

**Minutes of the North East Texas Regional Water Planning Group  
June 29, 2022 – 10:00 A.M.**

The North East Texas Regional Water Planning Group (NETRWPG) – Region D met in an open meeting on Wednesday, June 29, 2022, at 10:00 A.M. The meeting was held at the Region 8 Education Service Center, 4845 US 271 N, Pittsburg, TX 75686. Notice of the meeting was legally posted.

Jim Thompson called the meeting to order at 10:03 A.M. and welcomed everyone. Introductions were made and a quorum was present. Eighteen members of the planning group were present in person or represented by a designated alternate.

The following voting members were present:

John Brooks	Joe Bumgarner	Donnie Duffie	Nicolas Fierro
Richard Garza	Cindy Gwinn	Billy Henson	Richard LeTourneau
Janet McCoy	Fred Milton	Sharron Nabors	George Otstott
Bob Tardiff	Jim Thompson		

The following alternates were present:

Don Hightower	Bill Kirby	Kevin Chumley	Newman Browning
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The following voting members were absent:

Russell Acker	Allen Beeler	Brandon Belcher	Joe Coats
Andy Endsley	Conrad King	Rolin McPhee	Ned Muse
Lloyd Parker	Harlton Taylor		

The public was provided an opportunity for comment prior to any action being taken by the planning group. There were no public comments at this time.

Kathleen Jackson, Texas Water Development Board Director, expressed gratitude for the time, talent and effort of those involved in Region D planning that leads to the State Water Plan. When the Texas Legislature reorganized the TWDB after the drought of 2011, \$2 Billion was committed from the Rainy-Day Fund and put in the State Water Implementation Fund of Texas. This was to motivate movement in large regional projects to create water supply to ensure Texans have water in times of drought as well as plan for those that want to move to Texas. Since the inception of the SWIFT fund, \$9 billion dollars has been committed to projects across the state creating over 1-million-acre feet of new water supply for Texas. These include the integrated pipeline project in Dallas, Bois d' Arc Lake is the first major reservoir to be built in Texas in 30 years, the Luce Bayou connection project in Houston that is meeting 25% of the State's population needs in the Houston area. This project is taking water from the Trinity River and moving it to Lake Houston and then building a new water plant to process that water. Texas receives federal funding through the State Revolving Fund. This fund provides low interest financing or grant money to upgrade aging infrastructure, build new water plants and complete wastewater projects. Please have your officials reach out if you know of a community in need of a State Revolving Fund project. A new role that the Texas State Legislature has given to TWDB is that of creating

the first ever State Flood Plan. There are 15 regional flood planning groups structured similarly to the Regional Water Planning Groups. The goal is to have the statewide flood plan complete by 2024. TWDB has provided \$400 Million to the groups to begin the flood planning process and the total in funding should reach \$800 Million. Additional funding will be put into the flood infrastructure fund to continue to assist in flood mitigation. The requirement has been made clear that we can not continue to do things as they were done in the past. We can't wait for a flood to happen before we get prepared. Flood planning needs to be more forward-looking as regional water planning groups have been. About half of the funding was for base level engineering. This provides better maps based on LIDAR which is the use of light detection and ranging technology. This measures the shape of the bowl, hydrology, which is how much water goes into the bowl and how the water moves once it is inside the bowl. This sophisticated mapping helps not only with flood planning, but also mitigation. There is still work to be done but, Texas is making great strides in water planning and flood planning. Ms. Jackson thanked everyone for their efforts and leadership.

Sharron Nabors made a motion to approve the minutes from the April 13, 2022 meeting. John Brooks seconded the motion. Motion carried, all voting aye.

Ron Ellis with Texas Water Development Board (TWDB) provided an update from TWDB. The draft Water User Group (WUG) is set to be approved at this meeting. It is historical data and it a list of the water users in the region. It is based on the final WUGs used last planning cycle plus additions, mergers, and some name changes. Tony Smith will present the list today. July 29, 2022 is the deadline for this group to request changes and return it back to TWDB. This list will be used for municipal projections for this planning cycle. Contract amendments are on the agenda for the July 7, 2022 board meeting. The contract amendments will include the anticipated full project cost, full scope and update contract guidance. The Interregional Planning Council (IPC) will be appointed at the July 7<sup>th</sup> meeting as well. Once that is done, meetings will be scheduled for the IPC to begin their work. On April 11, 2022 the TWDB adopted amendments to the planning rules in chapters 357 & 358. These proposed rules were published on December 31, 2021 in the Texas register. There was a public comment period until January 31, 2022. The public comments received regarding Chapter 357 caused TWDB to pull back 2 of the proposed revisions. There were no changes to Chapter 358 as a result of public comments made. The TWDB board item with the approved detailed changes are available on this site:

<https://www.twdb.texas.gov/board/2022/04/Board/Brd04.pdf>. For more information, please visit the TWDB website and navigate to 6<sup>th</sup> planning cycle page. The new webpage can be found here:

<https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/index.asp> This page will be updated throughout the cycle with important documents, the working schedule, task organization, newsletters, as well as contract and administrative documents. The email address for the broadcast communications for the planning group is [regionalwaterplanning@twdb.texas.gov](mailto:regionalwaterplanning@twdb.texas.gov).

There were no updates from GMA #8 or #11 nor from Region C or Region I.

Kyle Dooley provided information on the process of certification of administrative expenses. Per the regional water planning rules, there is a requirement that, during a public meeting,

there is a certification that administrative costs are eligible for reimbursement and that they are correct and necessary. Once the certification is acted on, reimbursement requests can be submitted as part of the overall pay requests to TWDB. This item would be a consideration of that needed certification. At this point, any administrative costs that Riverbend incurs has not been able to have been submitted as part of an overall pay request until this certification occurs. A certification can be done at every meeting as needed or the board can make a decision to make a broad certification that would allow Riverbend to move forward with pay requests as administrative invoices are received. Ron Ellis, TWDB, provided that this has not been done historically due to contract managers and administrators not being aware that this rule existed. These are administrative expenses paid by Riverbend to administer the meetings and consultants for Region D, make copies or send notices, and, occasionally salaries or partial salaries for Riverbend employees that complete the administrative tasks for Riverbend. There is a third option to certify expenses annually as well. The contract amount is just over \$200,000. Within that, the administrative costs total approximately \$5,000. All expenses are being tracked and if any costs put the contract over the \$5,000 expectation, Mr. Dooley will let the board know. Jim Thompson recommends approving expenses annually possibly during the summer meeting. If the board discovers that they need to be reviewed more or less often, they can vote on that as well. Sharron Nabors made a motion to certify the administrative expenses annually. Fred Milton seconded the motion. Motion carried, all voting aye.

Tony Smith, Carollo Engineering, working with Stan Hayes with Hayes Engineering, provided information on their work during the 2026 water planning process. He provided a quick snapshot of all the 2026 plan schedule. We are just over halfway through second year of the five-year planning cycle. Through May, they are approximately 7% into the budget allotted for planning. He discussed the draft municipal WUG list, a summary of draft historical municipal population data, historical water use and per capita usage. Contract amendments are coming up close to July or August. Thus far, the information gathered has been related to non-municipal WUG data and the municipal data is coming down the line. He provided that the way Municipal WUGs were defined has changed. It used to be defined as the city boundary and during the last planning cycle it changed to include everything within the utility boundary. Municipal WUGs identification criteria include retail public utilities, owned by a political subdivision providing more than 100 acre-feet per year (AFY) of water for municipal use; privately-owned utilities that request inclusion as an individual WUG, provide more than 100 AFY for municipal use for each owned water system, and are approved for inclusion as an individual WUG by the Regional Water Planning Group (RWPG); water systems of state or federal-owned facilities that request inclusion as an individual WUG, provide more than 100 AFY for municipal use, and are approved for inclusion as an individual QUG by the RWPG; and collective reporting units (CRU) or groups of retail public utilities that have a common association and are requested by the RWPG. In planning, no water provider is left behind. There is also a group called "County-Other" that catches all groups that do not fit in the specific definitions mentioned previously. There are 178 Municipal WUG's within Region D that is included in this water planning cycle. The Texas Water Development Board provides the current WUG list for review. He presented the list of WUGs that the board is obligated to evaluate and identify any revisions, additions or changes that need to be made. Mr. Smith also presented the future Region D Population numbers. Carollo and TWDB reached a number within 5% of the actual census

numbers meaning that comparison of census estimates and interpolated population projection from 2021 Region D Plan suggestion regional population projections are reasonable. These numbers will be reviewed to determine which WUGs or Counties are over-projected or under-projected. When Carollo receives the draft numbers from TWDB, Carollo will bring them to Region D to delve into to discuss and finalize those numbers. Water Demand is projected by multiplying the baseline GPCD by the projected population numbers. Region D has decided that the drought of 2011 is the current baseline. The 2026 water plan baseline GPCD may be different now that there is more information available. The action needed today is approval to submit 6 proposed revisions to the Draft WUG List to TWDB. These revisions include 3 name revisions to new WUGs and 3 name revisions to existing WUGs. Fred Milton made a motion to approve the proposed revisions to the WUG list. Sharron Nabors seconded the motion. Motion carried, all voting aye.

Kyle Dooley provided a financial report from the Administrator. There is one invoice from Carollo Engineers for services for the month of April 2022. As discussed, the contract amount sits at \$200,691 total. The balance remaining is \$189,188.04 and this invoice presented for approval is for the amount of \$3,048.07. Richard LeTourneau made a motion to approve the payment of that invoice. Richard Garza seconded the motion. Motion carried, all voting aye.

Mr. Dooley provided information on putting out notice for the expiring terms for 2022. The notice will go up today or tomorrow on the Riverbend website. The deadline for nominations is July 31, 2022. The Executive Committee will review nominations at the next board meeting and make recommendations to the full board during the regular meeting.

The next Region D meeting will be in late September or early October.

The public was provided a second opportunity for comment. David Nabors asked a question of Kathleen Jackson or Ron Ellis from TWDB regarding purchasing land that may or may not be inundated by the possibility of Marvin Nichols Reservoir. Ron Ellis provided that regional water planning strategies and processing as well as TWDB rules and laws are not related to real estate law. Jim Thompson suggests that Mr. Nabors contact a real estate lawyer.

With no further business to discuss, Jim Thompson adjourned the meeting at 11:08 a.m.

  
Secretary \_\_\_\_\_ Date 10/19/2022