

# **Regional Water Planning Group New Member Overview**

Fifth Cycle of Regional Water Planning

**Water Use, Projections, & Planning Division**

Regional Water Planning

## Table of Contents

<b>1</b>	<b>Background on the regional water planning process .....</b>	<b>3</b>
<b>2</b>	<b>Key Roles and Responsibilities .....</b>	<b>4</b>
2.1	Voting member role and responsibilities .....	4
2.2	Non-voting member role and responsibilities.....	4
2.3	Political subdivision role and responsibilities.....	5
2.4	Technical consultant role and responsibilities.....	5
2.5	Texas Water Development Board role and responsibilities.....	6
<b>3</b>	<b>How the planning process is funded.....</b>	<b>6</b>
<b>4</b>	<b>Regional water planning considerations and plan contents .....</b>	<b>7</b>
4.1	Public participation.....	7
4.2	General regional water planning considerations .....	8
4.3	Regional water plan content .....	8
<b>5</b>	<b>TWDB regional water planning resources.....</b>	<b>10</b>
<b>6</b>	<b>Terminology primer.....</b>	<b>10</b>

# 1 Background on the regional water planning process

The goal of Texas' water planning process is to ensure that we have adequate water supplies in times of drought. Water is Texas' most precious natural resource and is routinely impacted during our state's recurring periods of drought. Texas has a long history of drought, and there is no sign of that pattern changing; in fact, recent droughts remind us that more severe drought conditions could occur in the future.

In response to the statewide drought of record (1950-1957), the Texas Legislature initiated the state's water planning efforts with the passage of the Water Planning Act of 1957, which assigned the responsibility of water resources planning on a statewide level to the Board of Water Engineers. The Texas Water Development Board (TWDB) was also created at this time to administer state bonds for the construction of water conservation and water supply projects. Statewide water planning was assigned to the TWDB in 1965. Between 1961-1997, six state-level water plans were developed. Following intense drought conditions in the mid-1990s, the Texas Legislature passed Senate Bill 1 in 1997 in order to improve the development and management of water resources of the state.

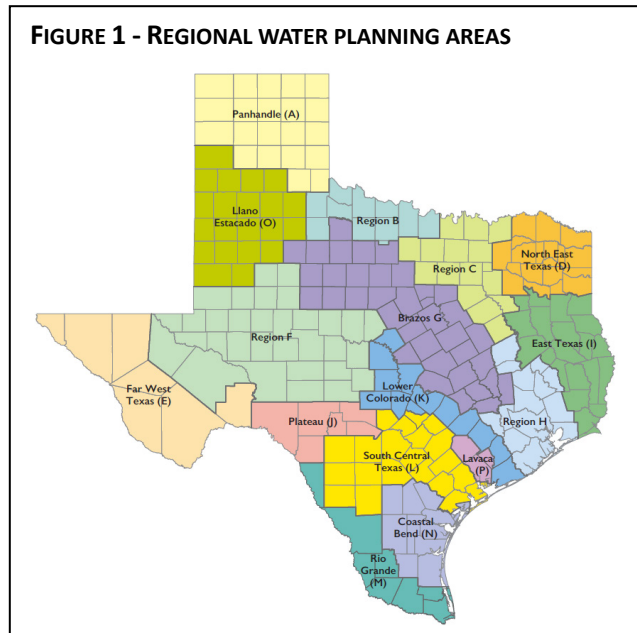


FIGURE 1 - REGIONAL WATER PLANNING AREAS

Senate Bill 1 established the regional water planning process based on a bottom-up approach. This bottom-up process was set up to encourage involvement by those directly responsible for providing water and affected by water supply. With extensive stakeholder input, the TWDB established the 16 regional water planning areas (RWPAs) (Figure 1). Each RWPA has its' own regional water planning group (RWPG) which coordinates the water planning process. Each RWPG is made up of an average of 22 voting members, representing a variety of statutorily required interest group categories including the public, counties, municipalities, industry, agriculture, environment, small business, electric-generating utilities, river authorities, water districts, water utilities, and groundwater management areas. Every five years, each RWPG develops a 50-year water plan, and after adoption, the TWDB considers the 16 regional water plans (RWPs) for approval and incorporates information from those plans and other sources to produce the corresponding state water plan (SWP). From 1997 to the present, four sets of regional and state water plans have been developed. This process has resulted in greater public participation, public education, and public awareness, underscoring the benefits of directly involving local and regional decision makers as well as the public in the water planning process.

At the beginning of the regional water planning process, each RWPG was required to adopt bylaws that would govern its methods of conducting business. Every cycle, each RWPG must designate a political subdivision, such as a river authority, water district, municipality, or council of governments, to administer the planning process and manage any contracts related to developing RWPs on behalf of the planning group. The RWPGs conduct all business during open meetings in a transparent and participatory manner and hold public hearings during the process of developing their RWPs. These public involvement opportunities help direct their planning efforts and determine which water

management strategies (WMSs) and water management strategy projects (WMSPs) to recommend. It is important to recognize that RWPs are high level, long-term water supply plans and individual WMSPs may require additional detailed evaluations by the project sponsor prior to permitting and implementation.

## 2 Key roles and responsibilities

The overarching goal of each RWPG is to produce a 50-year horizon RWP every five years. There are several entities that are involved in the regional water planning process and each has their own role to play and responsibilities to carry out. These entities include the RWPG voting members, RWPG non-voting members, the RWPG's designated political subdivision, technical consultants, and the TWDB. Stakeholders, including the general public, also play a crucial, participatory role along the way.

### 2.1 Voting member role and responsibilities

The core functions of regional water planning process revolve around the RWPG voting members—the variety of expertise they bring to the planning group, and the decisions that they make in developing their plans. Each voting member is appointed to represent one of the 12 statutorily required interest group categories identified in Section 1. RWPGs may add additional interest categories as they see fit, for example real estate, travel and tourism, economic development, higher education, and recreation. The opportunity for RWPG voting members to participate in the regional water planning process comes with the following key responsibilities:

- Attend meetings and represent their interest category in the regional water planning process.
- Become informed on regional water planning rules and guidelines as well as topics on which RWPG voting members are asked to make decisions.
- Become familiar with and follow the bylaws of their respective RWPG.
- Complete the Office of Attorney General's [Open Meetings Act](#) and [Public Information Act](#) training (due to statutory requirements, RWPGs are subject to both of these acts as of September 1, 2017).
- Actively participate in, and contribute supporting information to, the development of their RWP and take into consideration the water needs of all interests within their region.
- Consider local plans developed by local entities when developing the regional water plan.
- Participate in directing work the technical consultants perform on the RWPG's behalf in order to develop the RWP.
- Cooperate with other RWPGs for data consistency and to avoid conflicts where possible, for example, when two planning groups share water resources and/or WMSs.
- Ensure adoption of a RWP by the statutory deadline that meets all requirements.
- Prioritize WMSPs in accordance with the uniform standards.

### 2.2 Non-voting member role and responsibilities

RWPGs include non-voting members from the TWDB, Texas Department of Agriculture (TDA), Texas Parks and Wildlife Department (TPWD), State Soil and Water Conservation Board, a liaison from each adjacent RWPG, and a representative of an entity that holds surface water rights of 1,000 acre-feet per year in the RWPA, whose headquarters are in another RWPA. Key responsibilities of non-voting members include the following:

- Attend meetings, represent, and act as a liaison for their affiliated entity in the regional water planning process.
- Provide input on their areas of expertise and familiarize themselves with planning issues.
- Support the voting membership in the development of the RWP.

## **2.3 Political subdivision role and responsibilities**

At the beginning of each five-year planning cycle, RWPGs must designate a political subdivision to act as the representative of the RWPG that will oversee the administration of the regional water planning process on behalf of the RWPG. Examples of designated political subdivisions include river authorities, municipalities, and councils of government. Key responsibilities of the RWPGs' political subdivisions include the following:

- Apply for and receive financial assistance from the TWDB for the development of a regional water plan or a plan revision, pursuant to 31 Texas Administrative Code (TAC) §355 and §357.
- Execute and administer the primary regional water planning grant contract with the TWDB.
- Procure the technical consultant that will assist the RWPG with plan development.
- Execute and administer the subcontract(s) between the political subdivision and the technical consultant(s).
- Administer regional water planning contracts with TWDB and subcontracts with consultants, including invoicing and payment for eligible activities.
- Maintain RWPG member contact information.
- Organize the RWPG meeting locations, public notices, agendas, meeting presentations, handouts, meeting minutes, and new member solicitations.
- Ensure all regular, committee, and subcommittee meetings of the RWPG are posted and held in accordance with the Texas Open Meetings Act, the Texas Public Information Act, statute, and regional water planning rules.

## **2.4 Technical consultant role and responsibilities**

Technical consultants are procured at the beginning of each planning cycle to assist the planning group in the development of the RWP. The procurement process is administered by the RWPG political subdivision who will enter into a contract with the consultant on behalf of the RWPG. Key responsibilities of technical consultants include the following:

- Perform the scope of work (SOW) tasks identified in the regional water planning contracts.
- Enter into subcontracts with the political subdivisions on behalf of the RWPGs that mirror the associated portions of the primary TWDB contract.
- Receive direction from the RWPG.
- Present their work at RWPG meetings for consideration and approval by the RWPGs.
- Provide documentation of, and invoices for, the work they perform to the political subdivision.
- Develop complete RWPs under direction of the RWPGs.
- Populate data into the state water planning database (DB22).
- Produce all final contract products to be submitted to the TWDB, in accordance with statute, rule, and contract requirements.
- Participate in RWPG meetings, committees, and sub-committees as requested by the RWPG.

## 2.5 Texas Water Development Board role and responsibilities

The TWDB is the agency designated by the Texas Legislature to provide technical and financial assistance to the regional water planning process. Each RWPG has an assigned project manager from the TWDB who are the liaisons between the agency and the planning groups, political subdivisions, and indirectly, the consultants. While these liaisons act as non-voting members of the planning group, TWDB staff play a significant role in the planning process. Key responsibilities of the TWDB liaisons include the following:

- Serve as non-voting members of their assigned RWPGs.
- Provide and clarify administrative and technical guidance to the RWPGs, political subdivisions, and consultants in the development of the RWPGs.
- Orient new members and facilitate communication.
- Administer the TWDB contract with the RWPG political subdivision.
- Help to ensure that the final RWPGs meet statute, rule, and contract requirements.

The TWDB is also responsible for the following tasks directly related to regional water planning:

- Provide financial assistance to RWPGs in the development of the RWPGs.
- Adopt rules and guidance that govern the development and adoption of RWPGs.
- Consult with several state agencies prior to the adoption of final population and water demand projections, including the Texas Commission on Environmental Quality (TCEQ), the TDA, and the TPWD.
- Review and update state water planning guidance principles at least every five years, in coordination with the TCEQ, the TDA, and the TPWD.
- Review and update the designation of RWPGAs at least every five years.
- Utilize the RWPG recommended WMSP prioritization list during the abridged application phase of the agency's State Water Implementation Fund for Texas (SWIFT) Program, as a criteria for the state level prioritization.
- Review and approve RWPGs that meet statute, rule, and contract requirements.
- Maintain the state water planning databases.
- Incorporate information from approved RWPGs in the corresponding SWP.
- Develop and adopt a comprehensive SWP every five years.

## 3 How the planning process is funded

The five-year regional water planning process and development of the 50-year RWPGs is funded through grants administered by the TWDB based on appropriations received from the Texas State Legislature. The TWDB requests funding for the state water planning process each Legislative session (every two years) by submitting Legislative Appropriation Requests. During each session, the Texas Legislature appropriates funds that will be spent during the next biennium.

Each regional water planning cycle, the designated political subdivision must apply for grant funding through a Request for Applications issued by the TWDB. Due to the timing of the five-year regional water planning cycles, the biennium funding cycle, and budgetary deadlines, applications for grant funding are typically solicited twice during a cycle. The first round of funding is used to execute the initial contract between the TWDB and the political subdivisions and includes an initial SOW containing the initial data analysis tasks required to develop the RWPGs as well as associated public participation activities.

Historically, once the TWDB estimates a “total study cost” for the cycle based on anticipated future appropriations, a second grant application process occurs to incorporate the total estimated cost for each region into the grant contracts and any appropriated funds as “committed”. The total study cost is the total anticipated funding amount for the entire five-year contract period. This approach allows the RWPGs to better plan their work and manage their budgets while developing the RWPs. At that time, a full SOW is also amended into the contracts, and while the contracts include an estimated total amount for the cycle, the amount of committed (available) funds in the contracts are limited to appropriated amounts that the TWDB has been appropriated. Contracts are amended subsequently through the cycle to increase the committed funding amounts as additional appropriated funds become available.

Typically, the political subdivisions choose to receive contract funding “advances” from the TWDB, which occur in 20 percent increments. Future advances from the TWDB may occur once 90 percent of the current advance has been expended and backup invoice documentation has been provided to the TWDB.

## **4 Regional water planning considerations and plan contents**

Each five-year planning cycle, RWPGs evaluate population projections, water demand projections, water availability, and existing water supplies. Each planning group then identifies water needs (shortages) and recommends WMSs and WMSPs to address those needs. The categories of water use planned for include municipal, manufacturing, mining, irrigation, livestock, and steam-electric power generation. Data developed through the planning process for water user groups are broken-down geographically by region, county, and river basin.

Texas statute (Texas Water Code §16.053), the TWDB’s regional water regional water planning rules (31 TAC §357) and the TWDB’s contract guidance (General Guidelines for Regional Water Plan Development, Exhibit C) identify items that RWPGs must consider and include in the RWP), including the level of public notice and participation during plan development.

RWPGs are not regulatory entities and the information and policy recommendations presented in RWPs are not enforceable by the RWPGs.

### **4.1 Public participation**

As of September 1, 2017, the Texas Water Code §16.053(h) stipulates each RWPG and any committee or subcommittee of the group are subject to the Open Meetings Act and Public Information Act. In addition to meeting the public notice requirements of the Open Meetings Act, RWPGs must follow public notice requirements outlined in the TWDB’s regional water planning rules. Requirements vary depending on the activity or action to be taken and public input is solicited throughout the five-year planning cycle. A link to the TWDB’s public notification quick reference guide is included in Section 5. A few notable public input opportunities that every RWPG must adhere to include the following:

- Hold a preplanning public meeting to receive suggestions and recommendations from the public regarding issues that should be addressed in the next regional or SWP. This meeting must occur near the beginning of each cycle and prior to technical work commencing.
- Present to the public the process for identifying potentially feasible WMS. The process will be documented and address any public input on the process.
- Hold a public hearing and receive written comments on the initially prepared plan (IPP).

## 4.2 General regional water planning considerations

The TWDB's rules specify that RWPGs must consider existing local, regional, and state water planning efforts when developing the RWP. Information and relevant local, regional, state and federal programs and goals that must be considered during plan development include the following:

1. Water conservation plans.
2. Drought management and drought contingency plans.
3. Information compiled by the TWDB from water loss audits performed by retail public utilities.
4. Publicly available plans for major agricultural, municipal, manufacturing and commercial water users.
5. Local and regional water management plans.
6. Water availability requirements promulgated by a county commissioners court in accordance with Texas Water Code §35.019 (relating to Priority Groundwater Management Areas).
7. The Texas Clean Rivers Program.
8. The U.S. Clean Water Act.
9. Water management plans.
10. Other planning goals including, but not limited to, regionalization of water and wastewater services where appropriate.
11. Approved groundwater conservation district management plans and other plans submitted under Texas Water Code §16.054 (relating to Local Water Planning).
12. Approved groundwater regulatory plans.
13. Potential impacts on public health, safety, or welfare.
14. Any other information available from existing local or regional water planning studies.
15. Input from the public prior to and during the regional water planning process.

## 4.3 Regional water plan content and deliverables<sup>1</sup>

Currently, the fifth cycle of regional water planning consists of the following 12 tasks that are identified in the TWDB's regional water planning rules, guidelines, and contract SOW. Each of the task names below corresponds to a separate chapter in the RWP, except for task 12.

1. Description of the regional water planning area.
2. Projected population and water demands (quantification of projected population and water demand for all identified water user groups over a 50-year planning horizon).
3. Water supply analysis (evaluation and quantifications of existing water supplies and source availability).
4. Identification of water needs (comparison existing water supplies and projected water demands to identify water supply needs—*a need is a potential shortage where a water demand cannot be met with existing supplies*).
5. Identification and evaluation of potentially feasible WMSs and recommendation of WMSs and WMSPs.
6. Impacts of the RWP (evaluation of impacts of the regional water plan and description of how the plan is consistent with long-term protection of the state's water, agricultural, and natural resources).
7. Drought response information, activities, and recommendations.

---

<sup>1</sup> For full details, see 31 TAC §357-358 and the General Guidelines for Fifth Cycle of Regional Water Plan Development.



8. Recommendations regarding any regulatory, administrative, or legislative changes relevant to the regional water planning process; recommendations regarding unique stream segments and unique reservoir sites.
9. Infrastructure financing analysis (assessment of how sponsors of recommended WMSs propose to finance recommended WMSs and projects).
10. Public participation and plan adoption (adoption of the plan, ensuring the required level of public participation in this process, and submittal of the adopted plan to the TWDB for approval by the deadline disseminated by the TWDB).
11. Implementation and comparison to the previous RWP (status of implementation of the region's previously recommended WMSs and WMSPs and summary of how the RWP differs from the previously adopted RWP).
12. Prioritization of the recommended WMSPs.

Prior to adoption of the final RWP, the RWPGs must submit a draft plan, the IPP, concurrently to the TWDB and the public for review. There is a significant public comment period associated with the IPP, which includes 60 days for the public, 90 days for state and federal agencies, and 120 days for the TWDB. The RWPG must also hold a public hearing on the IPP. During the 120-day comment period, the TWDB thoroughly reviews the plans to ensure they meet statute, rule, and contract requirements. All comments received on the IPP are required to be addressed in the final RWP.

Within 60 days of submitting the IPP to the TWDB, RWPGs must also notify the TWDB and other affected RWPGs of potential interregional conflicts. Negotiated resolutions or TWDB resolutions regarding interregional conflicts shall be incorporated into the final RWPs.

In addition, submittal of both the IPP and the final RWP requires electronic deliverables including an electronic version of the RWP, electronic appendices, complete electronic data entered into DB22, and GIS data for WMS projects.

The complete list of prioritized recommended WMS projects will be submitted to the TWDB at the same time as the adopted RWP, but will be an independent deliverable under separate cover.

In addition to developing, adopting, and submitting a RWP to the TWDB, additional significant deliverables during the cycle include any revision requests to modify the draft population and water demand projections and a technical memorandum.

Draft population and water demand projections are initially developed by the TWDB, and are provided to the RWPGs for an opportunity to review and make revisions (with acceptable justification and documentation). Local input during the review process is important for improving the accuracy of the projections, which are the backbone of data in the planning process.

The technical memorandum is a midpoint deliverable which presents a preliminary analysis of population and water demand projections, water availability, existing water supply, and water needs. The technical memorandum will also include the documented process used by the RPWG to identify potentially feasible WMSs and a list of all potentially WMS identified by that point.

## 5 TWDB regional water planning resources

The TWDB provides a wide variety of online information relevant to the regional water planning process, such as a schedule of upcoming RWPG regular meetings, electronic copies of all 16 current and past RWPGs, SWPs, the Interactive 2017 SWP, statutes and rules governing the planning process, contract guidance documents and SOWs, and information sheets summarizing various TWDB programs. Below are links to some of these resources that would be beneficial for new RWPG voting and non-voting members to become familiar with:

- [New RWPG Member Page](#)
- [Regional Water Planning Educational Information](#)
- [Regional Water Planning FAQs](#)
- [Regional Water Planning Main Page](#)
- [RWPG Meeting Schedule](#)
- [Fifth Cycle Working Documents Page](#)
- [Approved 2016 Regional Water Plans](#)
- [2017 State Water Plan](#)
- [2016 Regional Water Plan Summaries](#)
- [Interactive State Water Plan](#)
- [Agency Program Information Sheets](#)
- [Useful Water Planning Links and Resources](#)
- [Water Planning Rules and Texas Statute Reference Pamphlet](#)
- [Regional Water Planning Public Notification Quick-Reference Document](#)
- [Water Supply & Infrastructure Staff Contact List](#)

Please feel free to ask your region's TWDB project manager for assistance navigating any of the resources provided above.

## 6 Terminology primer

To assist new RWPG members to get started, below are a few of the key terms frequently used in the regional water planning process. A more extensive definitions list can be found at the beginning of the regional water planning rules ([31 TAC §357.10](#)).

- **Availability** – The maximum amount of raw water that could be produced by a source during a repeat of the drought of record, regardless of whether the supply is physically connected to, or legally accessible by, water user groups.
- **Drought of Record (DOR)** – The period of time when historical records indicate that natural hydrological conditions would have provided the least amount of water supply.
- **Existing Supply** – The maximum amount of water that is physically and legally accessible from existing sources for immediate use by a water user group under a repeat of drought of record conditions.
- **Major Water Provider (MWP)** – A water user group or a wholesale water provider of particular significance to the region's water supply as determined by the regional water planning group. This may include public or private entities that provide water for any water use category.
- **Unmet Need** – The portion of an identified water need that is not met by recommended water management strategies.
- **Water Demand** – The volume of water required to carry out the anticipated domestic, public, and/or economic activities of a water user group during drought conditions.

- **Water Management Strategy (WMS)** – A plan to meet a need for additional water by a discrete water user group, which can mean increasing the total water supply or maximizing an existing supply, including through reducing demands. A WMS may or may not require an associated WMSP(s) to be implemented.
- **Water Management Strategy Project (WMSP)** – A water project that has a non-zero capital cost and that when implemented, would develop, deliver, and/or treat additional water supply volumes, or conserve water for water user groups or wholesale water providers. One WMSP may be associated with multiple WMSs.
- **Water Need** – A potential water supply shortage based on the difference between projected water demands and existing water supplies.
- **Water User Group (WUG)** – Identified user or group of users for which water demands and existing water supplies have been identified and analyzed and plans developed to meet water needs.
- **Wholesale Water Provider (WWP)** – Any person or entity, including river authorities and irrigation districts, that delivers or sells water wholesale (treated or raw) to WUGs or other WWPs or that the RWPG expects or recommends to deliver or sell water wholesale to WUGs or other WWPs during the period covered by the plan. The RWPGs shall identify the WWPs within each region to be evaluated for plan development.