroe, Texas 77305
November 1, 2021

Dear Judge Evans,

It is with some regret that I am submitting to you my resignation from the Region H Planning Group. It has been a long and rewarding experience for me. The time has come for me to focus on other interests. This is not to say I won't occasionally show up in the audience. This is not an easy decision, and I will miss the interaction with the members of the Group and former colleagues. Unfortunately, I will be unable to attend the meeting on November 3rd and wish you all great success in future planning for the region.

Warm Regards,



Carl Masterson
General Public Representative

January 6, 2022

Mark Evans, Chair
Region H Water Planning Group

Dear Mark:

I would like to be considered for appointment to the "Public" member position on the Region H Water Planning Group that became vacant when Carl Masterson resigned this past November. As you know, I was Carl's alternate to the Planning Group for many years and participated in a number of Planning Group meetings when he was not able to attend. My knowledge of the regional water planning process and specifically of the Region H water planning effort is extensive. I was involved in the passage of SB 1 in the 1997 state legislative session, which created the regional water planning process, and have actively monitored implementation of the process and the development of the Region H water plans for over 20 years.

For the past three years I have been a full-time resident in Region H. My wife and I live on property in rural Austin County inherited from my family in 2012 that was originally a cotton farm and later a cattle ranch operated by my grandparents and then by my parents (my family got out of the cattle business in 2000 and the property is now leased for pasture). This property was purchased by one of my great grandfathers in 1918 and sold to my grandfather, his son-in-law, in 1920. My ancestors actually moved to Austin County from neighboring Washington County in 1896, so there is a long family history in the region that informs my perspective about the value of long-range water planning.

In addition to my family heritage in Austin County, I am intimately familiar with the Houston-Galveston area. I grew up in Houston (in the Heights and Timbergrove Manor neighborhoods) and attended public schools there, graduating from then Reagan High School in 1965. During the summers while I was in college, I worked for an oil field equipment manufacturer in Houston. After getting my undergraduate degree and my Master's degree and then serving in the U. S. Army, I returned full-time to Houston to attend graduate school at Rice University, from which I received a PhD in Political Science in 1979. During my years at Rice, I also taught part-time at Houston Community College during the summer and I became active in the Section 208 Water Quality Planning Process conducted for the region by the Houston-Galveston Area Council of Governments, H-GAC (which by the way is where I met Carl Masterson).

Over the years of my professional career, I have been a member of many advisory groups which engaged in collaborative work on a variety of issues, including not only water quality but also solid waste management, hazardous waste management, pollution prevention, air quality, freshwater inflows, water conservation, and environmental science, among others. Currently I serve on the stakeholder committees for the Trinity-San Jacinto Basin & Galveston Bay and the Brazos Basin areas as part of the SB 3 environmental flow standards process. These activities

have given me a great deal of experience in working with others to seek consensus on important issues of public interest, which is a critical part of regional water planning.

Moreover, I continue to be actively involved in statewide water matters as a member of the board of the Texas Water Foundation and a participant in the Texas Water Research Network. I would look forward to sharing the knowledge gained from these activities to help inform the work of the Region H Water Planning Group.

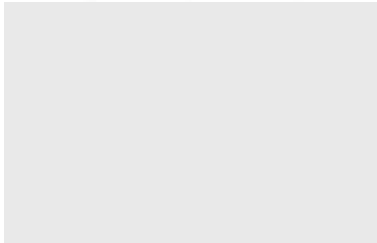
In conclusion, I sincerely believe that I have a great deal of background that would allow me to contribute significantly as a member of the Region H Water Planning Group. Although most of the people involved in the Region H water planning process are probably most aware of my track record as an environmental advocate, my life experiences as noted above are actually much broader than that. My family background in agriculture, my military service, my work for an oil field equipment manufacturer, my early career in academia (teaching at Angelo State University and Texas A&M as well as at the community college level), my current status as a rural landowner and resident and the owner of a domestic groundwater well, my use of rainwater collection and storage for potable water supply, and other experiences give me the broad perspective to be able to represent the "Public" on the Region H Water Planning Group.

Thank you for the opportunity to seek appointment to the Region H Water Planning Group.

Sincerely,



Ken Kramer



Agenda Item 5b

Discuss and elect officers and members of the Executive Committee of the RHWPG.

Agenda Item 5b Annual Elections

- Annual election
- No term limits
- Must be from different interest categories
- Current Membership
 - RWPG Chair: Mark Evans (Counties)
 - Vice-Chair: Marvin Marcell (Water Districts)
 - Secretary: Jace Houston (River Authorities)
 - Committee: John Bartos (Environmental)
 - Committee: Vacant



Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 5b Annual Elections

Action:

Elect officers and members of the Executive Committee of the RHWPG.



Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 5c

Review RHWPG bylaws and discuss potential revisions.

Agenda Item 5c Bylaws



- Served well since 1998
- Last amended February 2017
 - Added Nominating Committee
 - Reference to public comments
 - Encourage public committee meetings
- Good time to revisit
 - Start of new cycle
 - Experiences from COVID era
 - Changes to statute

Agenda Item 5c Bylaws

Updates For Process Changes

TAC and TWC
References

Report Filing

Meeting Notice

References to
Initial RWPG

Alternates and
Attendance

RWPG
Suggestions?

Other Potential Updates

Bylaws

Region H Water Planning Group

Originally adopted – May 1998
Amended – October 2007
Amended – February 2017

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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 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 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 Nominating Committee shall solicit nominations for a successor. Members of the Region H WPG may also submit nominations to the Nominating Committee.

The 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 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 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 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 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 Nominating Committee.

The 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 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 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 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 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 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

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 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 6a

Discuss and consider taking action to ratify all formal actions taken by the RHWPG during meetings held remotely due to the COVID-19 pandemic.

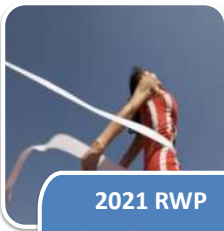
Agenda Item 6a Ratification of Actions

- Uncharted waters for RWP process
- Region H maintained transparency
 - High-capacity web meeting system
 - Public comment functionality
 - Backup phone line
 - Continued outreach
- Guidance from Texas AG and Governor's proclamations
- Ratification to avoid risk from challenges to validity



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Agenda Item 6a Ratification of Actions



2021 RWP

- Adopt the 2021 RWP
- Authorize Consultant to make minor changes and submit
- Approve prioritized project list
- Amend budgets and contract



2026 RWP Kickoff

- Designate SJRA as political subdivision
- Authorize funds for notice and insurance
- Authorize grant application and contract for funding
- Consultant procurement
- Pre-planning hearing



Membership

- Elect officers and Executive Committee members
- Approve membership of Jun Chang, Caleb Cooper, Ivan Langford, Byron Ryder, and Brandon Wade.



Outreach

- Appoint non-voting members / liaisons to Region 6 RFPG and Region 8 RFPG
- Appoint representatives to Interregional Planning Council

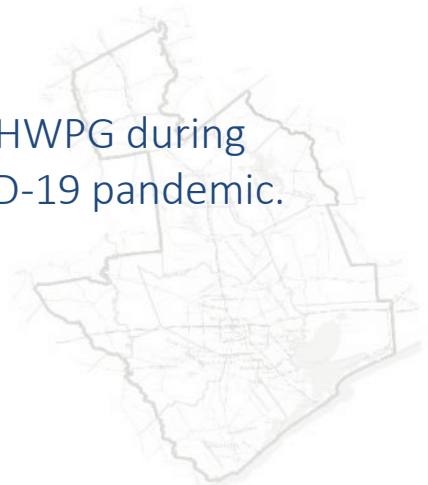
Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 6a

Ratification of Actions

Action:

Ratify all formal actions taken by the RHWPG during meetings held remotely due to the COVID-19 pandemic.

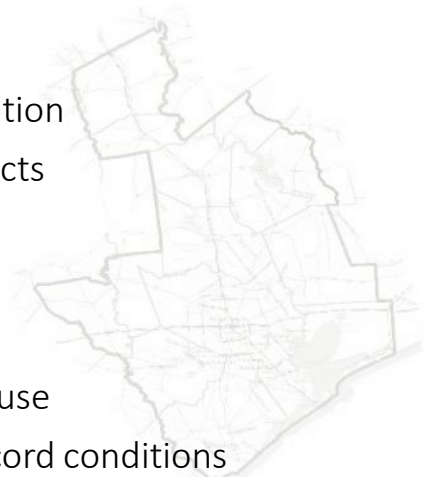


Agenda Item 7a

Receive report on revisions to State Water Planning Guidance Principles and Regional Water Planning rules.

Agenda Item 7a Rules and Guidance

- <https://www.twdb.texas.gov/about/rules/index.asp>
- Coordination and Adoption
 - Discussing and documenting interregional coordination
 - Opportunities for interregional strategies and projects
 - Standardized 60-day IPP comment window
- RWPG Flexibility
 - Limited delivery cost for conservation and direct reuse
 - Option to plan based on worse than drought-of-record conditions



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Agenda Item 7a Rules and Guidance

- Amending Adopted Plans
 - Allowance for errata to correct minor errors before SWP adoption
 - Adopted amendments must include responses to comments received
 - Minor amendments can increase unmet need IF due to removal of infeasible project or strategy
 - TWDB Executive Administrator will set infeasible WMS amendment deadline



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Agenda Item 7a Rules and Guidance

- Other Process Updates
 - If applicable, note of no identified infeasible WMS /projects in deliverables
 - Removal of non-statutory reporting requirements
 - Clarification that RWPGs *identify* rather than *develop* drought response



Agenda Item 7b

Discuss and consider taking action regarding certification of administrative expenses to be submitted to the Texas Water Development Board for reimbursement for the sixth cycle of Regional Water Plan (RWP) development.

Agenda Item 7b Administrative Expenses

- Certain designated political subdivision expenses now eligible for funding
- Constrained by overall contract budgets
- Requires RWPG certification



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Agenda Item 7b Administrative Expenses

Action:

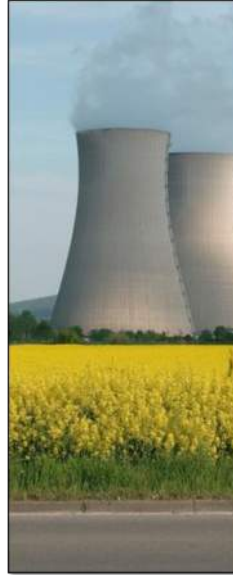
Certify administrative expenses to be submitted to the Texas Water Development Board for reimbursement for the sixth cycle of RWP development.

Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 7c

Receive report from Consultant Team and Non-Population Demands Committee regarding TWDB draft non-municipal demand projections for the 2026 Region H RWP.

Agenda Item 7c Non-Municipal Water Demand



Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 7c Non-Municipal Water Demand - Livestock

Methodology

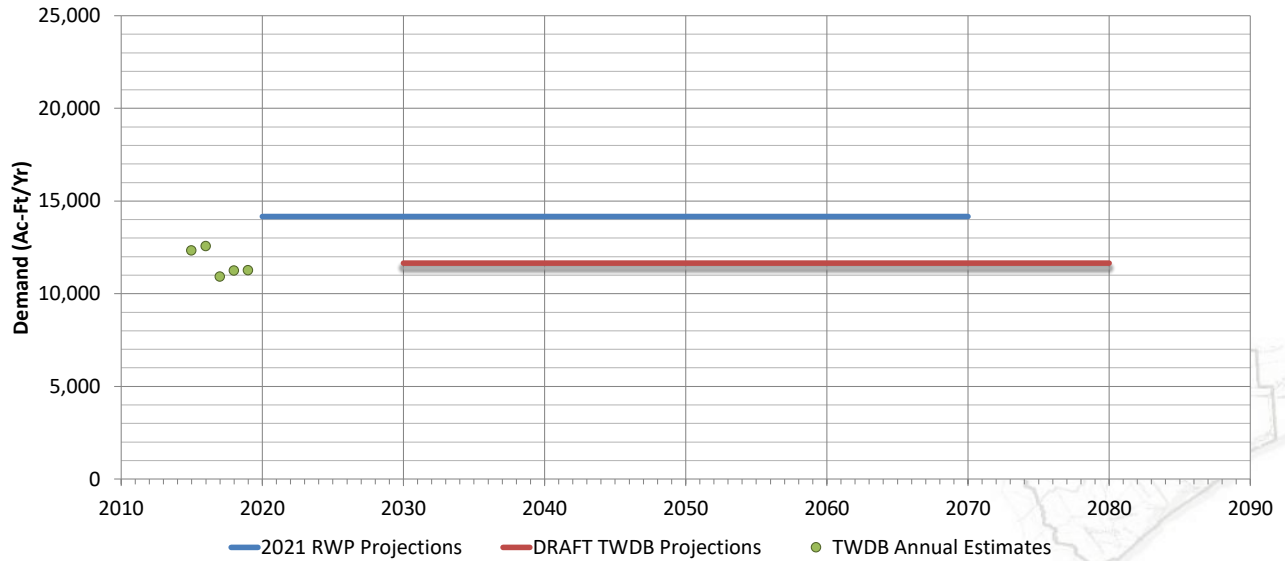
- 2015-2019 average as baseline
- Updated headcounts and use rates
- Growth rates from 2021 RWP
- Constant after 2070

What's Included



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Agenda Item 7c Non-Municipal Water Demand - Livestock



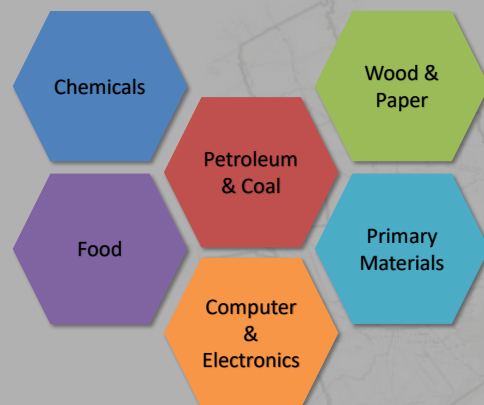
Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 7c Non-Municipal Water Demand - Manufacturing

Methodology

- 2015-2019 max as baseline
- Excludes saline demand
- 2030 based on 2010-2019 statewide historical trend
- After 2030, linear based on 2010-2019 Census Bureau CBP facility counts

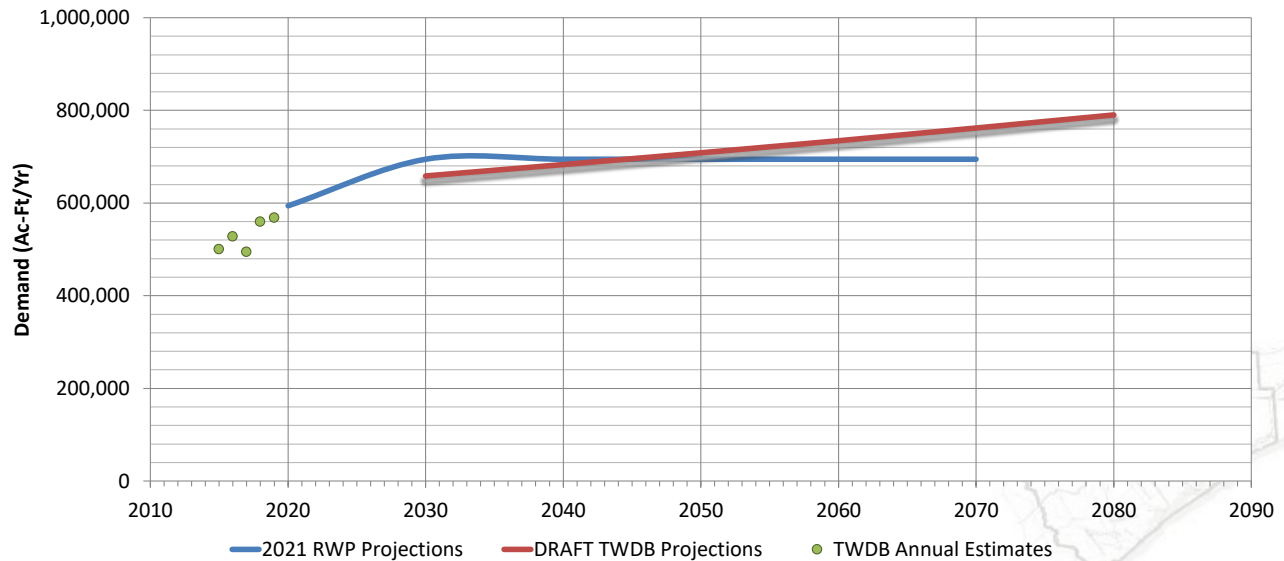
What's Included



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Agenda Item 7c

Non-Municipal Water Demand - Manufacturing



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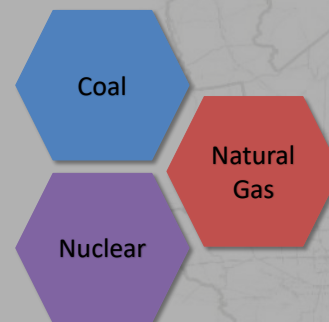
Agenda Item 7c

Non-Municipal Water Demand – Steam Electric

Methodology

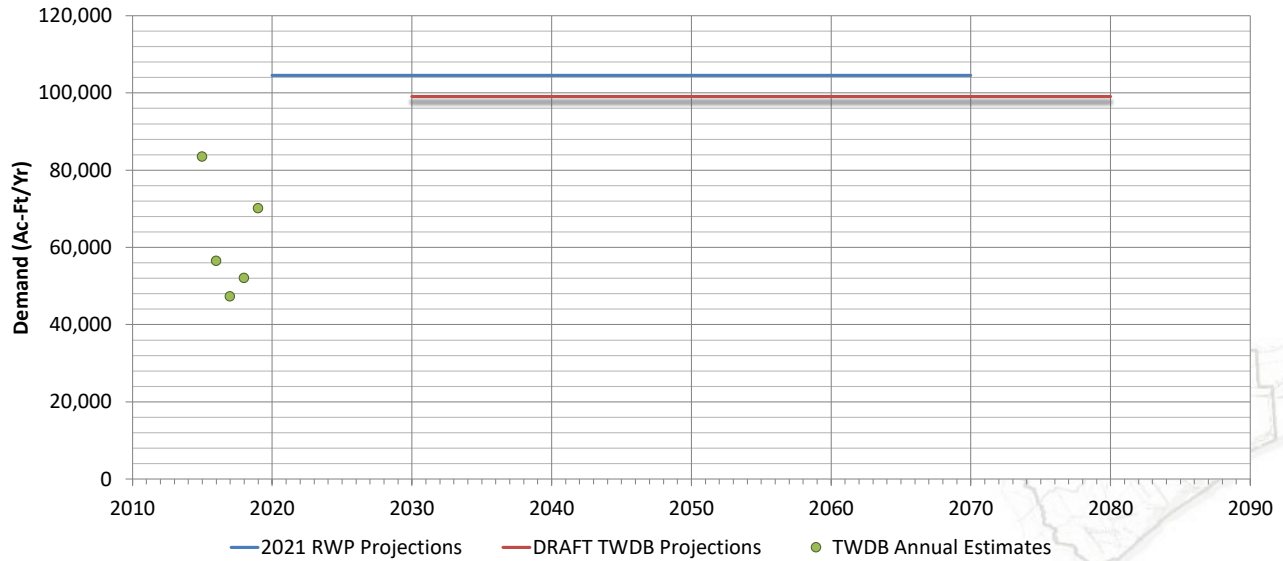
- 2015-2019 max as baseline
- 2030 based on statewide trend
- After 2030, linear using Census Bureau CBP facility counts
- Excludes
 - Saline demand
 - Cogeneration
 - Solar, wind, hydro, landfill gas

What's Included



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Agenda Item 7c Non-Municipal Water Demand – Steam Electric



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Agenda Item 7c Non-Municipal Water Demand - Revisions

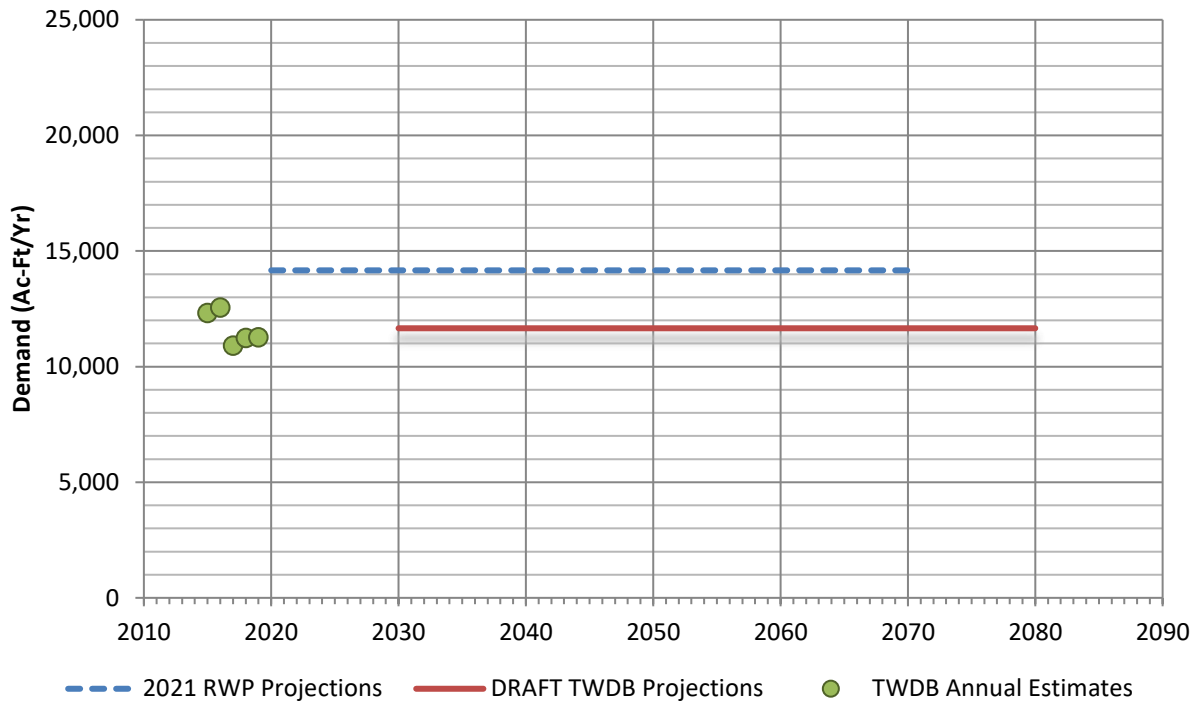
- Evidence of:
 - Data errors
 - New or missed facilities
 - Planned facilities
 - Closures
 - Major difference in long-term demand
- Revision requests due July 2023
- Work starts ASAP



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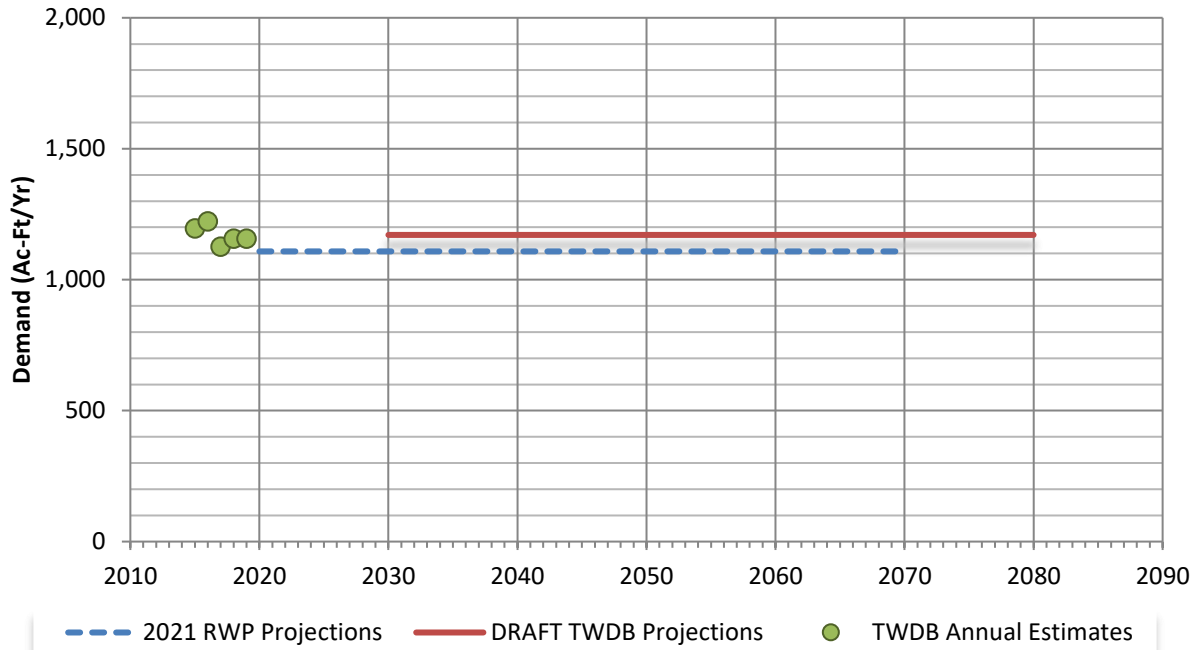
TWDB Draft 2026 RWP
Livestock Water Demand
Projections for Region H

TWDB Draft Region H Livestock Water Demand Projections

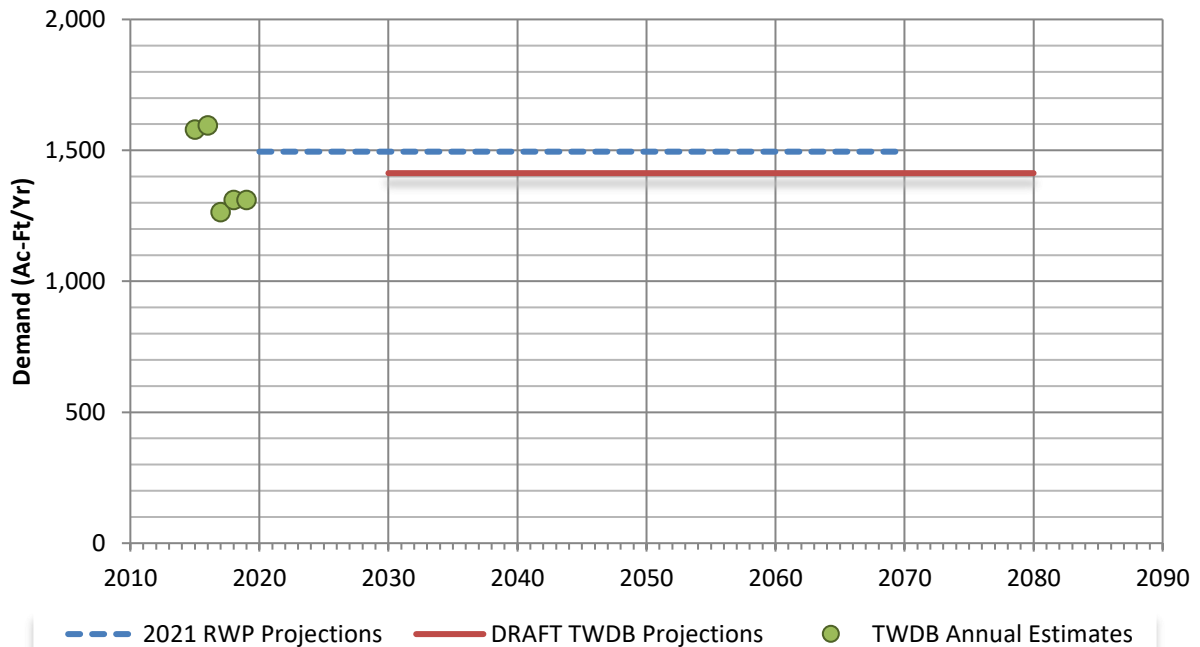


County	TWDB Draft Region H Livestock Water Demand Projections (ac-ft)					
	2030	2040	2050	2060	2070	2080
Austin	1,171	1,171	1,171	1,171	1,171	1,171
Brazoria	1,413	1,413	1,413	1,413	1,413	1,413
Chambers	461	461	461	461	461	461
Fort Bend	616	616	616	616	616	616
Galveston	211	211	211	211	211	211
Harris	724	724	724	724	724	724
Leon	2,355	2,355	2,355	2,355	2,355	2,355
Liberty	910	910	910	910	910	910
Madison	974	974	974	974	974	974
Montgomery	431	431	431	431	431	431
Polk	172	172	172	172	172	172
San Jacinto	300	300	300	300	300	300
Trinity	158	158	158	158	158	158
Walker	751	751	751	751	751	751
Waller	1,011	1,011	1,011	1,011	1,011	1,011
Total	11,658	11,658	11,658	11,658	11,658	11,658

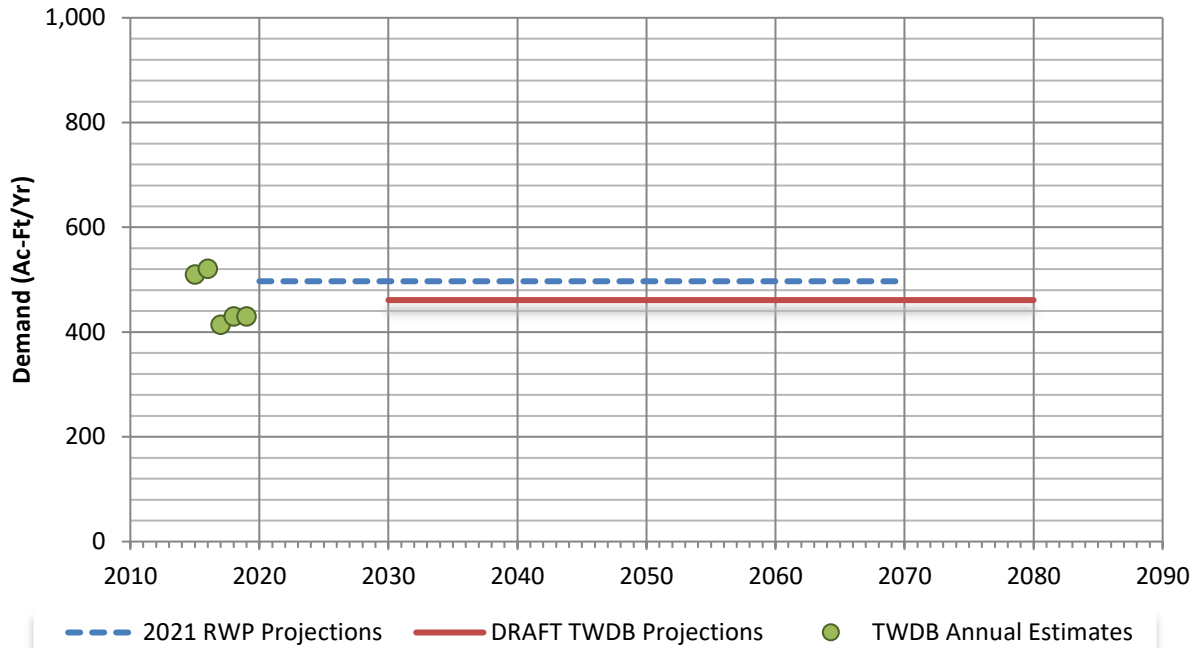
Austin County Livestock Water Demand Projections



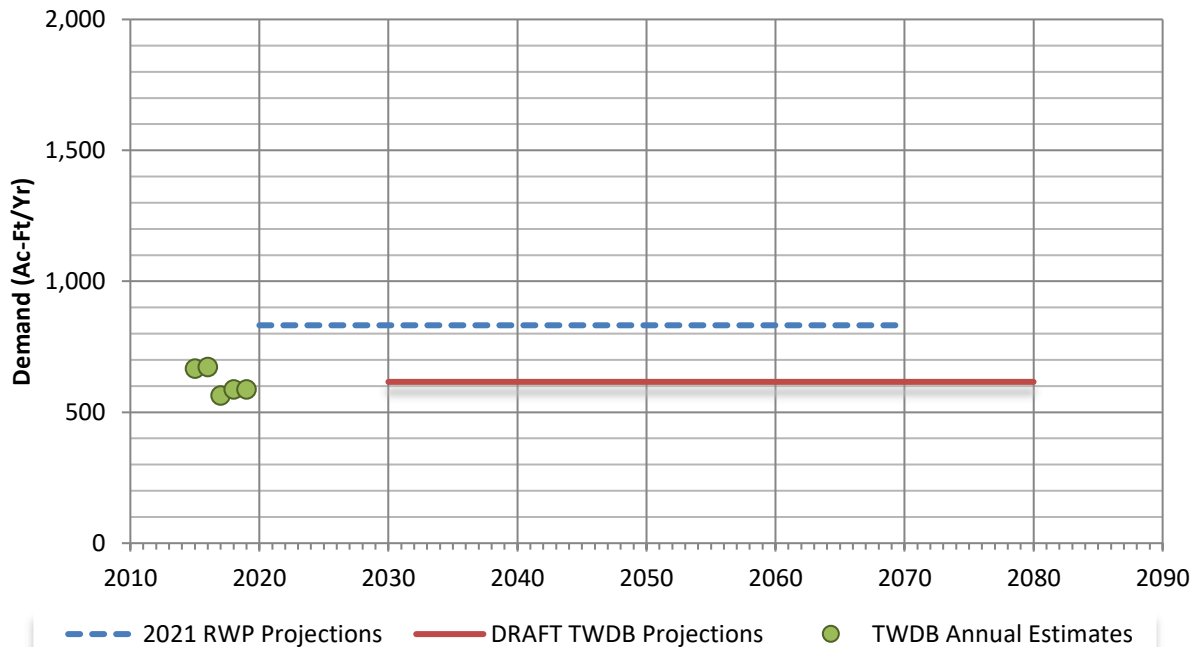
Brazoria County Livestock Water Demand Projections



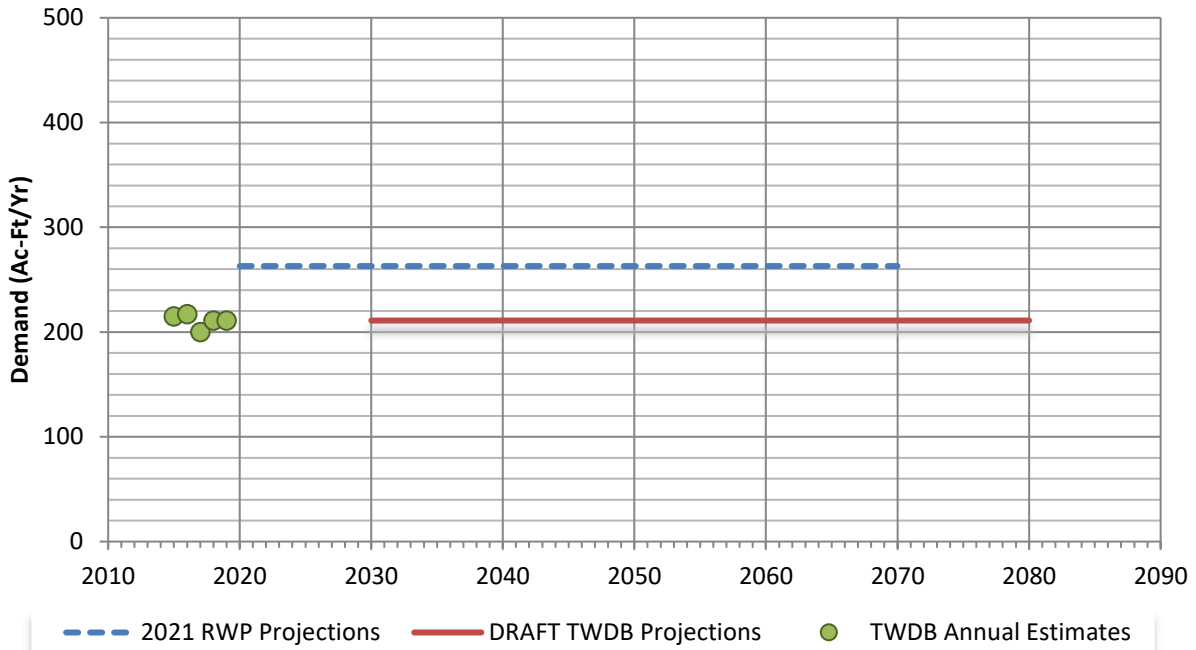
Chambers County Livestock Water Demand Projections



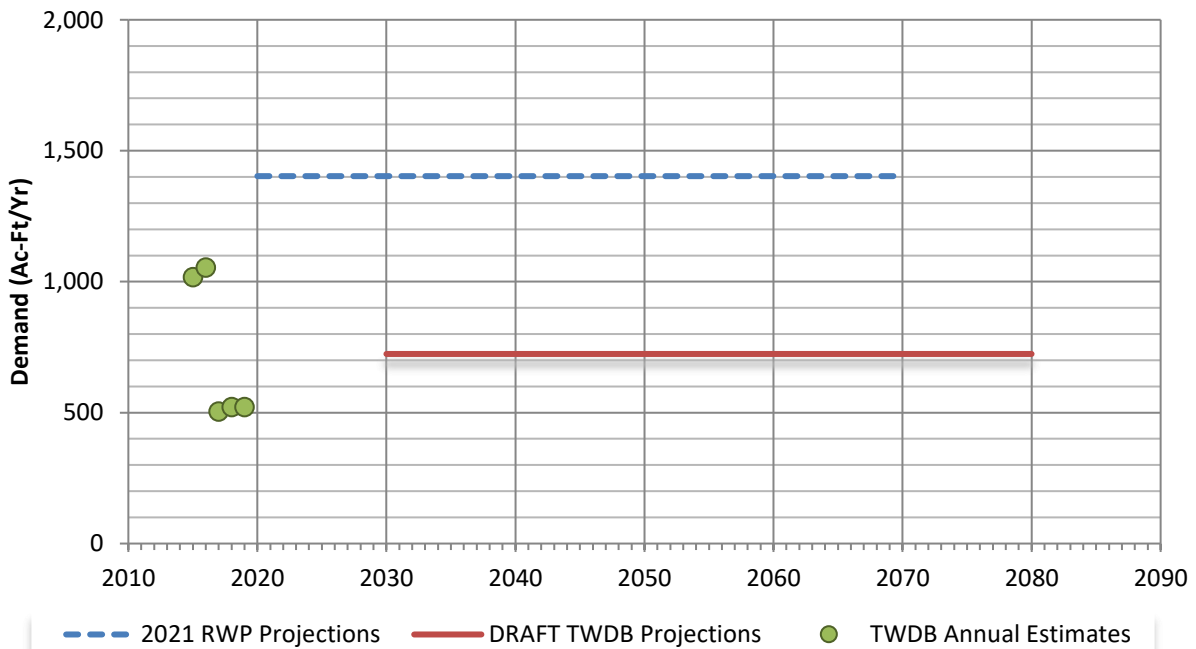
Fort Bend County Livestock Water Demand Projections



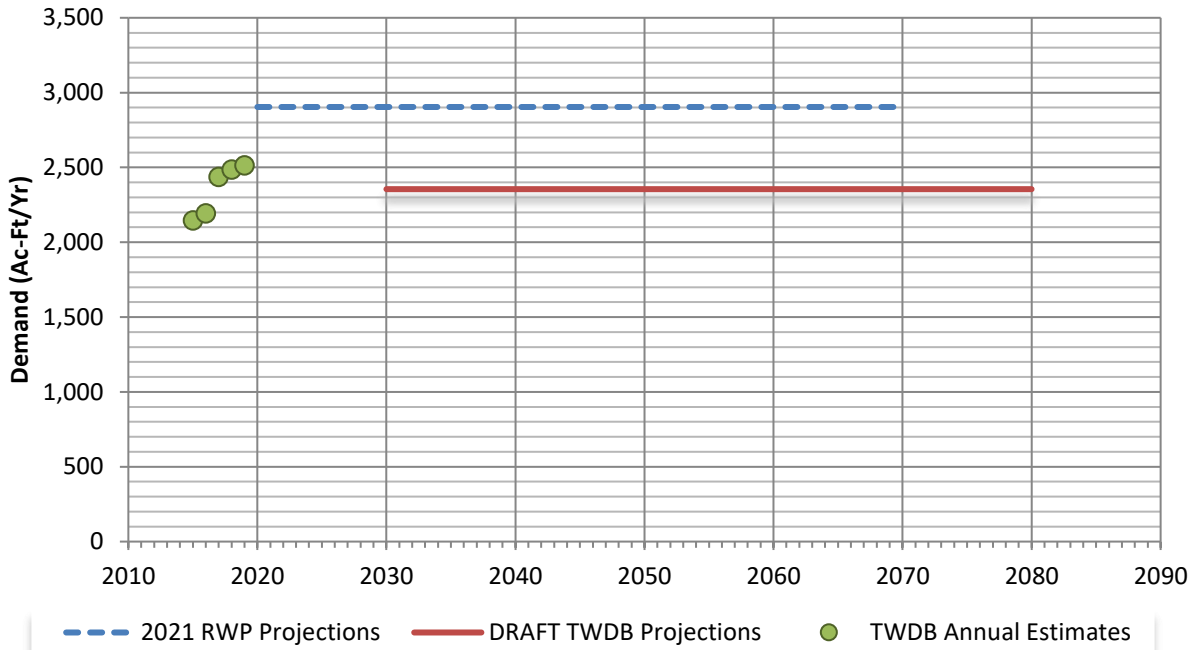
Galveston County Livestock Water Demand Projections



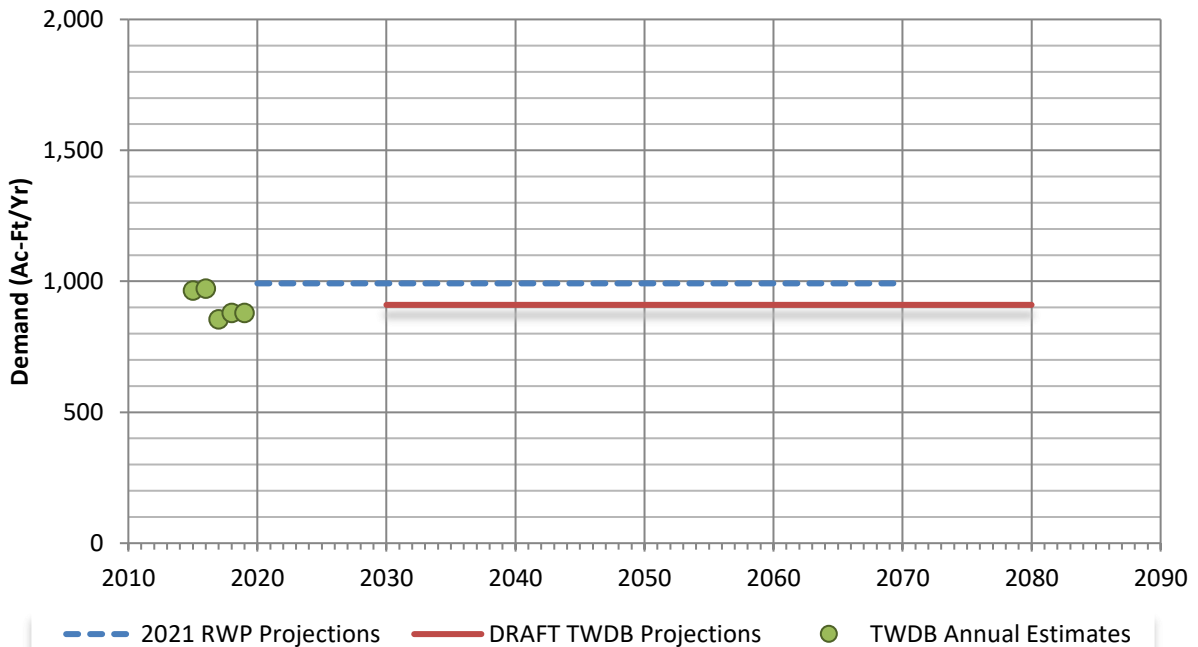
Harris County Livestock Water Demand Projections



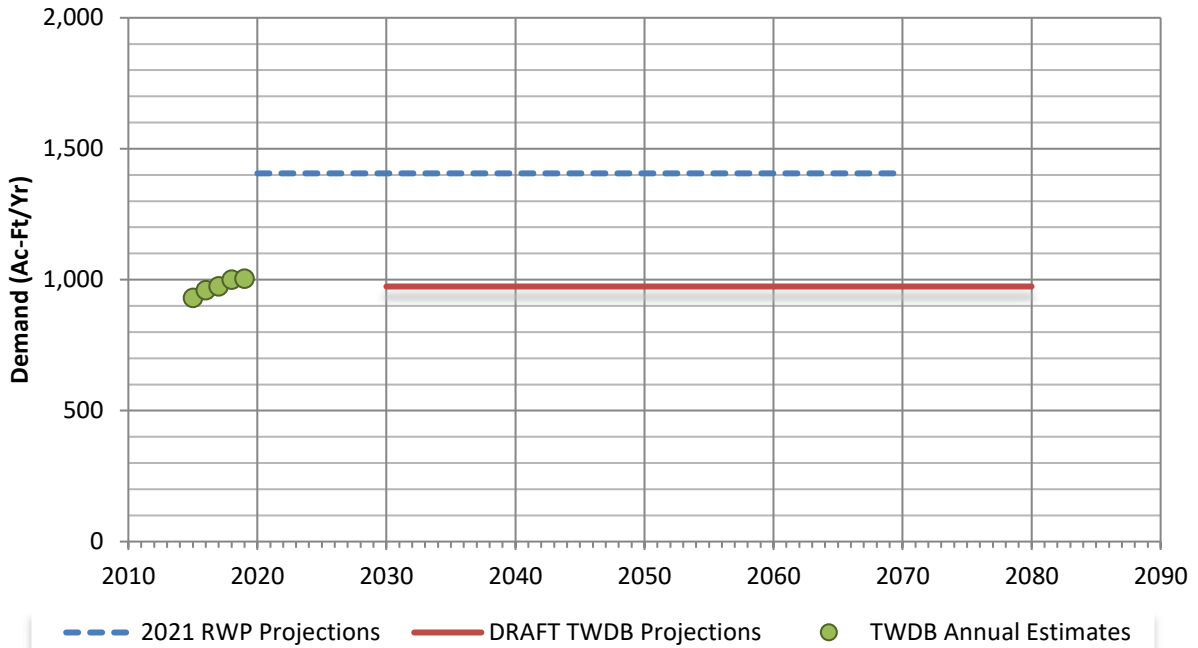
Leon County Livestock Water Demand Projections



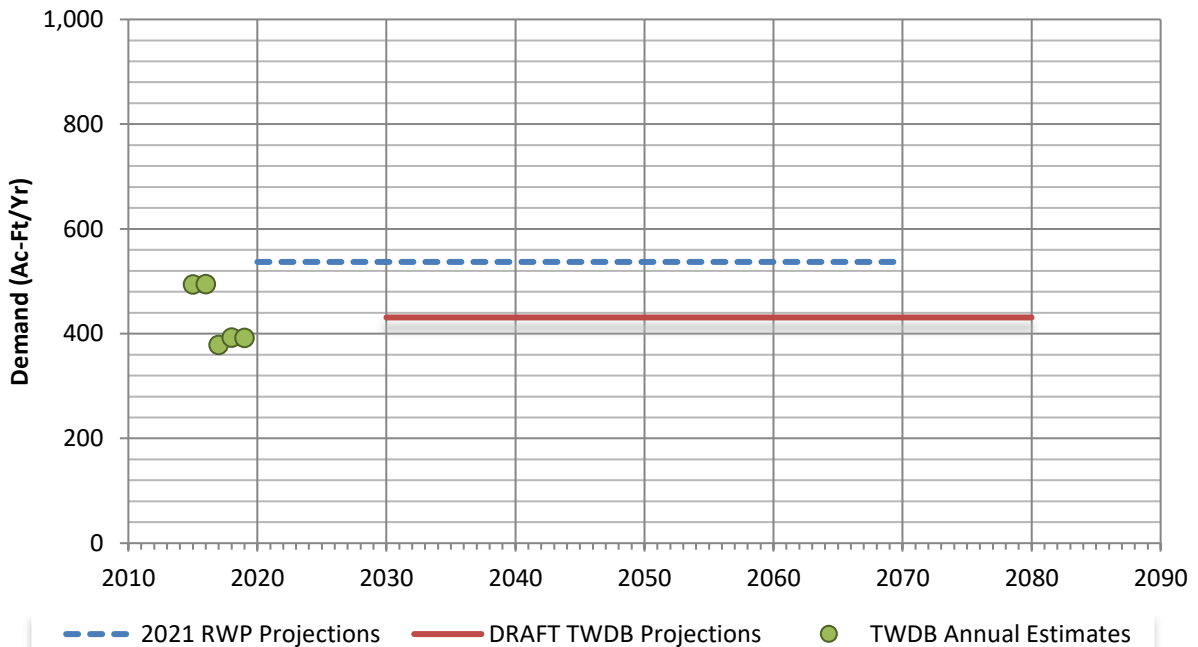
Liberty County Livestock Water Demand Projections



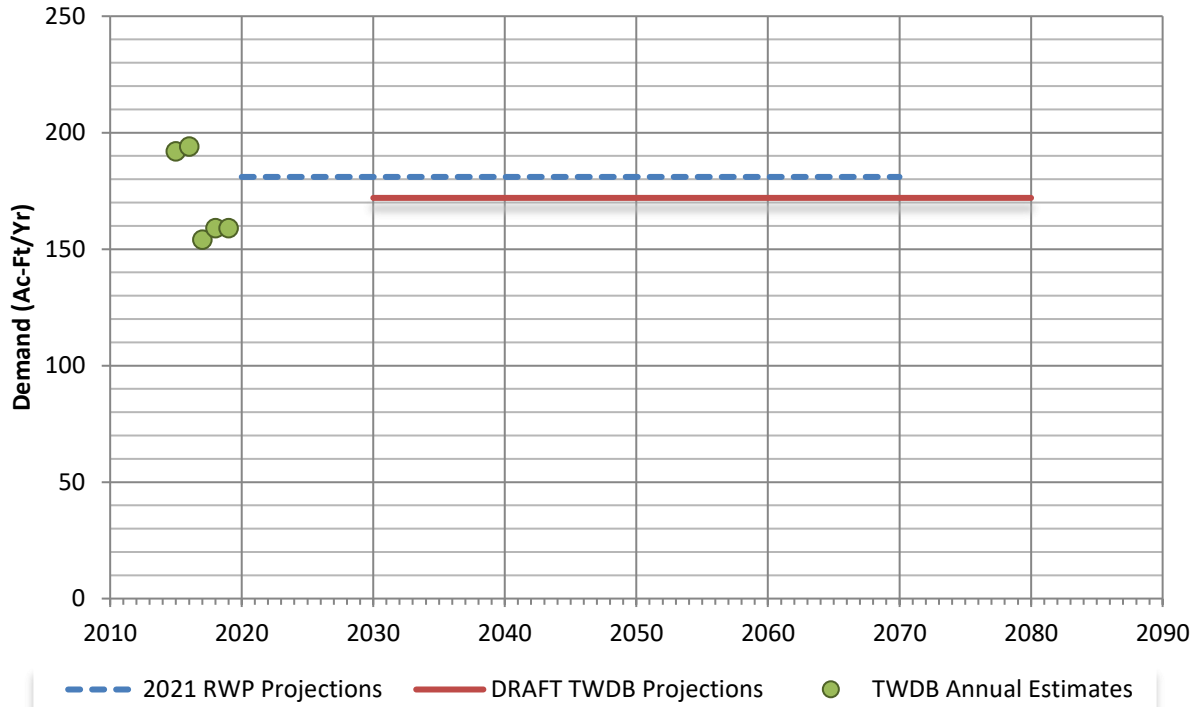
Madison County Livestock Water Demand Projections



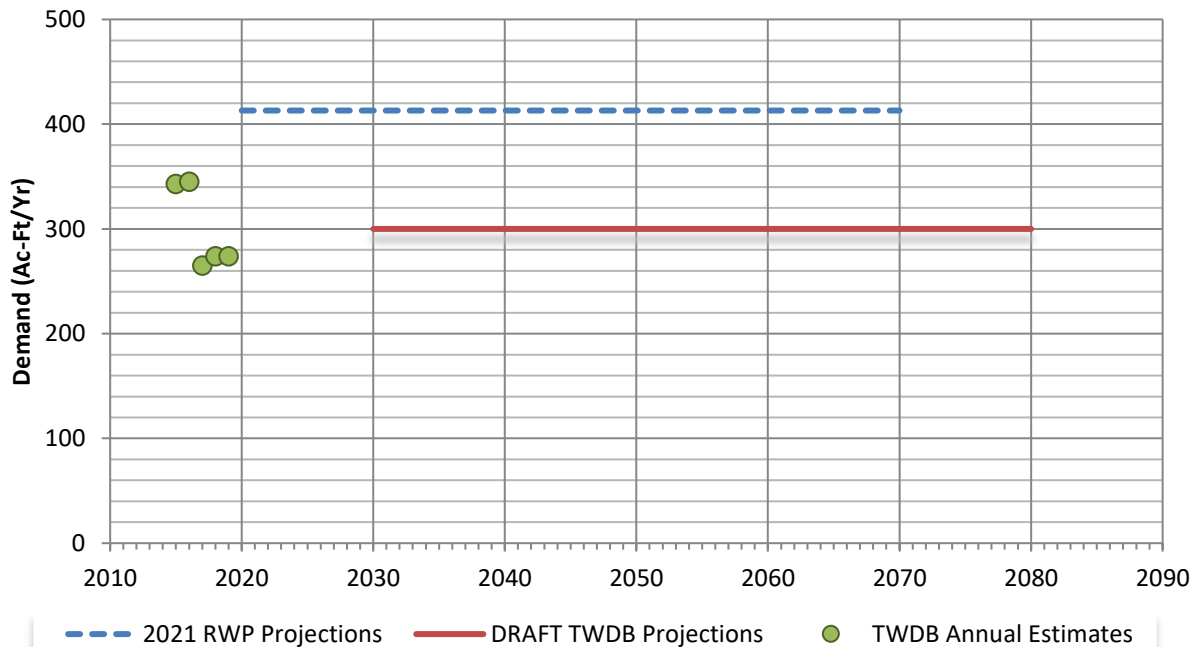
Montgomery County Livestock Water Demand Projections



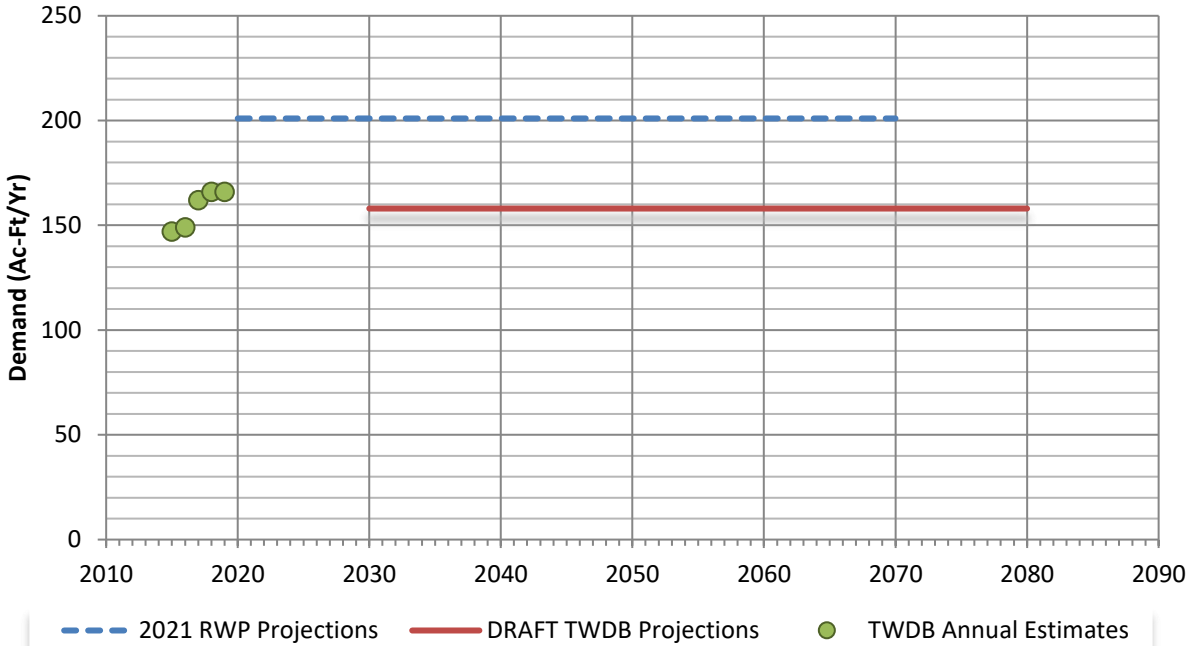
Polk County Livestock Water Demand Projections



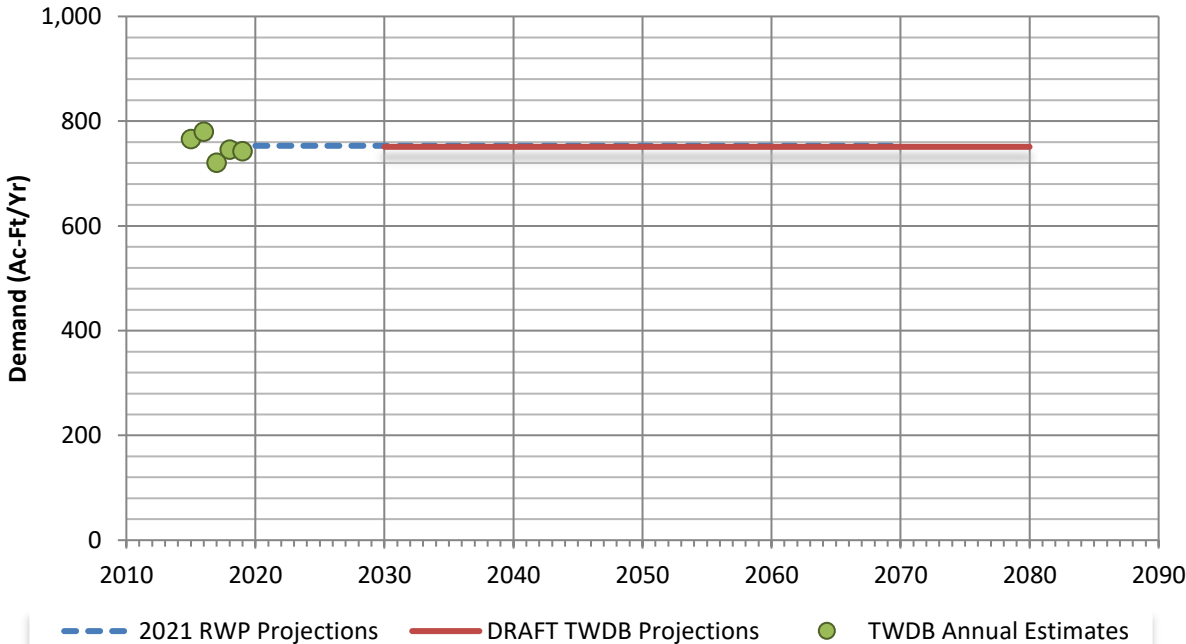
San Jacinto County Livestock Water Demand Projections



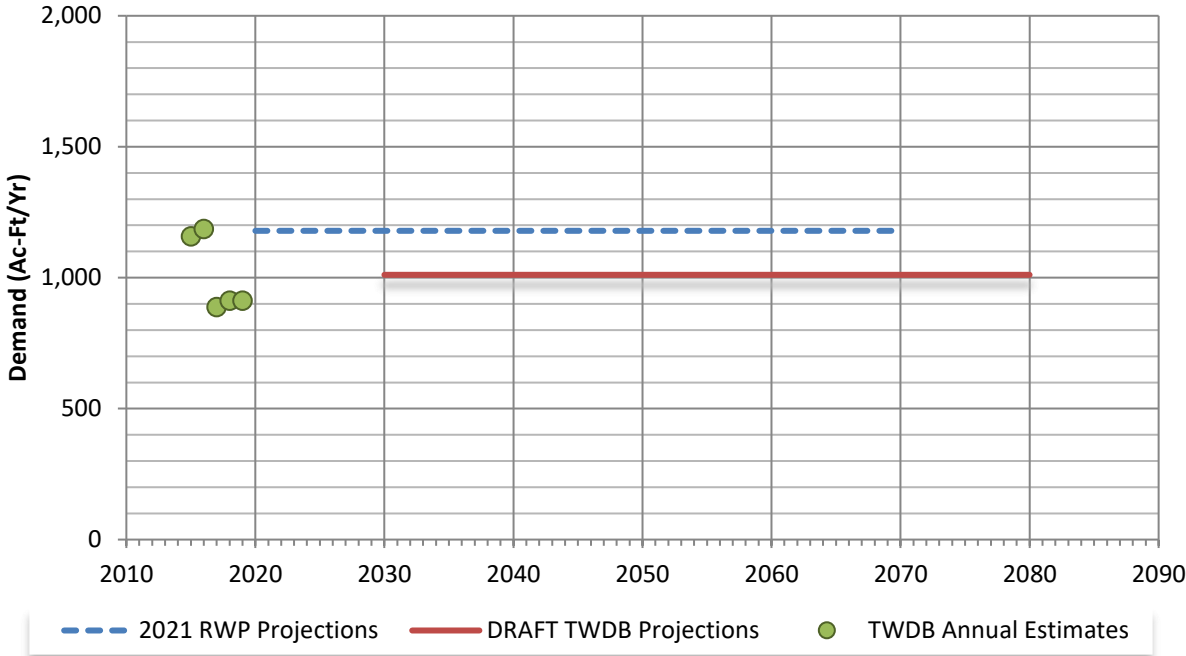
Trinity County Livestock Water Demand Projections



Walker County Livestock Water Demand Projections

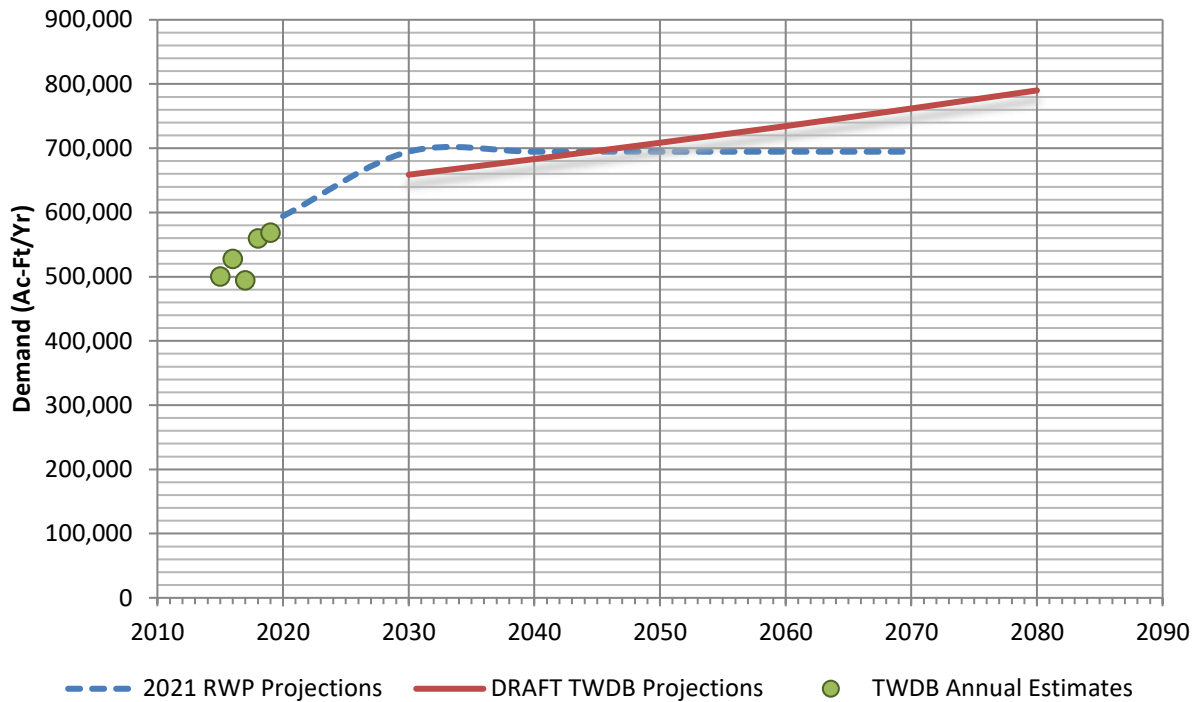


Waller County Livestock Water Demand Projections



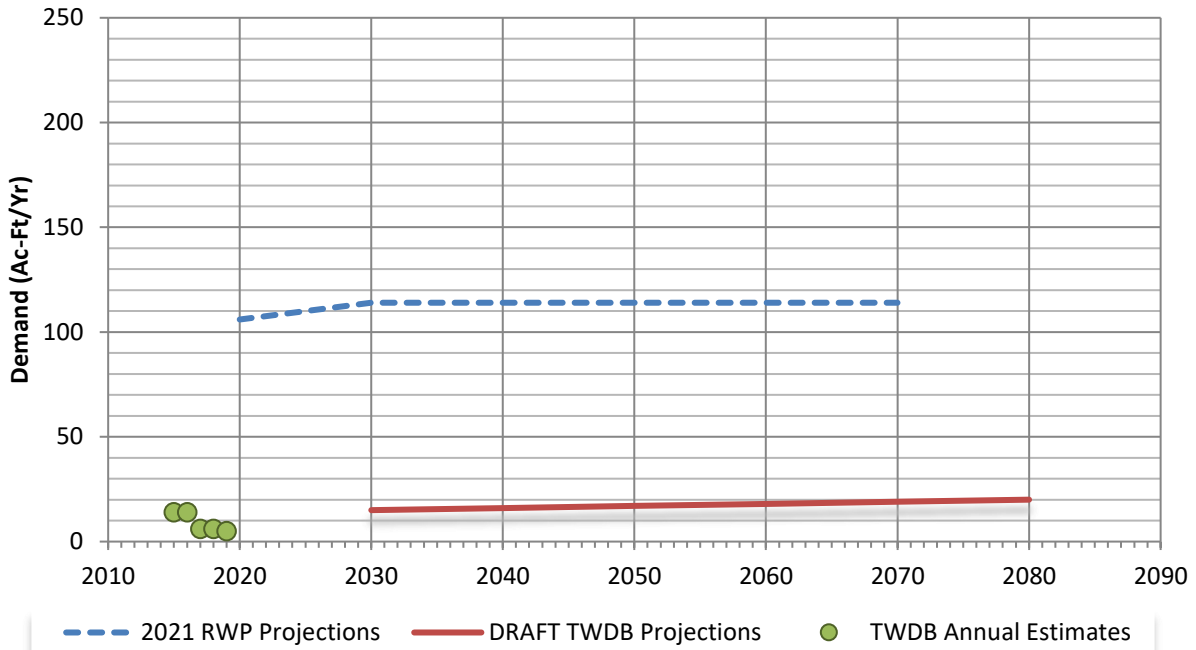
TWDB Draft 2026 RWP
Manufacturing Water Demand
Projections for Region H

TWDB Draft Region H Manufacturing Water Demand Projections

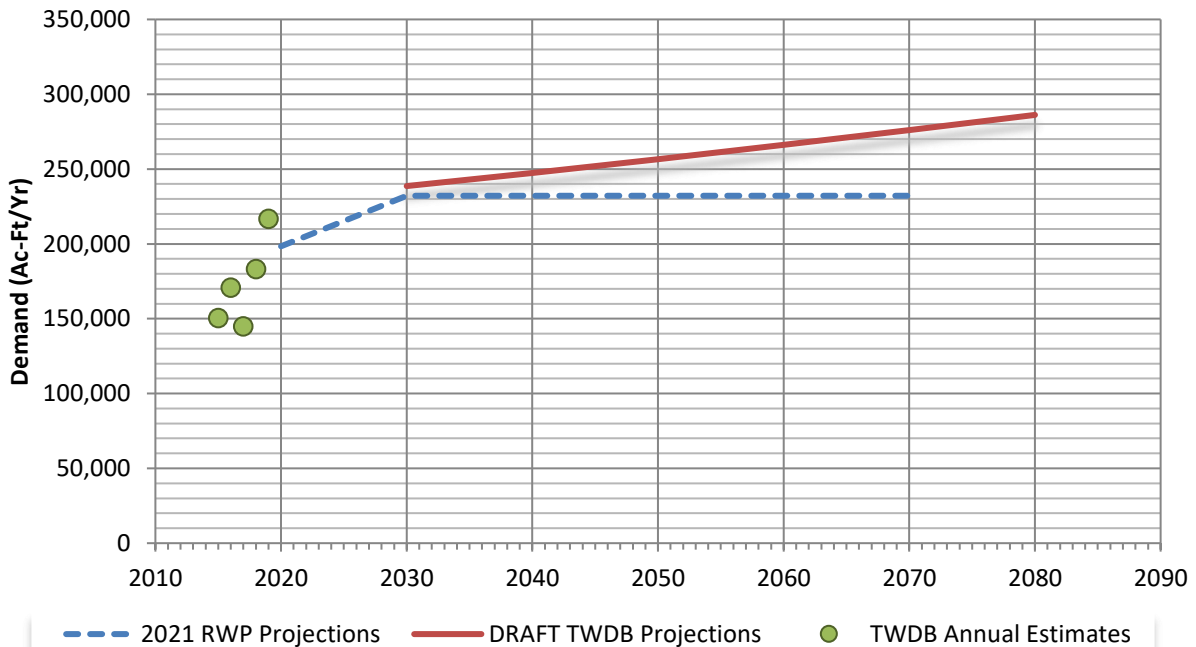


County	TWDB Draft Region H Manufacturing Water Demand Projections (ac-ft)					
	2030	2040	2050	2060	2070	2080
Austin	15	16	17	18	19	20
Brazoria	238,644	247,474	256,631	266,126	275,973	286,184
Chambers	26,832	27,825	28,855	29,923	31,030	32,178
Fort Bend	4,180	4,335	4,495	4,661	4,833	5,012
Galveston	46,363	48,078	49,857	51,702	53,615	55,599
Harris	339,152	351,701	364,714	378,208	392,202	406,713
Leon	835	866	898	931	965	1,001
Liberty	239	248	257	267	277	287
Madison	-	-	-	-	-	-
Montgomery	2,120	2,198	2,279	2,363	2,450	2,541
Polk	7	7	7	7	7	7
San Jacinto	9	9	9	9	9	9
Trinity	-	-	-	-	-	-
Walker	277	287	298	309	320	332
Waller	158	164	170	176	183	190
Total	658,831	683,208	708,487	734,700	761,883	790,073

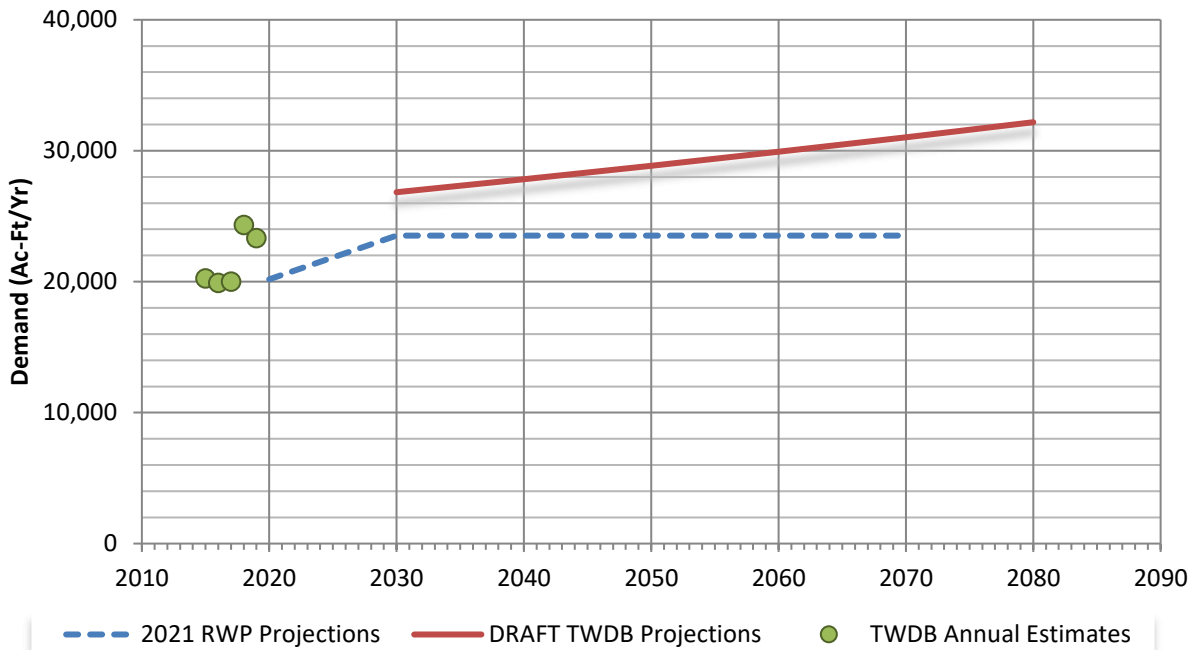
Austin County Manufacturing Water Demand Projections



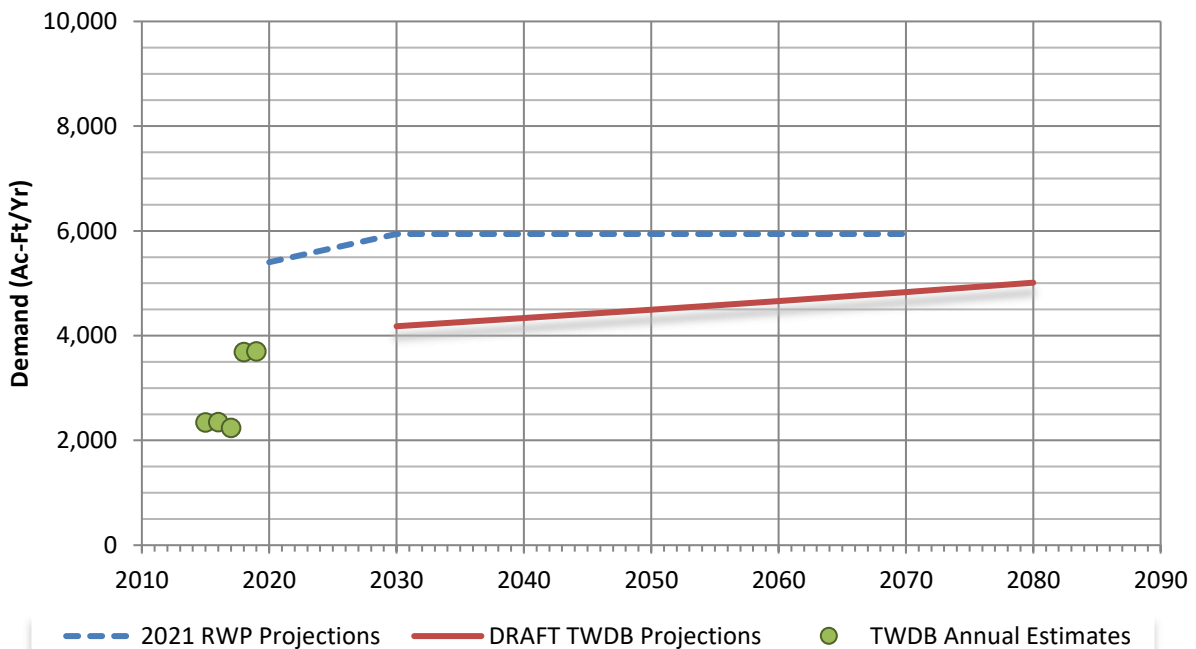
Brazoria County Manufacturing Water Demand Projections



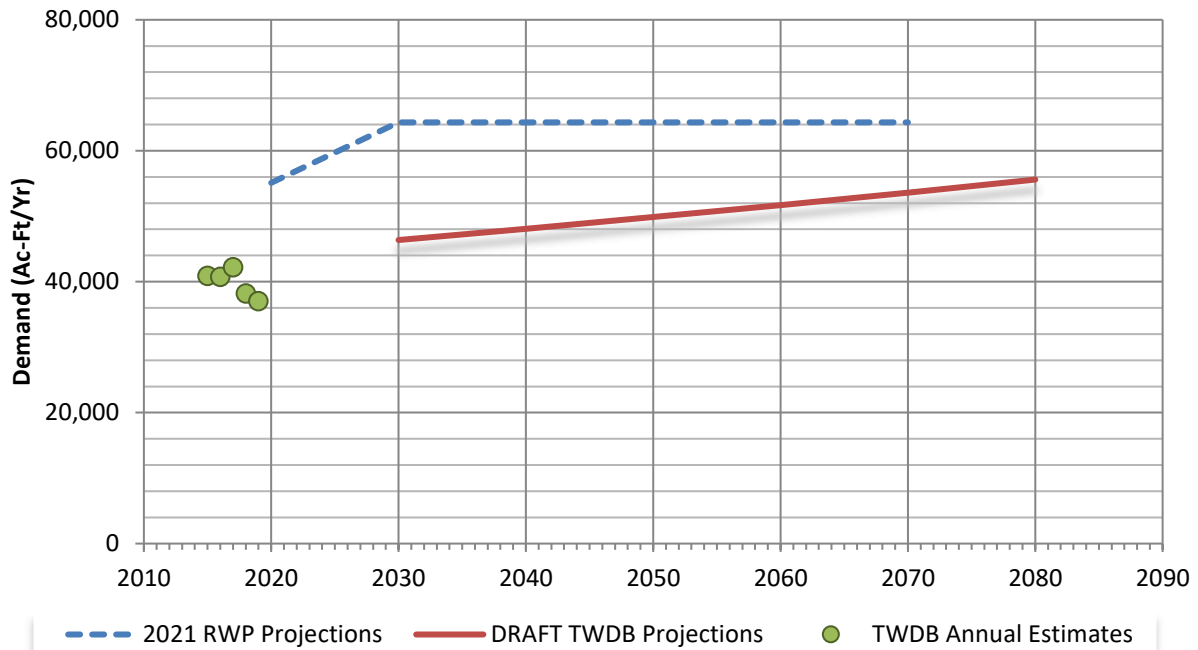
Chambers County Manufacturing Water Demand Projections



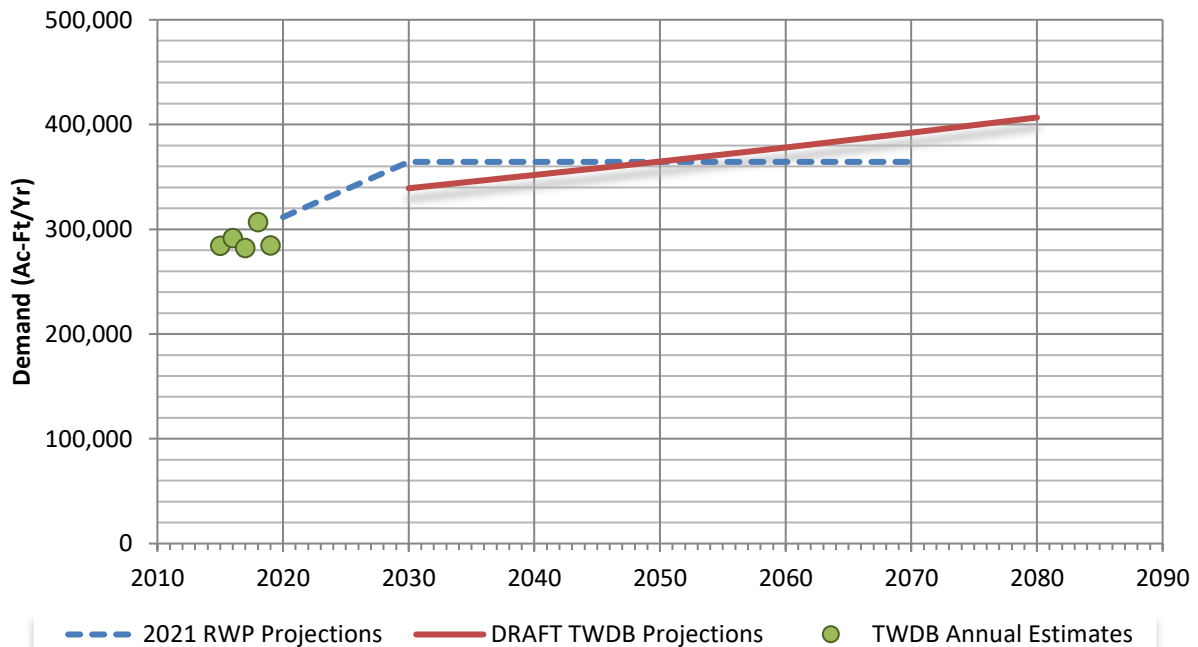
Fort Bend County Manufacturing Water Demand Projections



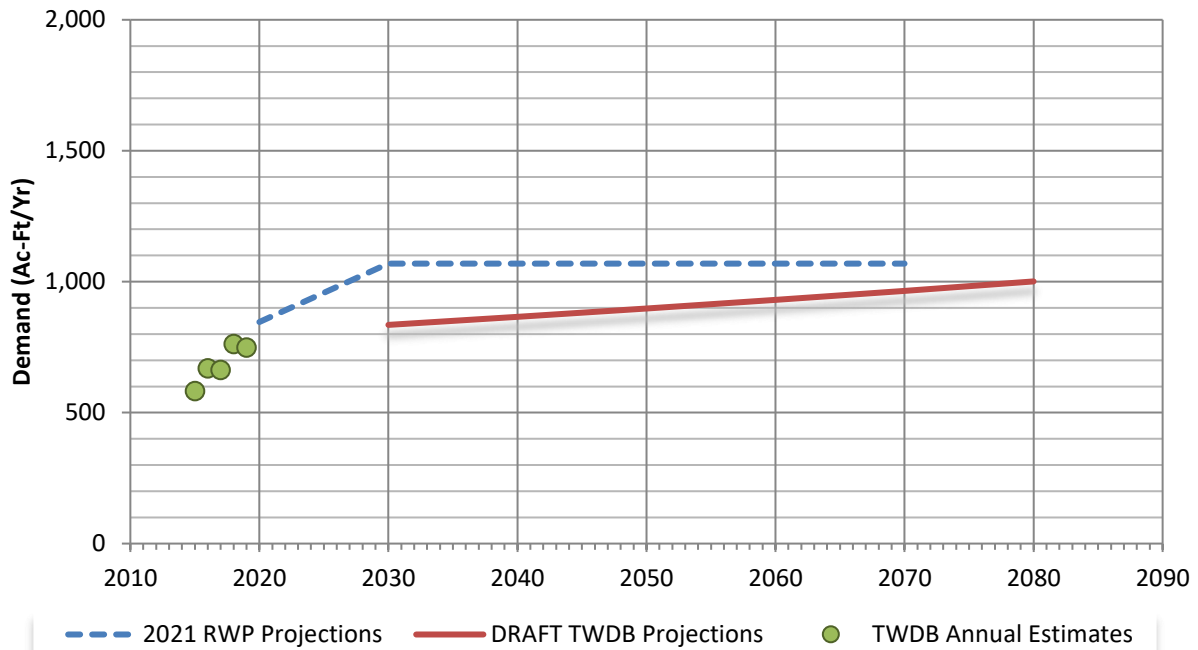
Galveston County Manufacturing Water Demand Projections



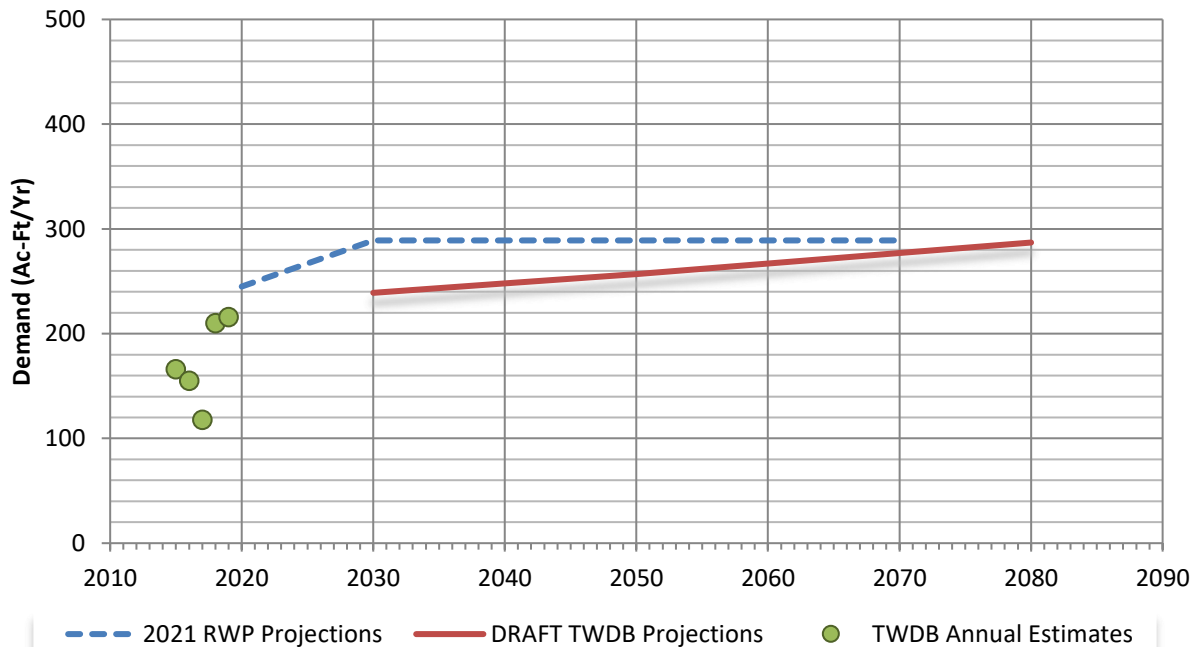
Harris County Manufacturing Water Demand Projections



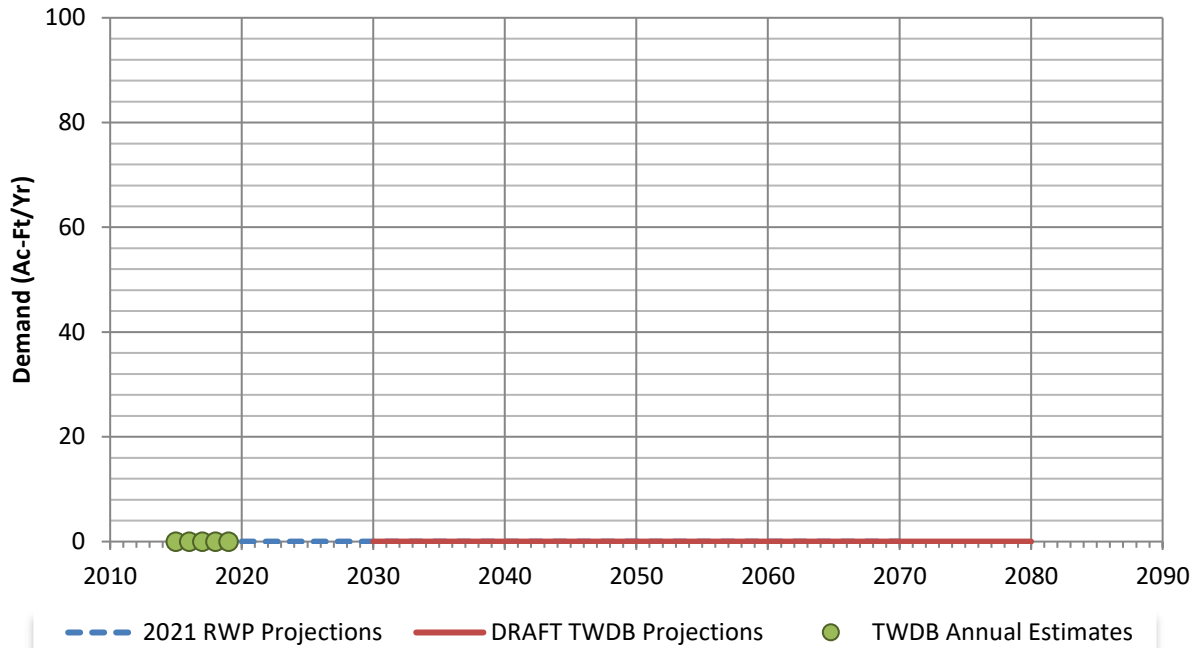
Leon County Manufacturing Water Demand Projections



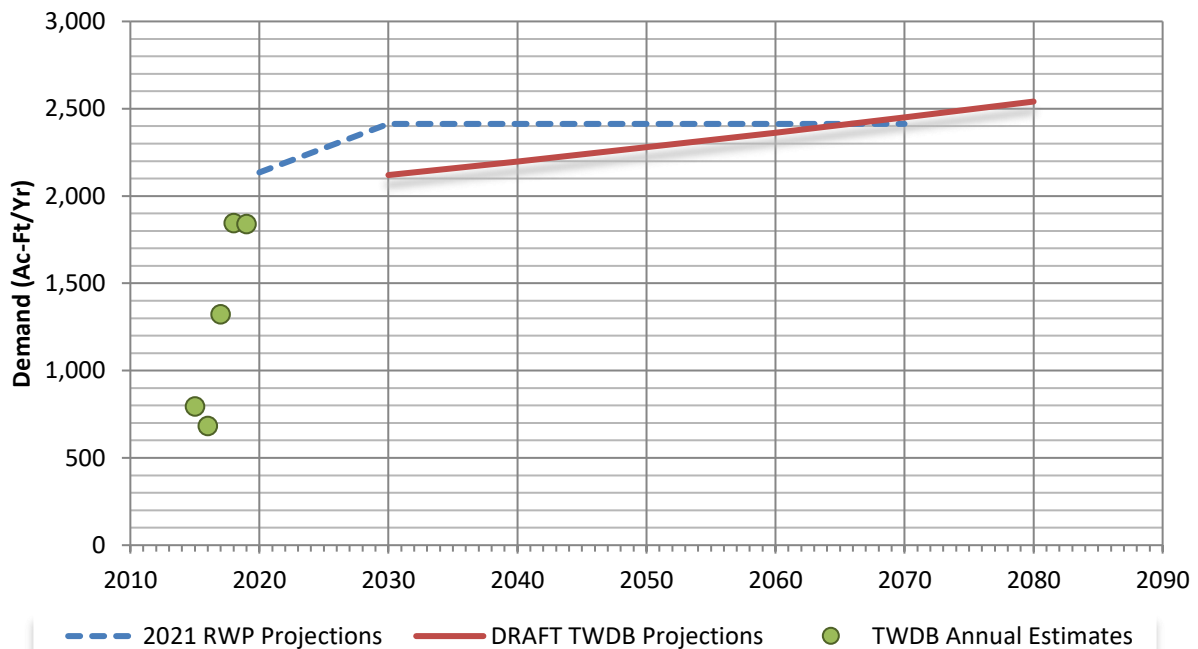
Liberty County Manufacturing Water Demand Projections



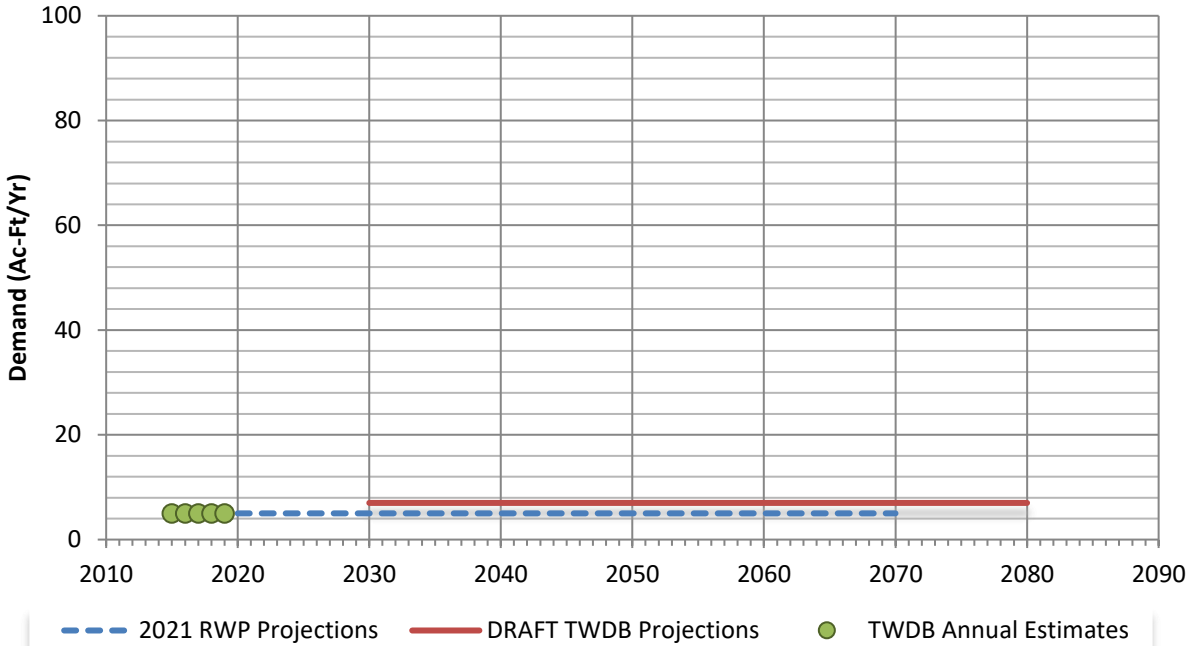
Madison County Manufacturing Water Demand Projections



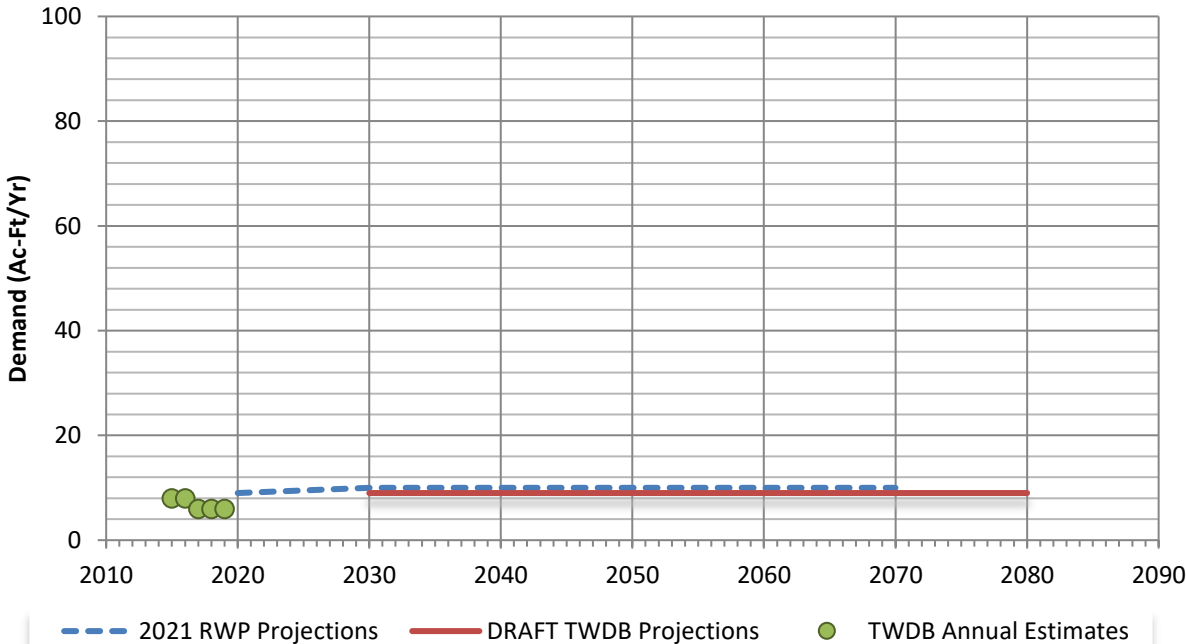
Montgomery County Manufacturing Water Demand Projections



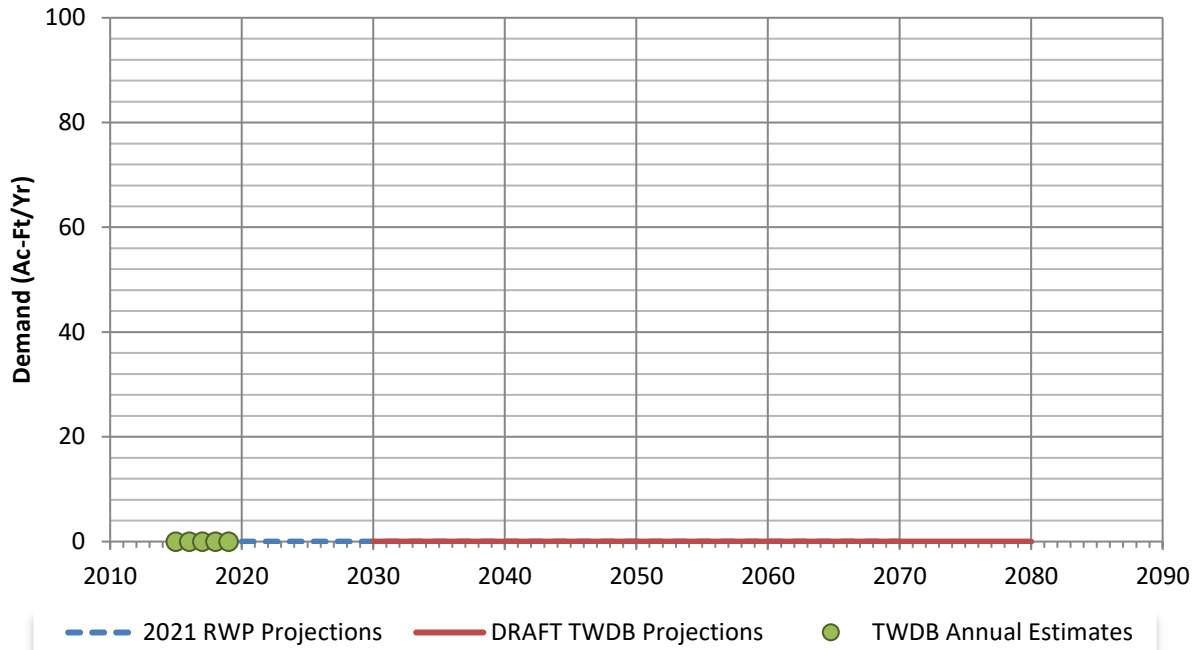
Polk County Manufacturing Water Demand Projections



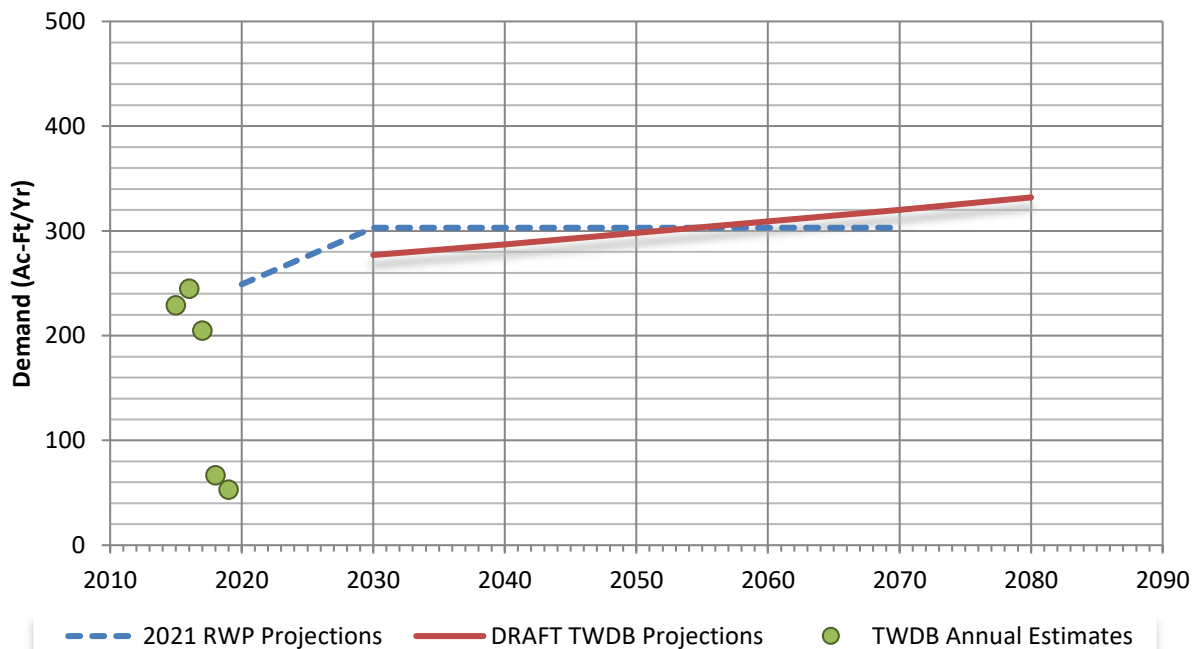
San Jacinto County Manufacturing Water Demand Projections



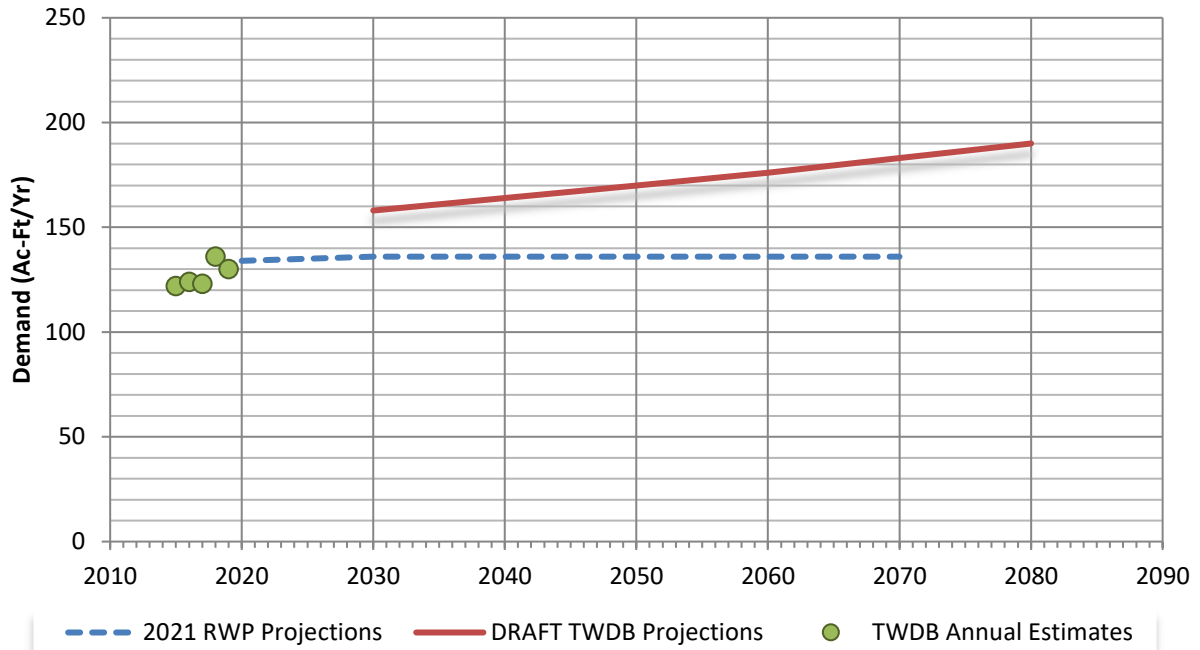
Trinity County Manufacturing Water Demand Projections



Walker County Manufacturing Water Demand Projections

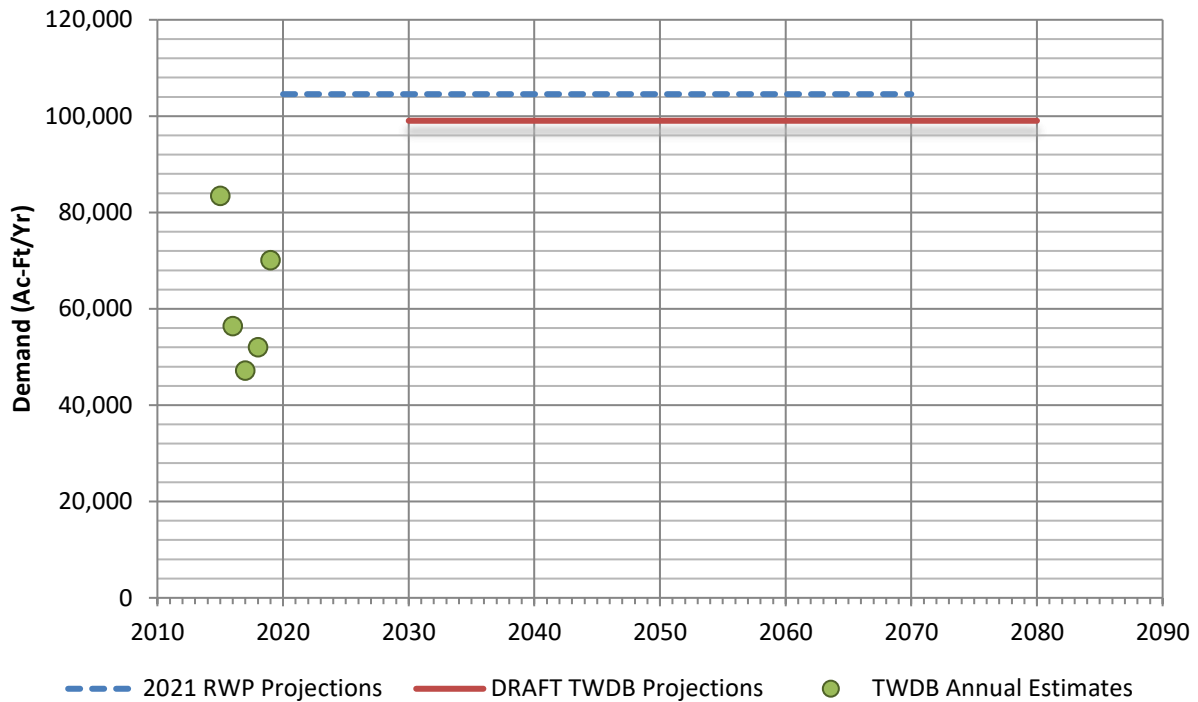


Waller County Manufacturing Water Demand Projections



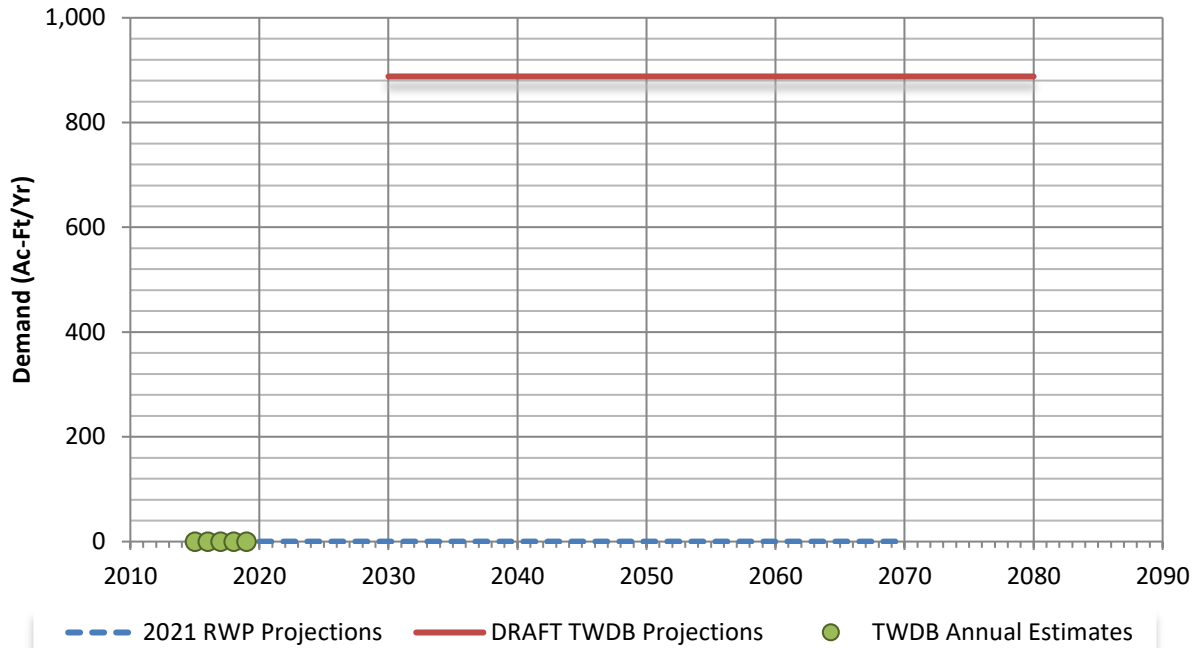
TWDB Draft 2026 RWP
Steam Electric Power Water Demand
Projections for Region H

TWDB Draft Region H Steam Electric Water Demand Projections

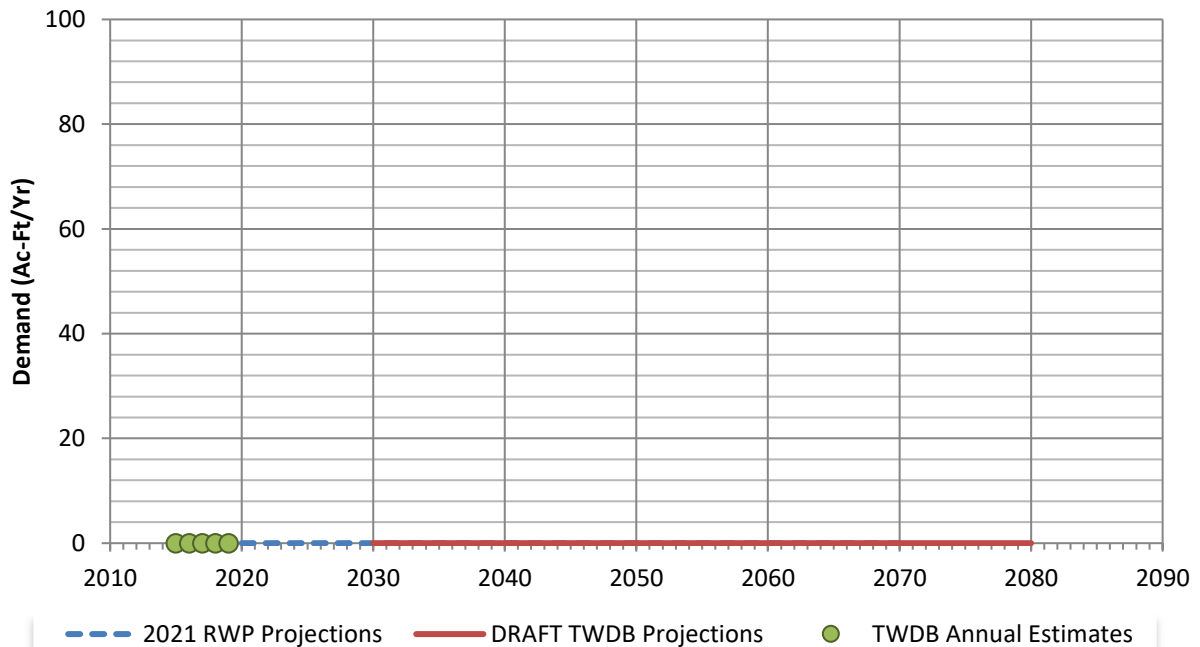


County	TWDB Draft Region H Steam Electric Water Demand Projections (ac-ft)					
	2030	2040	2050	2060	2070	2080
Austin	888	888	888	888	888	888
Brazoria	-	-	-	-	-	-
Chambers	6,755	6,755	6,755	6,755	6,755	6,755
Fort Bend	51,631	51,631	51,631	51,631	51,631	51,631
Galveston	2,687	2,687	2,687	2,687	2,687	2,687
Harris	27,800	27,800	27,800	27,800	27,800	27,800
Leon	-	-	-	-	-	-
Liberty	-	-	-	-	-	-
Madison	-	-	-	-	-	-
Montgomery	9,283	9,283	9,283	9,283	9,283	9,283
Polk	-	-	-	-	-	-
San Jacinto	-	-	-	-	-	-
Trinity	-	-	-	-	-	-
Walker	-	-	-	-	-	-
Waller	-	-	-	-	-	-
Total	99,044	99,044	99,044	99,044	99,044	99,044

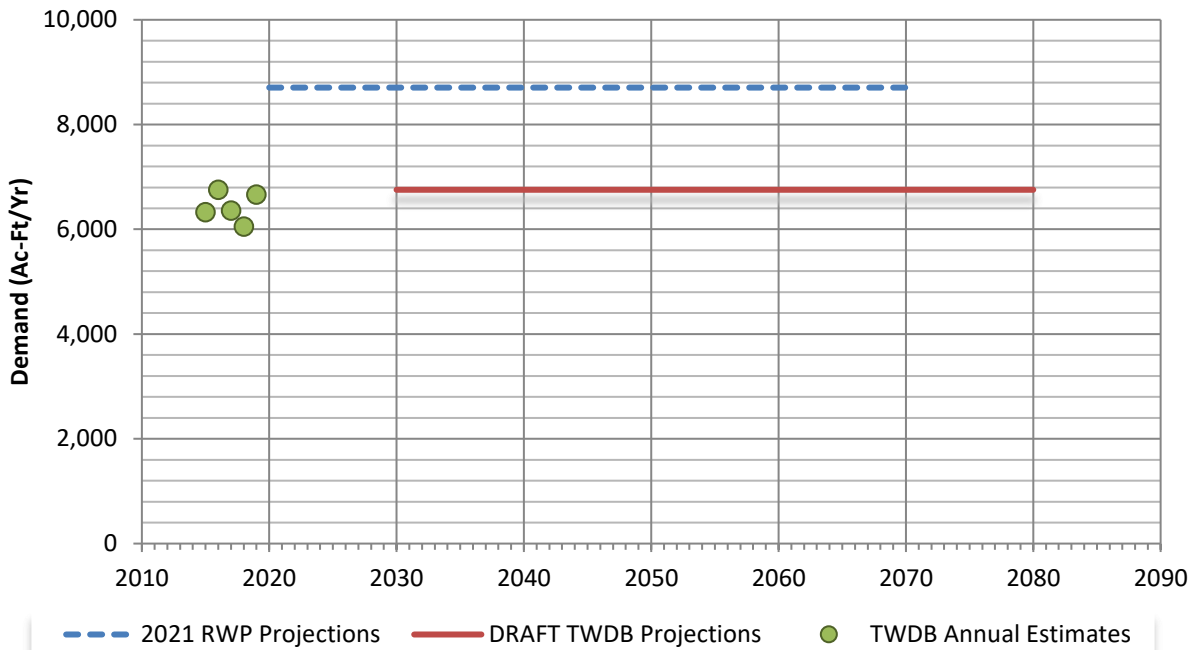
Austin County Steam Electric Water Demand Projections



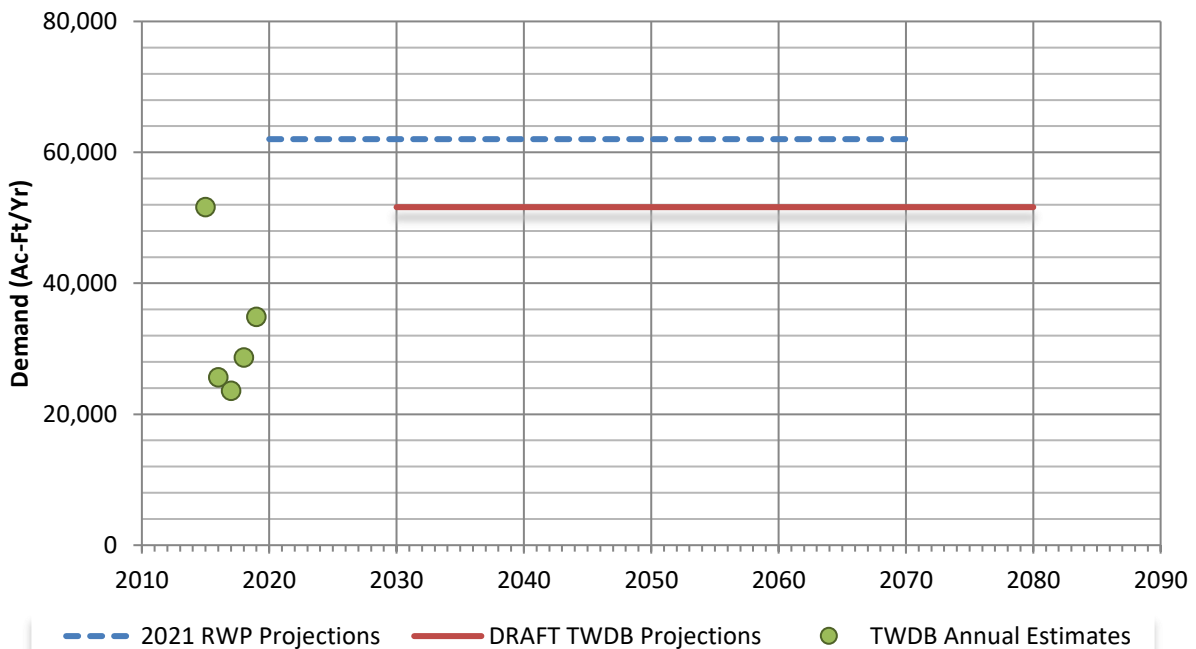
Brazoria County Steam Electric Water Demand Projections



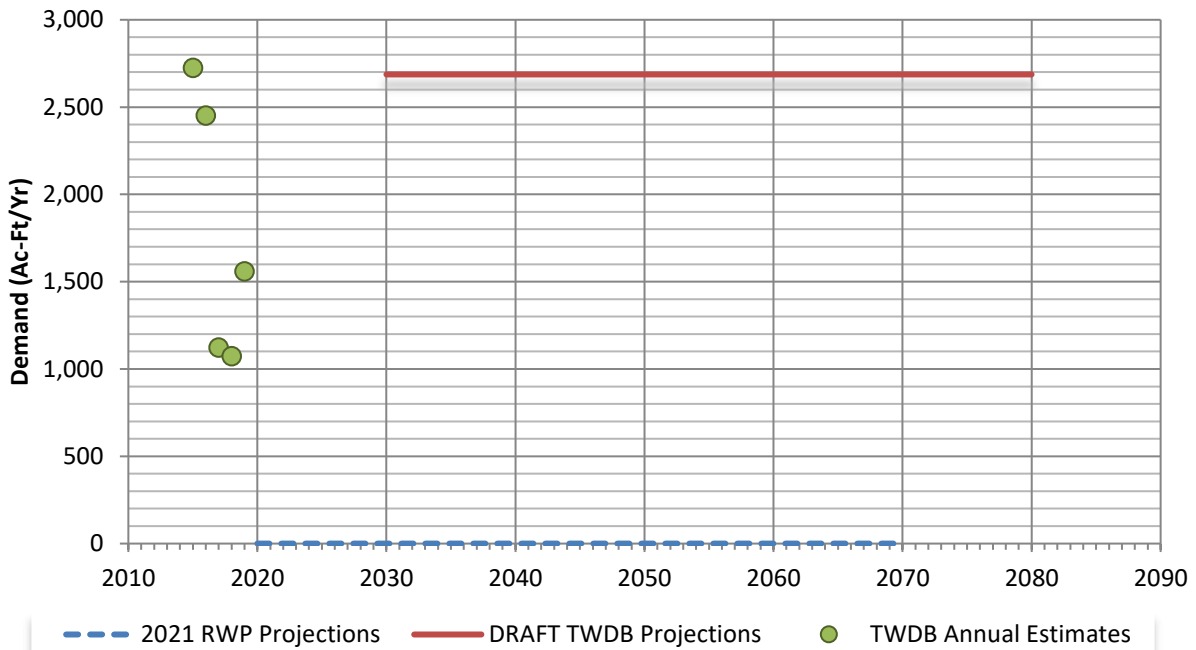
Chambers County Steam Electric Water Demand Projections



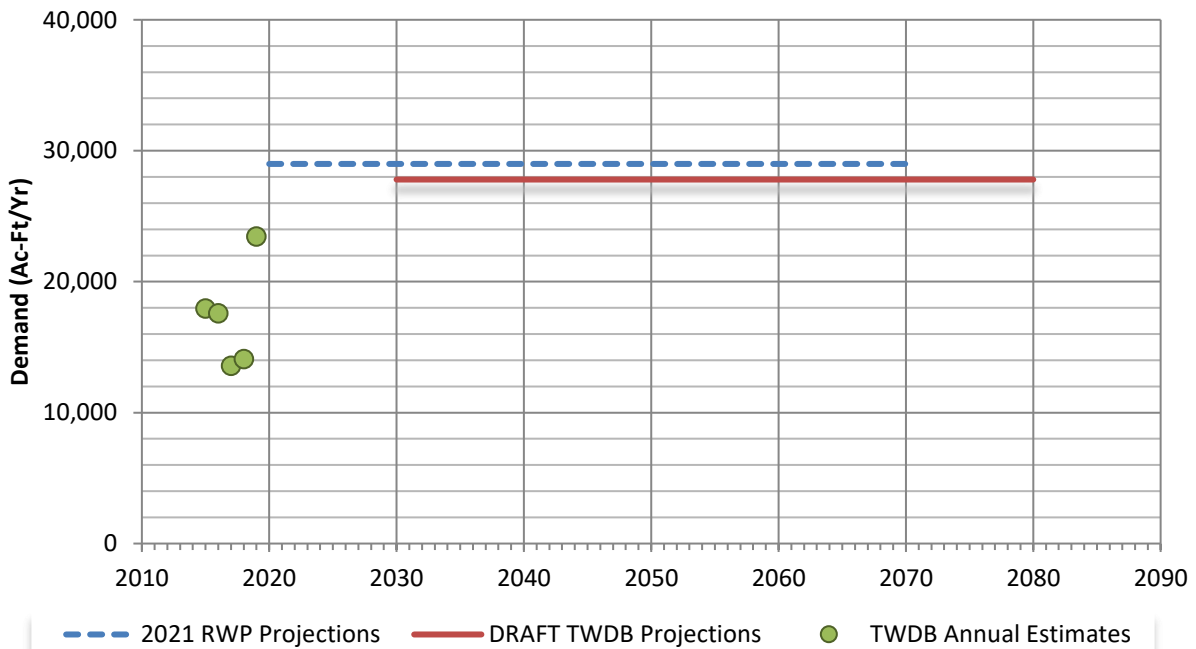
Fort Bend County Steam Electric Water Demand Projections



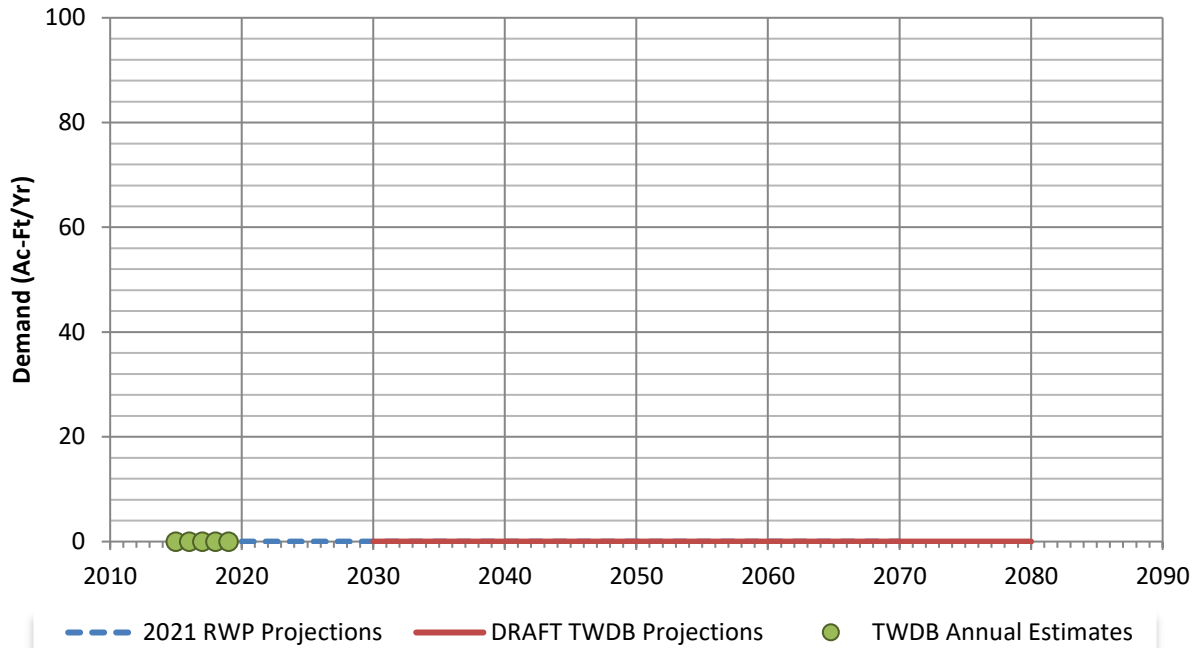
Galveston County Steam Electric Water Demand Projections



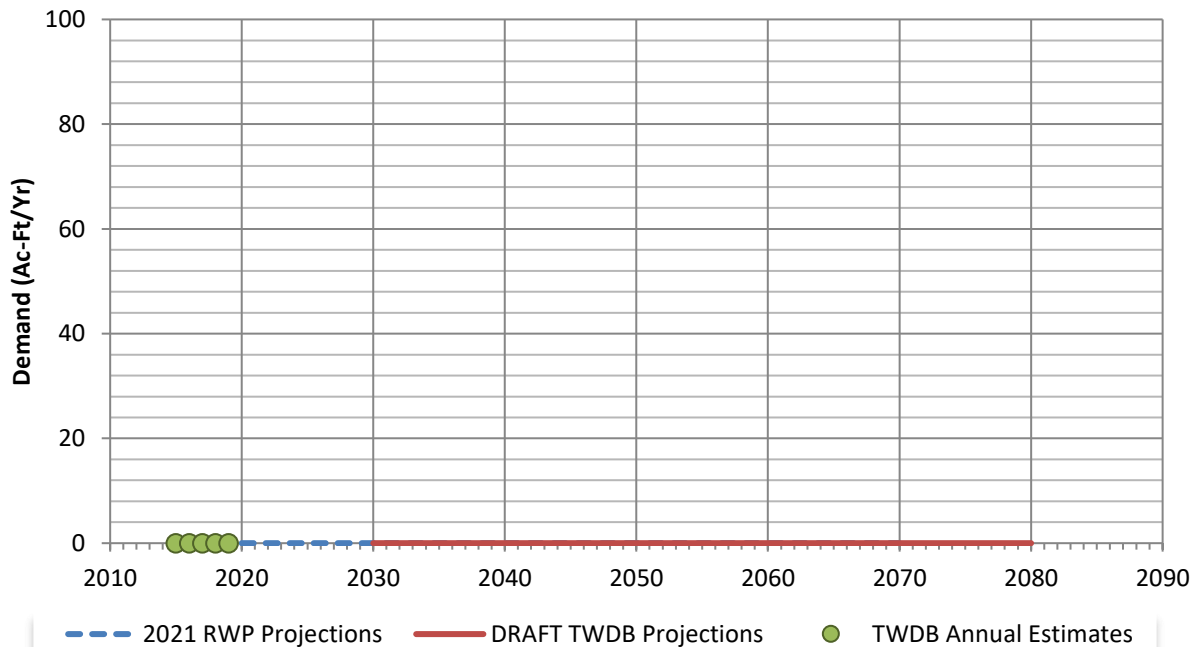
Harris County Steam Electric Water Demand Projections



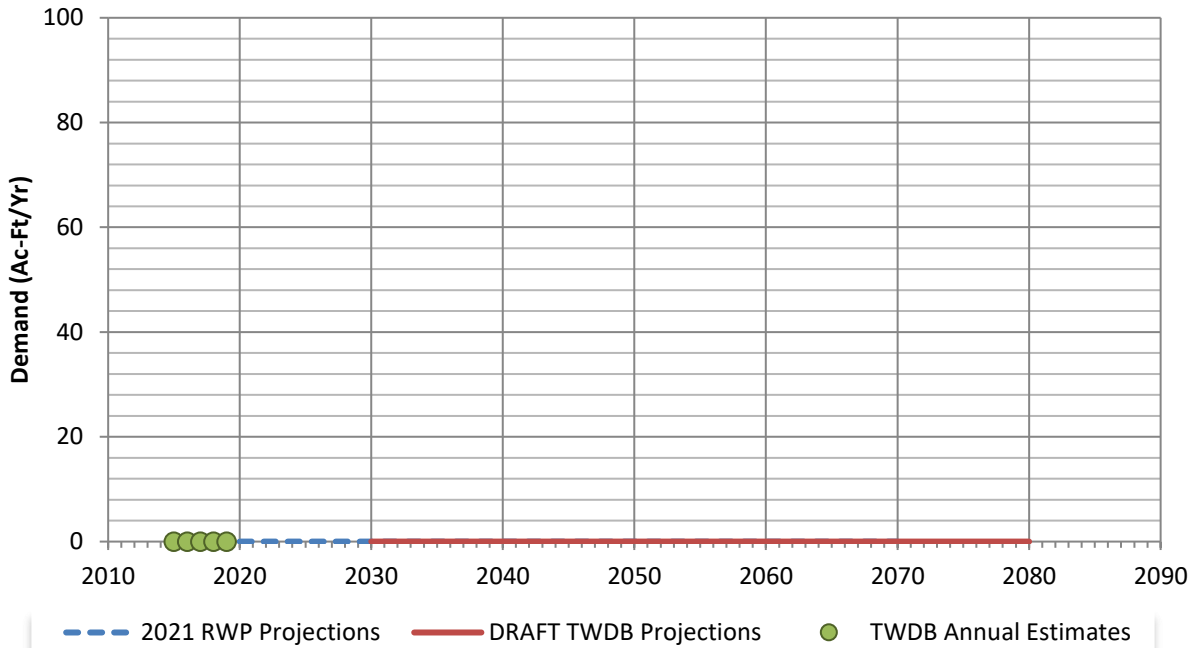
Leon County Steam Electric Water Demand Projections



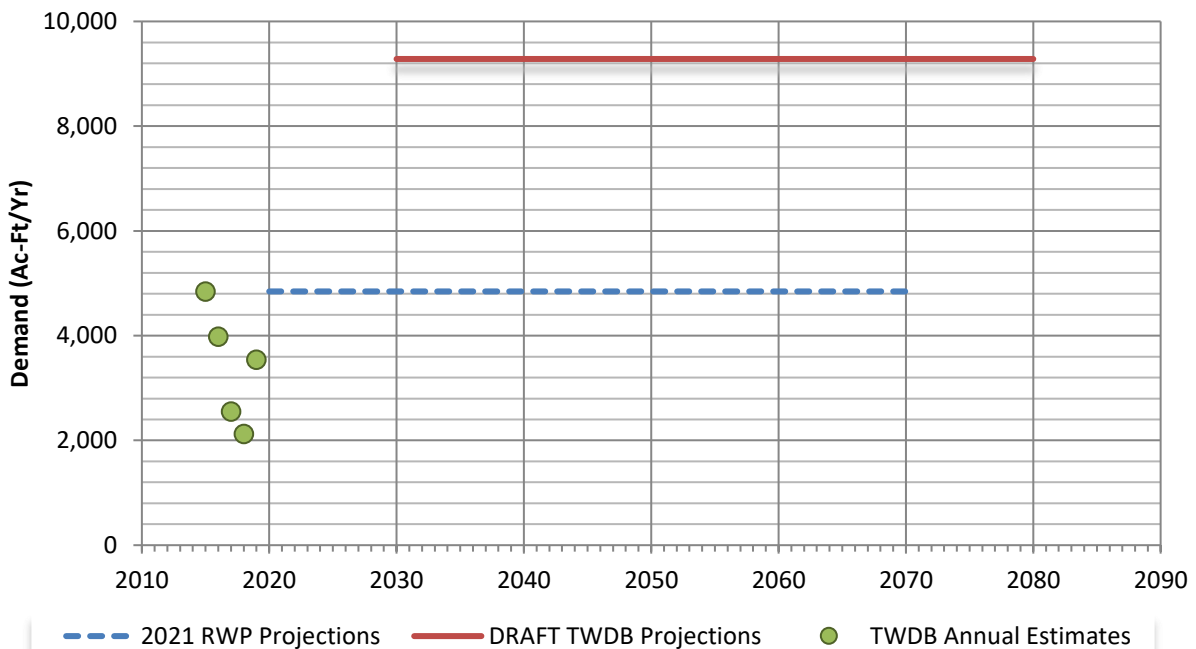
Liberty County Steam Electric Water Demand Projections



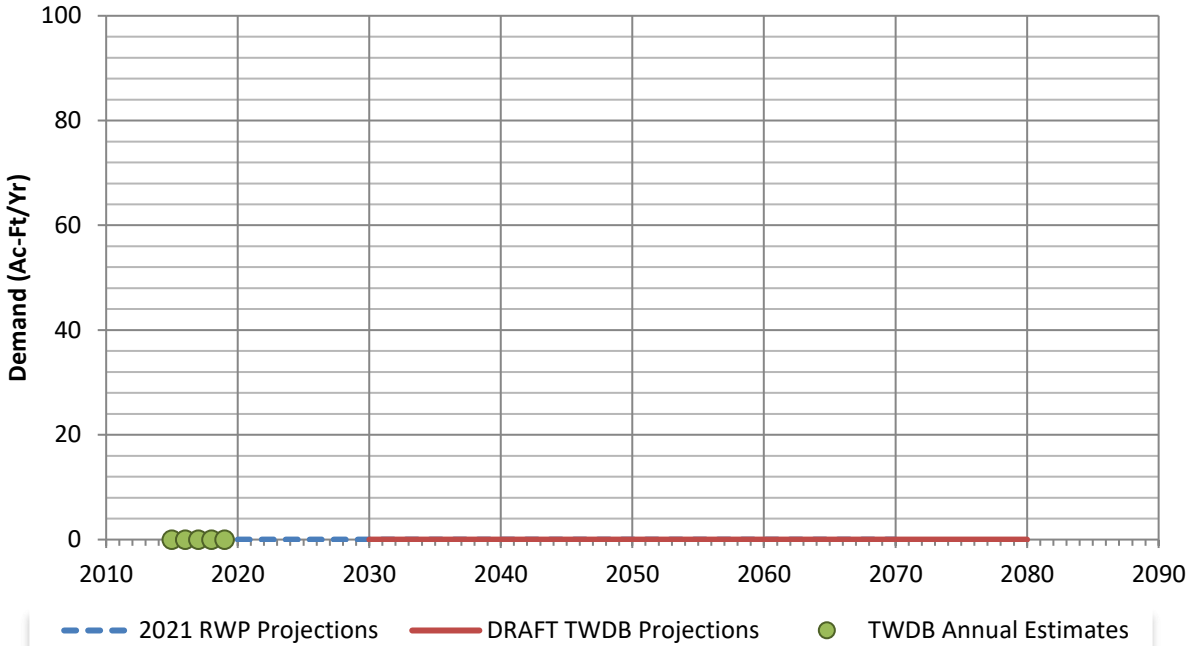
Madison County Steam Electric Water Demand Projections



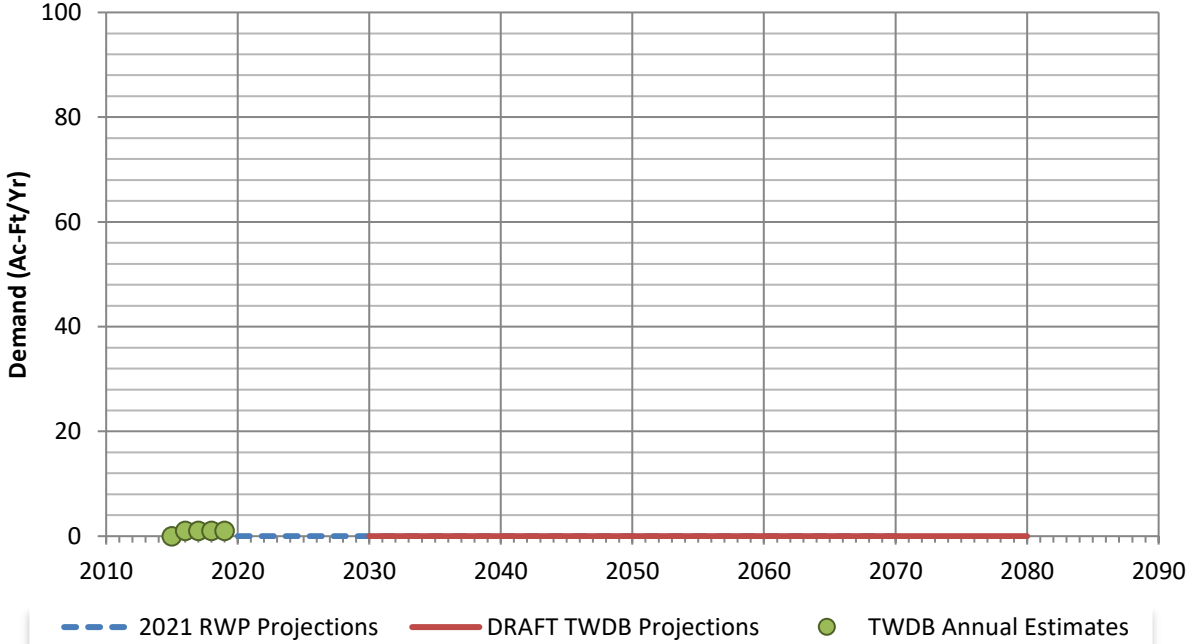
Montgomery County Steam Electric Water Demand Projections



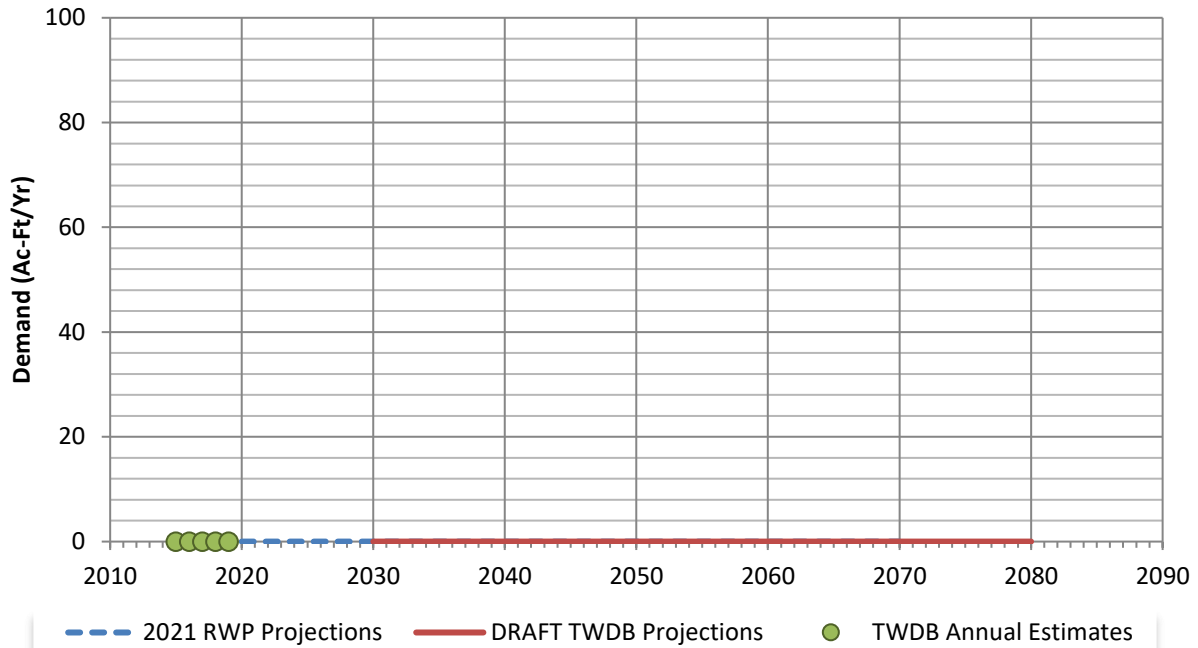
Polk County Steam Electric Water Demand Projections



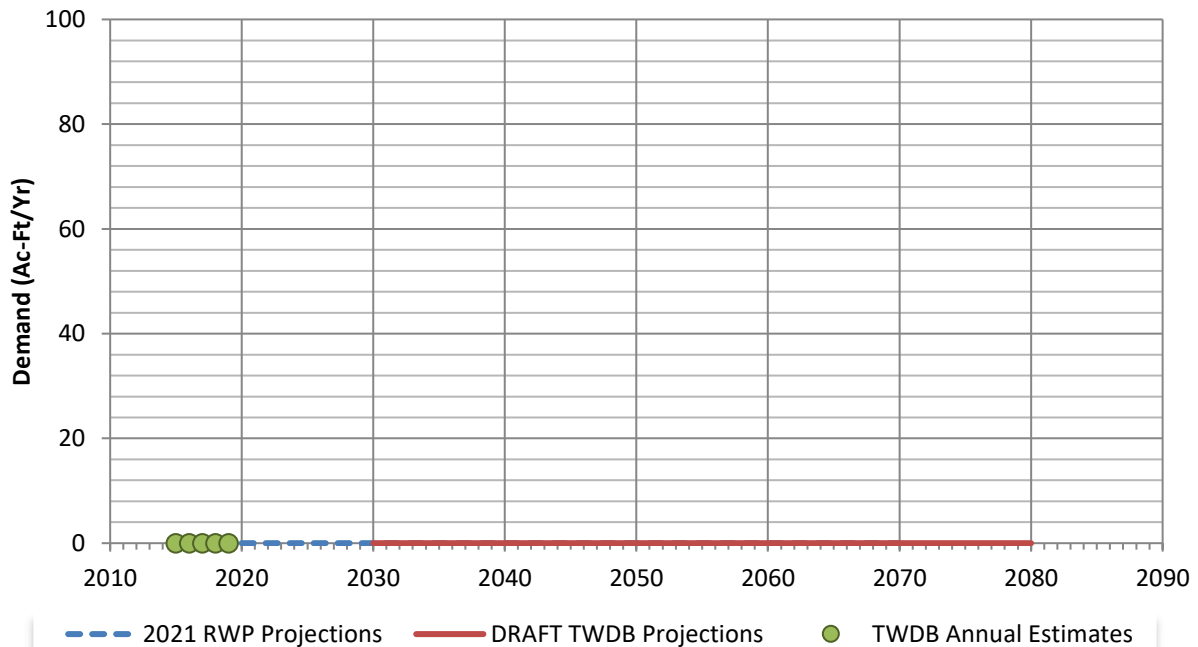
San Jacinto County Steam Electric Water Demand Projections



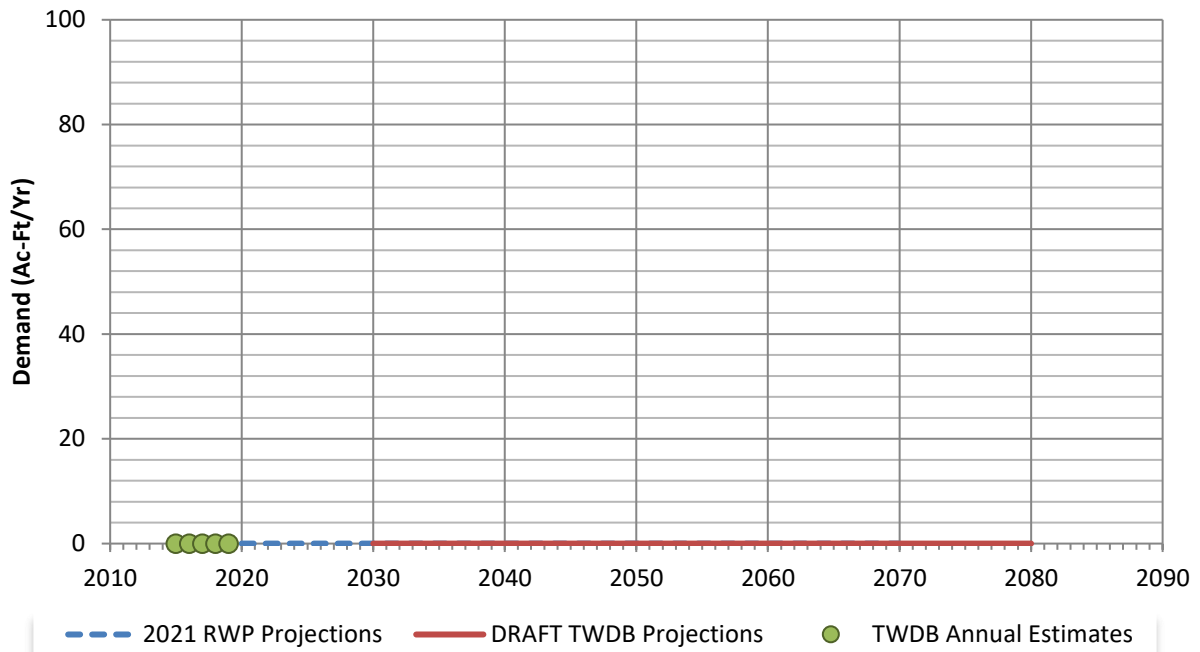
Trinity County Steam Electric Water Demand Projections



Walker County Steam Electric Water Demand Projections



Waller County Steam Electric Water Demand Projections



Livestock Water Demand Projections Methodology for the 2026 Regional and 2027 State Water Plans

Methodology Summary

The draft livestock water demand projections for the 2026 Regional Water Plans (RWPs) were based upon the region-county five-year average annual water use estimates (2015 through 2019) developed by the TWDB. Decade-specific water use trends from the previous water planning cycle were applied to the five-year estimate average baseline. For example, if the 2021 RWP data reflects a five percent increase in projected demand for Travis County from 2020 to 2030, then the projected change in demands for the year 2030 in the new plan are also a five percent increase from the baseline (which is the five-year average value). Subsequent decade-specific projections were obtained using the same procedures for decades 2040 through 2070. Thus, the new draft projections use the existing TWDB-approved water use projection decadal growth rates from the 2021 RWPs. Year 2070 projections were held constant through the draft year 2080 projections.

Draft projections (decades 2030 through 2080) for each region-county are provided to the Regional Water Planning Groups (RWPGs), and the RWPGs may request alterations to the draft projections, subject to adequate documentation, justification, and EA approval per guidance in *Exhibit C: General Guidelines for Development of the 2026 Regional Water Plans*.

Key changes from the previous planning cycle's projection methodology: None

Major Assumptions

- Baseline use calculated as average of five years of TWDB annual region-county-level estimates (2015 - 2019).
- Historical TWDB annual water use estimates consist of species-specific water use per head values, multiplied by annual inventory estimates, plus surveyed water use for non-standard livestock production such as fish hatcheries.
- Trend factors for projecting demands through the planning horizon use the percent changes from the most recently approved 2021 RWPs.
- Draft year 2080 projections are held constant from the year 2070 projections.

Primary Data Changes Reflected in the 2026 RWP Projections

Several changes in the baseline data were incorporated into the 2026 RWP draft projections. These include the following:

- Update of the region-county splits. In 2019, TWDB staff performed a state-wide geographic analysis of likely grazing lands for the various species as well as the locations of permitted Concentrated Animal Feeding Operations (CAFOs). This resulted in updates to the water use geographic splits (region/county/ basin), which were applied retroactively to annual water use estimates from 2015 forward.

- Additional review of the published literature and expert opinion concerning livestock water use (gallons/head/day) resulted in changes in the assumed water use parameters for five types of livestock (Table 1 below, changes highlighted in grey). Updates were incorporated to better reflect changes in the values statewide. The water use estimates were updated for years 2015 through 2019 based on the new water use per head coefficients (see Key Data Sources No. 3 listed below).
- Changes in broiler chicken inventory estimates were also considered and updated from 2015 through 2019.

Table 1. Water use parameter comparison, 2021 and 2026 RWPs.

TWDB category	Subcategory	2021 RWP water use (gal/head/day)	2026 RWP water use (gal/head/day)
Cattle	Milk	75	55
	Fed & other cattle	15	15
Chickens	Non-broilers	0.086	0.09
	Broilers	0.077	0.09
Turkeys	Turkeys	0.2	0.2
Equine	Horses, ponies, mules, burros, & donkeys	12	12
Hogs	Hogs	11	5
Sheep	Sheep	2	2
Goats	Milk	0.5	2
	Meat		
	Angora		

In order to address changes in the livestock industry and any changes in water use patterns, the draft livestock water demands are re-estimated as part of each 5-year planning cycle. As with any methodology applied statewide, there may be specific cases for which modifications to this general methodology are warranted. In such cases, TWDB staff may adjust the methodology as necessary while being consistent with the original intent.

Key Data Sources

Links to the key data sources in developing the projections:

1. Historical water use (county):
https://www3.twdb.texas.gov/apps/reports/WU/SumFinal_CountyReportWithReuse
2. 2021 RWP Projections (county):
https://www3.twdb.texas.gov/apps/reports/Projections/2022%20Reports/demand_county
3. Non-Surveyed Annual Livestock Inventory and Water Use Estimates Methodology Summary:
https://www3.twdb.texas.gov/waterplanning/data/dashboard/Sources/LivestockSummary_Final.PDF

Manufacturing Water Demand Projections Methodology for the 2026 Regional and 2027 State Water Plans

Methodology Summary

The draft manufacturing water demand projections were based upon the highest region-county manufacturing water use in the most recent five years of aggregated data (2015 through 2019) for manufacturing water users from the annual water use survey (WUS). Values from the WUS used in the max year calculation consist of gross intake (withdrawals and purchases) minus any sales to other entities. Within this context, such values are referred to as net use. Similar to the demand projections for the 2021 Regional Water Plans and the 2022 State Water Plan, fresh surface water and groundwater were included in net use. Additionally, volumes of reuse water, such as treated effluent, and brackish groundwater used by manufacturing facilities were included in the historical water use estimates and the water demand projections. However, saline surface water was not included in draft projections. The full intake was included in the baseline (minus sales), not consumptive use. The planning horizon for the sixth planning cycle is 2030 – 2080 and the projected demands apply the 2010-2019 U.S. Census Bureau’s County Business Patterns (CBP)¹ statewide rate of change to project future water demands, as described below.

After draft projections (decades 2030 through 2080) for each region-county are provided to the Regional Water Planning Groups (RWPGs), the RWPGs may request alterations to the draft projections, subject to adequate justification, documentation, and EA approval per guidance in *Exhibit C: General Guidelines for Development of the 2026 Regional Water Plans*.

Key changes from the previous projection methodology:

Demands were projected linearly using County Business Patterns historical number of manufacturing establishments, rather than holding projected demands constant for the long-term planning horizon.

Baseline Manufacturing Water Demand Projections

Using the highest water use year (2015 – 2019), the reported facility water use volumes were subtotaled by region and county. This max year amount, plus the calculated unaccounted water use as described below, is the baseline for the projections. Because the WUS focuses on the major water users within the manufacturing category, it may not capture all firms with significant water use. Given this, the baseline water demand was adjusted to add potential non-surveyed water use, i.e. unaccounted water use. This latter value was determined using a combination of the CBP and WUS data. The CBP provides the number of firms within various number of employee categories for nine manufacturing sectors statewide. This data was used to determine the potential number and size of missing firms from the WUS. Once the number of firms for possible addition was determined, an average water use per firm value, which is based on the 2019 WUS, was assigned for each manufacturing sector and firm size. The average water use value was multiplied by the potential number of missing firms in each NAICS sector to determine the statewide unaccounted water use. The unaccounted water use by NAICS was then

¹ <https://www.census.gov/programs-surveys/cbp/data/datasets.html>

distributed to each county based on percentage of number of employees estimated from the 2019 CBP data.

As an example, the historical manufacturing water use (intake minus sales) plus the calculated unaccounted water use in Hays County, is displayed as Baseline Water Demand in Table 1.

Table 1. Historical manufacturing water use for Hays County, TWDB water use survey

		Net Use Summary from Water Use Survey (acre-feet per year)							
Region	County	2015	2016	2017	2018	2019	Highest County Use (2015)	Unaccounted water use	Baseline Water Demand
K	Hays	134	106	119	119	131	134	+31	165
L	Hays	45	36	32	35	31	45	+7	52
	Total	179	142	151	154	162	179		217

Near-term (2030) Draft Projection Methodology

Once the baseline volume was established, the draft projections were developed using a statewide production growth proxy representing consistent incremental change to ensure the accommodation of potential near-term economic and manufacturing sector production growth. Since the first projected decade (2030) of the full planning horizon (2030 – 2080) is more than ten years from the baseline water use data, the statewide annual historical water use rate of change from 2010 - 2019 was chosen as the proxy to adjust the baseline value to the initial year of projections value (2030). This is to account for potential changes in production and water use that may occur between the baseline water use value and the first projected decade. Examples of how the near-term water use proxy (associated with manufacturing production growth) for annual rate of water use change is applied to baseline water use are in Table 2.

Table 2. Baseline water use and 2030 projections

Region	County	Baseline (acft)	WUS Average Annual Rate of Change (production growth proxy delta)	2030 (acft)
H	BRAZORIA	217,737	0.96%	238,640
D	CASS	32,985	0.96%	36,152
C	DALLAS	18,420	0.96%	20,188
K	HAYS	165	0.96%	181
L	HAYS	52	0.96%	57
G	MCLENNAN	4,166	0.96%	4,566
A	POTTER	8,272	0.96%	9,066

Long-term (2040 - 2080) Draft Projection Methodology

For each planning decade after 2030, a statewide manufacturing growth proxy was applied annually to project increases in manufacturing water demands. For the 2026 Regional Water Plans and the 2027 State Water Plan, the growth proxy was based on the CBP historical number of establishments in the manufacturing sector from 2010-2019 (Table 3). The statewide rate of change was applied to all region-county projections for each decade following 2030 (Table 4).

Table 3. Region-County 2030 projections multiplied by the CBP annual growth rate to project 2040 demands

Region	County	2030 (acft)	CBP Historical Average Annual Rate of Change (economic proxy delta)	2040 (acft)
H	BRAZORIA	238,640	0.37%	247,470
D	CASS	36,152	0.37%	37,490
C	DALLAS	20,188	0.37%	20,935
K	HAYS	181	0.37%	188
L	HAYS	57	0.37%	59
G	MCLENNAN	4,566	0.37%	4,735
A	POTTER	9,066	0.37%	9,401

Table 4. Region-County manufacturing water demand projections (acft)

Region	County	2030	2040	2050	2060	2070	2080
H	BRAZORIA	238,640	247,470	256,626	266,121	275,967	286,178
D	CASS	36,152	37,490	38,877	40,315	41,807	43,354
C	DALLAS	20,188	20,935	21,710	22,513	23,346	24,210
K	HAYS	181	188	195	202	209	217
L	HAYS	57	59	61	63	65	67
G	MCLENNAN	4,566	4,735	4,910	5,092	5,280	5,475
A	POTTER	9,066	9,401	9,749	10,110	10,484	10,872

In order to address changes in the manufacturing industry and any changes in water use patterns, the draft manufacturing water demands are re-estimated as part of each 5-year planning cycle. As with any methodology applied statewide, there may be specific cases for which modifications to this general methodology are warranted. In such cases, TWDB staff may modify the methodology as necessary while being consistent with the original intent.

Major Assumptions

- Baseline considered to be the highest single-year region-county manufacturing water use in the most recent five years of aggregated data (2015 through 2019).
- Historical TWDB annual water use estimates do not capture all manufacturing facilities in Texas, therefore, estimated water use is adjusted using CBP establishment and employee data, and added to the baseline.
- A statewide manufacturing water use growth proxy, including 2010-2019 historical water use estimates and 2010-2019 CBP number of manufacturing establishments, are used to project manufacturing water demands to ensure the accommodation of potential economic and manufacturing sector production growth.

Key Data Sources

Links to the key data sources in developing the projections:

1. Historical water use (county):

https://www3.twdb.texas.gov/apps/reports/WU/SumFinal_CountyReportWithReuse

2. 2021 RWP Projections (county):

https://www3.twdb.texas.gov/apps/reports/Projections/2022%20Reports/demand_county

3. U.S. Census Bureau's County Business Pattern Data:

<https://www.census.gov/programs-surveys/cbp.html>

Manufacturing water demand extract from Contract Exhibit C: General Guidelines for Development of the 2026 Regional Water Plans (Section 2.2.2.2)

Highlighted portions updated 1/7/2022. Please note this update will be incorporated into Exhibit C during a future contract amendment.

Manufacturing water use is defined as water used to produce manufactured goods. Manufacturing facilities report their water use to the TWDB annually through the Water Use Survey. Different manufacturing sectors are denoted by North American Industrial Classification System (NAICS) codes. The baseline for draft manufacturing water demand projections is based on the highest county-aggregated manufacturing water use in the most recent five years (2015-2019), plus estimated unaccounted water use. The most recent 10-year historical number of establishments from the U.S. Census Bureau County Business Pattern data or other relevant economic measures available are used as proxy for growth between 2030 and 2080.

Criteria for adjustment:

One or more of the following criteria must be verified by the regional water planning group and the Executive Administrator for consideration of revising the manufacturing water demand projections:

1. Evidence of a new or existing facility that has not been included in the TWDB's Water Use Survey.
2. Evidence of an industrial facility that has recently closed its operation in a county.
3. Plans for new construction, or expansion or closure of an existing industrial facility in a county at some future date.
4. Evidence of a long-term projected water demand of a facility or industry within a county that is substantially different than the draft projections.
5. Evidence of errors identified in historical water use, including volumes of reuse (treated effluent) or brackish groundwater that were not included in the draft projections.
6. Evidence that holding demands constant from 2040-2080 would better reflect future efficiencies and water use.

Data requirements:

The regional water planning group must provide the following data to the Executive Administrator associated with the identified criteria for justifying any adjustments to the manufacturing water demand projections.

1. Historical water use data and the 6-digit NAICS code of a manufacturing facility.
2. Documentation and analysis that justify that a new manufacturing facility not included in the Water Use Survey database will increase future manufacturing water demand for the county above the draft projections.
3. The 6-digit NAICS code of the industrial facility that has recently located in a county and annual water use volume.
4. Documentation of plans for a manufacturing facility to locate in a county at some future date, including the following data:
 - a. The quantity of water required by the planned facility on an annual basis,

- b. The proposed construction schedule for the facility including the date the facility will become operational, and
 - c. The 6-digit NAICS code for the planned facility.
5. Reports or research documents describing alternative trends or anticipated water use for manufacturing.
 6. Specific information regarding incorrect location for a facility.
 7. Other data and evidence that the RWPG considers reasonable and adequate to justify an adjustment to the manufacturing water demand projections.

Steam-Electric Water Demand Projections Methodology for the 2026 Regional and 2027 State Water Plans

Methodology Summary

The draft steam-electric power water demand projections for each region-county were developed based upon:

- 1) The highest single-year county water use from within the most recent five years of data for steam-electric power water users from the annual water use survey (WUS),
- 2) Near-term additions and retirements of generating facilities, and
- 3) Holding the projected water demand volume constant through 2080.

Draft projections (decades 2030 through 2080) for each region-county are provided to the Regional Water Planning Groups (RWPGs), and the RWPGs may request alterations to the draft projections, subject to adequate documentation, justification, and EA approval per guidance in *Exhibit C: General Guidelines for Development of the 2026 Regional Water Plans*.

Key changes from the previous planning cycle's projection methodology: None

Historical Steam-Electric Power Water Use

The TWDB conducts an annual WUS of power-generating facilities throughout the state to estimate the volume of water *consumed* for generating steam-electric power. The water use volumes in the water planning process include volumes consumed by operable power generation facilities that sell power on the open market and also exclude facilities which the RWPGs have requested to be included with manufacturing estimates. The water use estimates are composed of the reported intake volume of self-supplied groundwater, water purchased from a provider, and/or water withdrawn from a surface water source and not returned to the source. The volume of water withdrawn from a surface water source and not returned is referred to as consumptive use. Additionally, reuse volumes, such as treated effluent, were included in the historical water use intake estimates and water demand projections. Any water sales from the surveyed facility to other entities are subtracted from the intake volume.

If any known power generation facility was not surveyed in the TWDB's annual WUS, then that facility's water use was obtained from the operator or estimated using average water use per kilowatt-hour output for the associated fuel-type and added to the historical highest water use for that county.

Facility Review

The U.S. Energy Information Administration (EIA) releases an annual database called EIA-860, which includes data about power generating facilities and infrastructure across the nation. Each year, TWDB staff review data from the EIA-860 tables for new operational facilities meeting the specifications for a WUS.

In preparation for the water demand projections for the 2027 State Water Plan (SWP), staff thoroughly reviewed attribute data for steam-electric facilities, including location and NAICS classification, developed a list of active facilities to be included in the projections, and identified any facilities scheduled to come online within the planning horizon. Staff also acquired a list of facilities included in the 2022 SWP steam-electric power water demand projections, along with revision comments from the RWPGs. All facilities from the 2019 EIA-860 database, 2022 SWP projections, and any additional power generating facilities reporting use to the WUS between 2015-2019, were compiled and reviewed for inclusion in the draft water use baseline.

Some facilities were removed from the baseline estimates based on the following criteria:

- Facilities with confirmed retirement: any facility which was listed as retired in the 2019 EIA-860 database **and** reporting 0 use to the WUS by 2019.
- Manufacturing power facilities: facilities which were confirmed to have water use in a manufacturing survey or which the RWPG requested to be removed from 2022 SWP projections.

Near-term (2030) Draft Projection Methodology

Region-county baseline estimates were established using water use data from the final facility list created. Historical water use for 2015-2019 from the WUS for each facility was then aggregated by county and region. The highest year for each region-county was considered as the baseline water use. If a facility within the county retired between 2015-2019, then the baseline was re-estimated as the highest year for non-retired facilities.

For the near-term projected decade (2030), proposed or existing, *non-surveyed* facilities identified in the EIA-860 reports or from other sources, staff estimated the anticipated annual water use based upon their fuel type, generation capacity, average water use per fuel type, and average operational time. For proposed facilities, the estimated water use was added to the corresponding online decade. The average water use per kilowatt hour assumed for those soon to be online facilities was based on water demand factors presented in the TWDB contracted study “Evaluation of Water Projection Methodologies & Options for Agency Consideration” (Table 1).¹ The average percentage of operation time for near-term future facilities is based upon the historical equivalent forced outage rates (Table 2), noted in a year 2016 study funded by the TWDB.² Data within that study was based upon historical reports from the Electric Reliability Council of Texas (ERCOT).

Table 1 Water use factors by fuel type in Texas, 2010

Fuel Type ^a	Facility Count	Net Generation (TWh ^b)	Volume Consumed (kaf ^c)	Gallons per KWh ^d
Coal	38	150.7	248.4	0.53
Natural Gas	65	109.3	94.7	0.28
Nuclear	4	41.3	59	0.46

¹ “Evaluation of Water Projection Methodologies & Options for Agency Consideration”, CDM Smith, TWDB Contract 1600011921, Table 4-7, page 4-20

² Evaluation of Water Demand Projection Methodologies & Options for Agency Consideration, CDM Smith in conjunction with the University of Texas, Bureau of Economic Geology, 2016, page 4-20, Table 4-7.

^aIncludes steam turbine and combined cycle generator technology and once-through and tower cooling systems. Cogeneration is not included in this analysis.

^bTerawatt hour

^cThousand acre-feet of water

^dKilowatt hour

Table 2 Average percentage of operation time for near-term future facilities

Fuel and Generation Types	Average Percentage of Operation Time
Coal Steam Turbine	70%
Natural Gas Combined Cycle	59%
Natural Gas Steam Turbine	14%
Natural Gas Turbine	7%
Nuclear	85%

Long-term (2040 - 2080) Draft Projection Methodology

The baseline steam-electric power water demand projections include the highest region-county water use in the most recent five years of data plus the anticipated water use of new facilities as described above. Projections for the 2030-decade account for expected new facility construction for facilities proposed to come online between 2020 and 2030. For decades 2040 and beyond, the draft water demand projections are held constant at their year 2030 levels through 2080.

Major Assumptions

Such constant projections for planning purposes are considered reasonable for the following reasons:

- 1) Basing projections on the highest power generation water use of the most recent five years of data ensures that we are planning for water use that has already occurred in the recent past.
- 2) To model a projection of steam-electric power water use would require the inclusion of a multitude of potential water-use drivers – each with an individual probability of occurring and level of impact – including, but not limited to the following: the facility replacement schedule, anticipation of generation efficiency and cooling systems, carbon capture activities, cost of various fuels and federal environmental/regulatory policies. Such an effort is resource prohibitive and, due to many assumptions regarding uncertain future outcomes and events that would be required, would not guarantee results in water use estimates that are demonstrably more probable than those generated by the methodology used.
- 3) The projected general increase in wind and solar generation capacity off-sets the necessity to run water-consuming power facilities and may thereby not increase the overall amount of water required to meet future power demands.
- 4) While water-consuming coal, oil, and natural gas facilities will still be required in the future, any such facilities replacing an older facility are expected to be more water efficient, either using less

water or producing more power with a similar volume of water that had already been required at the same facility site.

- 5) Any assumed increase in water demand from fossil fuel facilities between 2040 and 2080 would require a distribution of additional water use to the county level. Based on discussions with power generating company contacts, distributing to the county-level is a difficult exercise, as the locations of new facilities not listed in governmental reports cannot be identified or otherwise predicted. To distribute anticipated additional water use to counties with existing facilities will result in over-projections in most counties and under-projection in others.
- 6) The steam-electric power water demand projections will be updated with each planning cycle with the most recent data.

In order to address changes in the power generation industry and any changes in water use patterns, the draft steam-electric power water demands are re-estimated as part of each 5-year planning cycle. As with any methodology applied statewide, there may be specific cases for which for which modifications to this general methodology are warranted. In such cases, TWDB staff may adjust the methodology as necessary while being consistent with the original intent.

Key Data Sources

Links to the key data sources in developing the projections:

1. Historical water use (county):

https://www3.twdb.texas.gov/apps/reports/WU/SumFinal_CountyReportWithReuse

2. 2021 RWP Projections (county):

https://www3.twdb.texas.gov/apps/reports/Projections/2022%20Reports/demand_county

3. U.S. Energy Information Administration Form EIA-860:

<https://www.eia.gov/electricity/data/eia860/>

Agenda Item 7d

Receive report from Consultant Team and Population Demands Committee regarding preliminary water user group data for the 2026 Region H RWP.

Agenda Item 7d Population Water Demand

- Preliminary data expected soon
 - Draft WUG list
 - Historical water use
 - Connections
 - Recent population
- RWPG can request changes list
- Projections and revision process has tight timeline
- Population Demands Committee
- Dovetailing with local analysis



Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 7d Population Water Demand

What is a Municipal WUG?

Automatic

- Retail public utility providing over 100 ac-ft/yr
- Owned by political subdivision

Private, State, or Federal

- Provides over 100 ac-ft/yr
- Requested by the RWPG or the entity

Collective Reporting Unit

- Aggregations of related systems like Regional Water Authorities
- Requested by the RWPG or the entity

County-Other

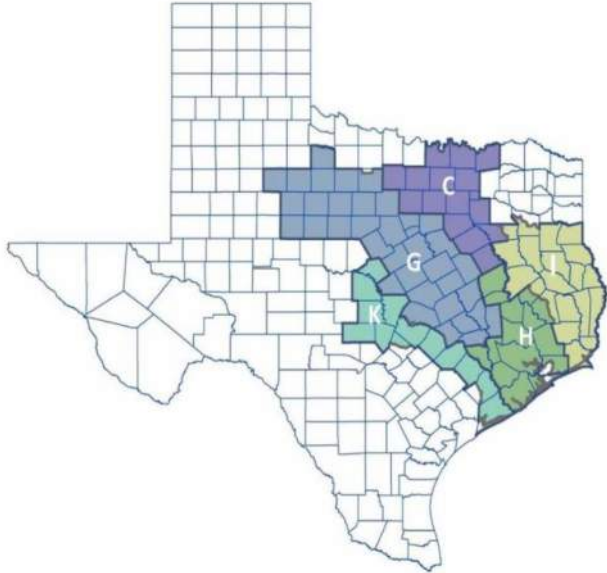
- Everyone else

Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 7e

Discuss and consider a course of action for interregional coordination with other Regional Water Planning Groups.

Agenda Item 7e Interregional Coordination Process



- TWDB and Interregional Council Recommendations
 - Discuss and document process
 - Identify cross-regional sources
 - Determine which strategies may create coordination opportunities

Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 7e Interregional Coordination Process

- Potential Actions
 - Standing agenda item for liaisons
 - Coordination memoranda by consultant team
 - Formal meeting(s) of interregional representatives
 - Written notification
 - Others?
- Frequency
 - As needed?
 - Regular intervals?
 - After identification of potentially feasible WMS?



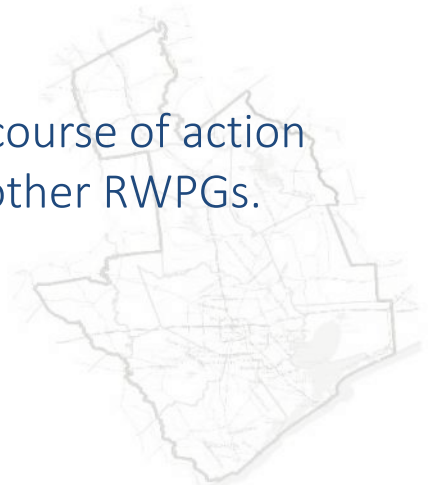
Freese and Nichols, Inc. | INTERA Inc.

Agenda Item 7e

Interregional Coordination Process

Action:

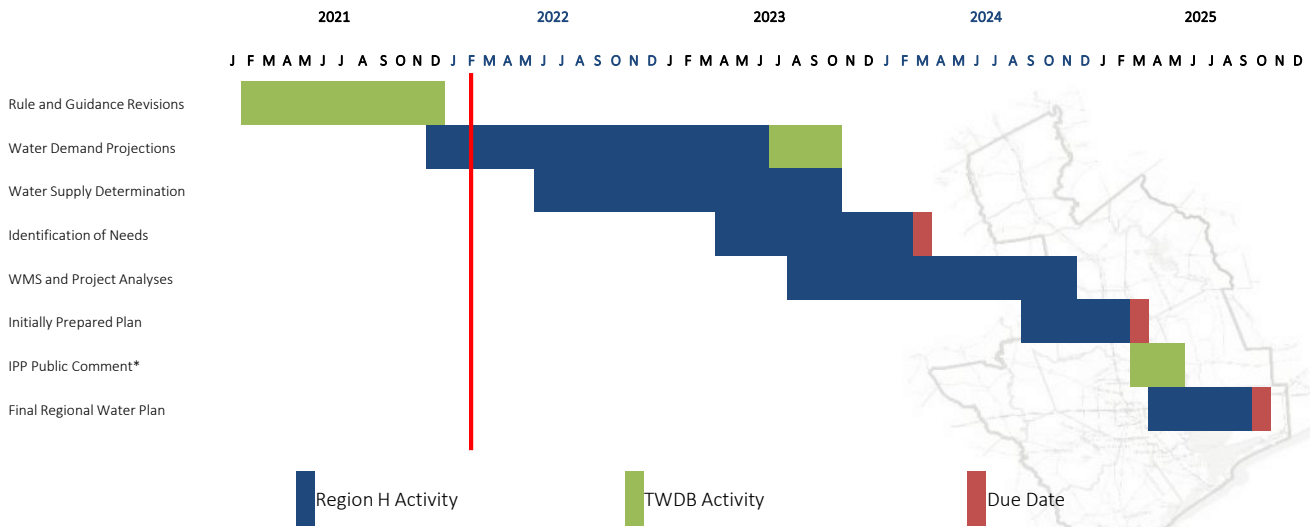
Consider taking action to designate a course of action for interregional coordination with other RWPGs.



Agenda Item 8a

Receive update regarding the schedule and milestones for the development of the 2026 Region H RWP.

Agenda Item 8a 2026 RWP Schedule



*Region H accepts public comment throughout the planning cycle and at each RWPG and committee meeting.

Agenda Item 8a 2026 RWP Schedule

Date	Scheduled Events/Tasks
02/2022	RWPG Meeting
03/2022	Draft WUG data released
05/2022	RWPG Meeting
06/2022	Deadline for Municipal WUG historical data changes
08/2022	Draft Irrigation and Mining projections released
02/2023	Draft Population and Municipal demand projections released
Q3/2023	RWPG projection review concludes
10/2023	TWDB adoption of projections

Agenda Item 8b

Receive update from liaisons to other groups.

Agenda Item 8b Liaison Updates

Region C	Brazos G	Region 6	Region 8
Kevin Ward	Zach Holland	Brandon Wade	Glenn Lord
IPC / Chairs	GMA 12	GMA 14	Other
Mark Evans	David Bailey	Gary Ashmore	RWPG Members

Agenda Item 8c

Receive report regarding recent and upcoming activities related to communications and outreach efforts on behalf of the RHWPG.

Agenda Item 8c Community Outreach

- Looking for opportunities for external outreach
- Technical outreach will resume soon
- New brochures for meetings and stakeholder visits



Agenda Item 8d

Agency communications and general information.

From: [RegionalWaterPlanning](#)
To: [RegionalWaterPlanning](#)
Cc: [WSI-WUPP-RWP](#); [Temple McKinnon](#); [Matt Nelson](#); [Jessica Zuba](#)
Subject: Regional Water Planning Newsletter - January 2021
Date: Thursday, January 14, 2021 4:36:58 PM
Attachments: [image002.png](#)

Regional Water Planning Newsletter – January 2021

Good afternoon RWPG Members and Political Subdivision staff,

We hope everyone's new year is off to a good start. As we commence the 6th cycle of regional water planning this year, TWDB's Regional Water Planning program is kicking off these new **quarterly newsletters** to help keep you all informed of program activities throughout the cycle. Below you will find information on current and upcoming Regional Water Planning activities.

2021 Regional Water Plan Approvals

The TWDB Board will consider approving all 16 of the 2021 Regional Water Plans at the **January 19th** Board meeting, beginning at 9:30 am. The Board meeting agenda and webinar registration information are posted at the following link:

<http://www.twdb.texas.gov/board/2021/01/board2/index.asp>

Rulemaking

The Regional Water Planning program is working on rulemaking to address a few items related to the upcoming initial contracts. More information will be provided in the near future on this rulemaking timeline and content.

Request for Applications/Initial Contracts

We *anticipate* a request for applications for initial contracts for the 2026 Regional Water Plans to be posted in the Texas Register on **March 12, 2021**. Once posted, we will follow up with the RWPG Political Subdivisions directly to let you know and to assist with the application process. The application period will be open for 30 days. These initial contracts will include 5 initial tasks to start the cycle. TWDB staff will be seeking Board approval to negotiate and execute the contracts in June, with a contract execution deadline of August 31.

All RWPGs must take action to designate their Political Subdivision and authorize the Political Subdivision to apply for funds and execute the contract prior to the Political Subdivision submitting an application on the RWPG's behalf.

Consultant Selection/Procurement

Each RWPG must procure or re-procure technical consultants at the beginning of each planning

cycle. Procurement processes must follow those legally required by the RWPG's Political Subdivision to enter into contracts for professional services. TWDB does not specify a deadline for selecting a consultant; however, we recommend timing the process so that consultant subcontracts can be executed following execution of the TWDB contracts in August.

Pre-planning Meeting

Prior to proceeding with any technical work, each RWPG must hold a pre-planning meeting to receive input from the public on items that should be addressed or included in the plan during this planning cycle as well as consider certain aspects of interregional coordination. This meeting is subject to a large 30-day public notice in accordance with notice and public participation rules. Please work with your TWDB Planners on agenda development and notice requirements for this meeting. Please also see the [Public Notification Quick Reference](#) and the [Public Notification Tool](#) for more information on notice requirements.

Interregional Planning Council

The [Interregional Planning Council report](#) was distributed to RWPG members via email in October 2020. TWDB will distribute more information on the status of the Council's recommendations this year.

Regional Water Planning Area Boundary Review

The TWDB is required by statute to reassess the Regional Water Planning Area boundaries every five years. Public input on the Regional Water Planning Area boundaries was solicited last fall, however no comments were received. Staff *anticipate* taking an item to our Board regarding Regional Water Planning Area boundaries at the **February 25th** Board meeting. We will send out information to planning groups once it is available on our website.

Mining Study

In case you missed the announcement, the TWDB has contracted with the University of Texas Bureau of Economic Geology to update the mining demand projections for the 2026 Regional Water Plans. More information on this study, including a recording of the study kickoff meeting can be found on the TWDB's website at:

<https://www.twdb.texas.gov/waterplanning/data/projections/MiningStudy/index.asp>

Contact TWDB

Please contact your region's TWDB Planner for any additional information. TWDB's Planner assignments are as follows:

- Regions A, J, M: William Alfaro, William.Alfaro@twdb.texas.gov
- Regions B, C, N: Kevin Smith, Kevin.Smith@twdb.texas.gov
- Region D: Ron Ellis, Ron.Ellis@twdb.texas.gov
- Regions E, F, L: Elizabeth McCoy, Elizabeth.McCoy@twdb.texas.gov
- Regions G, O, P: Jean Devlin, Jean.Devlin@twdb.texas.gov
- Regions H, I, K: Lann Bookout, Lann.Bookout@twdb.texas.gov

For more information regarding the TWDB Regional Water Planning Program, please visit [our website](#).

Note: This email was sent to all RWPG members and administrators.

Best,

Sarah Backhouse
Manager, Regional Water Planning
Water Use, Projections, and Planning
Texas Water Development Board
P.O. Box 13231, Austin, TX 78711
512-936-2387 | sarah.backhouse@twdb.texas.gov
www.twdb.texas.gov



Amending an Approved Regional Water Plan

Background

Every five years, the 16 regional water planning groups must develop and adopt regional water plans, which are then submitted to the Texas Water Development Board (TWDB) for approval. The TWDB then compiles the regional water plans into a state water plan. During the five-year span between the regular regional water plan adoptions, the plans may need to be amended to identify long-term water supplies.

How is an amendment to a regional water plan initiated?

A regional water planning group may initiate an amendment on its own. A political subdivision of the state of Texas in the regional water planning area may also request an amendment from the regional water planning group on the basis of changed conditions or new information¹.

The following general principles govern the amendment process:

- The planning group must formally consider the request within 180 days of its submittal.
- The planning group may, at its discretion, accept or reject the proposed amendment.
- The political subdivision may petition the TWDB executive administrator for agency review if the political subdivision is not satisfied with the planning group's decision².
- The executive administrator may ask the regional water planning group to make a revision.
- If the revision is not made within 90 days, the matter is presented to the TWDB, which can order a revision to the regional water plan and state water plan on the basis of changed conditions or new information.

What are the ways that a regional water plan may be modified?

Revisions to TWDB Board Adopted Population or Water Demand Projections may be requested from the TWDB whenever current projections are no longer reasonable owing to changed conditions or the availability of new information³.

The process requires the following:

- A regional water planning group must submit a revision request, usually based on a request from a political subdivision, to the TWDB.
- The regional water planning group must provide at least 14 days notice for a meeting and make the proposed population and/or water demand projection revisions available for public inspection prior to the meeting.
- The regional water planning group must accept oral and written public comments at the meeting in which the request is considered and written comments for 14 days prior to the meeting.
- The regional water planning group submits the revision request to the TWDB, including a summary of all comments the planning group received at the meeting and during the comment period.

¹ 31 TAC §357.51 (a). Any amendment proposed must meet rules and guidelines for development of a regional water plan.

² The petition must be provided to the regional water planning group and must include the changed condition or new information that affects the approved regional water plan; the specific sections and provisions of the approved regional water plan that are affected by the changed condition or new information; the efforts made with the regional water planning group to obtain an amendment; and the proposed amendment to the approved regional water plan (31 TAC §357.51 (a)).

³ 31 TAC §357.31.

- The TWDB reviews the request in accordance with contract guidelines and consults with the Texas Department of Agriculture, Texas Commission on Environmental Quality, and Texas Parks and Wildlife Department. Within 45 days of receipt of a revision request from a regional water planning group, the executive administrator responds to the request.
- Acceptable revisions will be presented for consideration of approval at an upcoming TWDB Board meeting.

Substitutions of water management strategies that have already been fully evaluated and are explicitly identified as “alternative” water management strategies in adopted regional water plans may be made if⁴

- the water management strategy originally recommended is no longer recommended, and
- the proposed substitution of the alternative water management strategy is capable of meeting the same water need without over-allocating any source.

The substitution process requires the following:

- An entity requests that the regional water planning group make a substitution.
- The regional water planning group considers the proposed substitution request as an action item on an agenda at one of its regular meetings.
- Proposed substitution materials are submitted to the TWDB executive administrator for consideration⁵.
- The executive administrator provides written approval of the substitution if it is in accordance with 31 Texas Administrative Code (TAC) § 357.51(e).
- The regional water planning group adopts the substitution at a public meeting with an opportunity for public input. This meeting requires at least a 14-day notice⁶. The regional water planning group considers public comments and may adopt the amendment at the meeting.
- The regional water planning group submits evidence of the substitution to the TWDB, including a summary of public comments.
- The TWDB then amends the state water plan, which requires a public hearing on the proposed state water plan amendment and a 30-day public notice prior to its adoption.

Minor amendments can be made to incorporate changes that do not

- result in over-allocation of an existing or planned source of water,
- relate to a new reservoir,
- increase unmet needs or produce new unmet needs in the adopted regional water plan,
- have a significant effect on instream flows, environmental flows, or freshwater flows to bays and estuaries,
- have a significant substantive impact on water planning or previously adopted management strategies,
- or
- delete or change any legal requirements of a plan⁷.

The minor amendment process requires the following:

- An entity requests the regional water planning group to amend a regional water plan.
- The regional water planning group considers the request and takes action to pursue the amendment at one of its regular public meetings.
- Amendment materials are prepared in accordance with TWDB rules and guidance, and a request for a “minor amendment determination” is submitted to the TWDB’s executive administrator.
- The executive administrator reviews the request and issues a determination to the planning group.
- If the executive administrator determines that it is a “minor amendment,” the regional water planning group considers adopting the amendment at a public meeting with an opportunity for public input. This meeting requires at least a 14-day notice⁸. The regional water planning group considers public comments

⁴ Per 31 TAC §357.51 (e).

⁵ 31 TAC §357.51 (e).

⁶ 31 TAC §357.21 (g)(2) and posted under the Texas Open Meetings Act.

⁷ 31 TAC §357.51 (c).

⁸ 31 TAC §357.21 (g)(2) and posted under the Texas Open Meetings Act.

and may adopt the amendment at the meeting⁹.

- The regional water planning group submits the adopted minor amendment materials, including a summary of public comments, to the TWDB for approval.
- The TWDB reviews the adopted minor amendment and, if acceptable, approves it at its next regular Board meeting.
- The TWDB then amends the state water plan, which requires a public hearing on the proposed state water plan amendment and a 30-day public notice prior to its adoption.

Major amendments can be made to incorporate changes that cannot be addressed through a minor amendment. Major amendments shall not result in an over-allocation of an existing or planning source of water, and shall conform with all other rules for regional water plan development¹⁰.

The major amendment process requires the following:

- An entity requests that the regional water planning group make an amendment.
- The regional water planning group considers the request and takes action to pursue the amendment at one of its regular public meetings.
- Amendment materials are prepared in accordance with TWDB rules and guidance for consideration at a public hearing.
- The regional water planning group holds a public hearing on the proposed amendment¹¹. This process requires 30 days between published notice of the hearing and the hearing date and a 30-day comment period following the hearing.
- The regional water planning group considers all public comments received and may adopt the regional water plan amendment at a regular planning group meeting¹² after the 30-day comment period¹³.
- The regional water planning group submits the adopted amendment materials, including a summary of public comments, to the TWDB for approval¹⁴.
- The TWDB reviews the adopted major amendment and, if acceptable, approves it at its next regular Board meeting.
- The TWDB then amends the state water plan, which requires a public hearing on the proposed state water plan amendment and a 30-day public notice prior to its adoption.

Who pays for an amendment?

Typically, the entity requesting the amendment pays for the costs related to developing regional water plan amendment materials. TWDB grant funds are prohibited to be used for amendments related to the revision of adopted population and demand projections.

Why might a regional water plan need to be amended?

If a project sponsor seeks (a) funding from the TWDB for a water supply project or (b) a water rights permit from the Texas Commission on Environmental Quality, the proposed project must be found to be consistent with the approved regional water plan and state water plan.

If the proposed project is not already consistent with the approved regional and state water plan and the sponsor cannot wait to incorporate the proposed project into the next adopted regional water plan, the existing

⁹ Amendment adoption must include response to public comment and must otherwise comply with TWDB technical guidelines.

¹⁰ 31 TAC §357.51 (b).

¹¹ 31 TAC §357.21 (g)(3).

¹² Posted under the Texas Open Meetings Act; see also 31 TAC §357.21 (g)(1).

¹³ Amendment adoption must include response to public comment and must otherwise comply with TWDB technical guidelines.

¹⁴ Amendments to an approved regional water plan shall include a technical report and data in accordance with TWDB specifications, executive summary, and summaries of all written and oral comments received with a response. Data must be transferred to the TWDB (31 TAC §357.50 (g)).

¹⁵ 31 TAC §357.21 (g)(1).

regional water plan must be amended, or a waiver of statutory requirements regarding consistency with such plans must be obtained from the TWDB and/or Texas Commission on Environmental Quality¹⁶.

Additionally, in order for projects to be eligible for funding from the State Water Implementation Fund for Texas, projects must be recommended in the most recent regional and state water plans and have an associated capital cost.

Statutes and Rules

Texas Water Code, Chapter 16, Subchapter C:

<http://www.statutes.legis.state.tx.us/Docs/WA/htm/WA.16.htm>

31 TAC Chapter 357:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=31&pt=10&ch=357&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=31&pt=10&ch=357&rl=Y)

For more information on regional water planning and related guidance, please visit the following Web site:

<http://www.twdb.texas.gov/waterplanning/rwp/index.asp>

Note:

This guidance document does not cover all procedural and substantive requirements applicable to water plan amendments. For this reason, this document should not be used as a substitute for the regulations as written. In case of doubt, consult the Texas Water Code, Chapter 16, Subchapter C, and 31 TAC Chapter 357. Regional water planning groups or political subdivisions with legal questions regarding changes to the regional water plans should consult with their own attorneys or the Texas Attorney General's Office.

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¹⁶ 31 TAC §357.60 (b)(5).