

NOTICE OF OPEN MEETING

REGION D WATER PLANNING GROUP-NETRWPG

Wednesday, April 9, 2025 – 10:00 A.M.

**Region 8 Education Service Center
4845 US 271 N
Pittsburg, TX 75686**

In compliance with the Texas Open Meetings Act, Chapter 551, of the Texas Government Code, the Regional Water Planning Group D issues this public notice. On April 9, 2025, at 10:00 A.M., the North East Texas Regional Water Planning Group (NETRWPG) will meet in-person. The meeting will be held at the Region 8 Education Service Center, 4845 US 271 N, Pittsburg, TX 75686. The NETRWPG will consider and act on the following items:

1. Recognitions. Roll call.
2. Public Comment/participation.
3. Review and approval of minutes for the February 19, 2025 meeting.
4. Reports from liaisons: TWDB Planner; GMA #8 & #11; Region C & I.
5. Discussion and Action as appropriate: Consider possible action identifying a potential interregional conflict with the recently submitted Initially Prepared Plans.
6. Financial report by Administrator. Approval of invoices of consultant.
7. Further public comment/participation.
8. Adjourn.

Additional information may be obtained from the Administrative Agency for NETRWPG: Riverbend Water Resources District, 228 Texas Avenue, Suite A, New Boston, Texas 75570; Office Telephone: (903) 831-0091; Office Fax: (903) 831-0096; E-mail: kyledooley@rwr.org; Website: <https://rwr.org/region-d/>; Attn: Kyle Dooley, P.E., Executive Director

**MEETING OF THE
North East Texas Regional Water Planning Group
WEDNESDAY, April 9, 2025**

**Agenda Item 3
February 19, 2025
Meeting Minutes**

**Minutes of the North East Texas Regional Water Planning Group
February 19, 2025 – 10:00 A.M.**

The North East Texas Regional Water Planning Group (NETRWPG) – Region D met in an open meeting on Wednesday, February 19, 2025, at 10:00a.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.

Item 1 – Jim Thompson called the meeting to order at 10:00a.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 Region D voting members were present:

Brandon Belcher	John Brooks	Greg Carter	Kevin Chumbley
Joe Coats	Andy Endsley	Richard Garza	Hattie Hackler
Robert Hurst	Conrad King	Richard LeTourneau	Howdy Lisenbee
Janet McCoy	Fred Milton	Ned Muse	Harlton Taylor
Jim Thompson			

The following alternates were present:

Joel Murray

The following voting members were absent:

Russell Acker	David Aikin	Joe Bumgarner	Nicolas Fierro
Cindy Gwinn	Billy Henson	Sharron Nabors	

Item 2 – The public was provided an opportunity to provide comments Each person listed below appeared in their individual capacity unless otherwise noted. The comments emphasized the need for sustainable water management, criticizing the construction of new reservoirs like Marvin Nichols due to environmental and economic impacts.

Gary Cheatwood, Sr.

Gary Cheatwood, Jr.

Item 3 – Fred Milton made a motion to approve the minutes from the November 13, 2024 meeting. John Brooks seconded the motion. Motion carried unanimously, all voting aye.

Item 4 – Jim Thompson opened the discussion regarding election of the Executive Committee and appointments of liaisons to adjacent regional water planning groups and groundwater management areas for the North East Texas Regional Water Planning Group. The current executive committee consists of Jim Thompson as the Chair, Richard LeTourneau is the Vice Chair, Cindy Gwinn as the secretary-treasurer, John Brooks and Joe Bumgarner serve as the At-Large members. John McFarland serves as the liaison to region I and GMC 8 and GMC 11. Howdy Lisenbee serves as the liaison to Region C. A motion was made by Janet McCoy to reappoint the officers and liaisons as they are currently installed. Motion carried unanimously, all voting aye.

Item 5 – There were no reports from the Texas Water Development Board, Region C, GMA 8 or GMA 11.

Item 6 – Tony Smith, Carollo Engineers, outlined the budget status, indicating that planning efforts have gone through roughly 50% of the budget and is on track to meet goals. Mr. Smith detailed the process that has led to the development of the draft Initially Prepared Plan that will be submitted to TWDB by March 3, 2025. He explained the strategies for addressing water needs, emphasizing conservation and water loss management as the first priorities. He highlighted the importance of considering environmental and socio-economic impacts in the planning process as well. Mr. Smith also covered the newly implemented feasible and infeasible water strategies and what questions to ask those with water management strategies where they are in the planning process. Mr. Smith also covered the IPP and Final Regional Water Plan timeline. Once the planning group approves and submits the IPP to TWDB, Riverbend will post the IPP hearing notice at county clerks' offices as well as libraries in the region 30 days prior to the hearing. The TWDB will then review and provide formal comments to the planning group within 120 days. Meanwhile, Riverbend will hold the public hearing where oral and written comments will be accepted. There will then be a 60-day public comment period following the public hearing. The planning group will consider and address all comments and adopt the final Regional Water Plan to be submitted to the TWDB by October 20, 2025. Ned muse made a motion to approve the Technical Consultant to coordinate with the Chair and the Administrator and submit the 2026 Region D Initially Prepared Plan and accompanying digital deliverables, as necessarily modified for final submittal to the Texas Water Development Board by March 3, 2025, and to distribute digital and/or physical copies of the submitted Initially Prepared Plan to all required libraries and county clerk offices in the Region. Greg Carter seconded the motion. Motion carried unanimously all voting aye.

Item 7 – Tony Smith, Carollo Engineers, presented a chart outlining the schedule of required meetings and hearing regarding the Initially Prepared Plan and the Final Regional Water Plan. The IPP is due March 3, 2025. There will need to be an IPP public comment period 30 days prior to and 60 days following a public hearing to be held in April or May of 2025. The planning group will then review comments and make revisions to the plan between July and August of 2025. In September or October of 2025, the Planning Group will hold a meeting to formally approve the Final Regional Water Plan prior to October 20, 2025 when the final plan is due to TWDB. He asked for action from the planning group to approve the scheduling of the public hearing to receive comments on the 2026 Region D Initially Prepared Plan and further authorizes Riverbend to publish the 30-day notice of the public hearing. Kyle Dooley presented options for the dates and times for the public hearing. Fred Milton made a motion to hold the public hearing regarding comments on the IPP at 10:00a.m. at the Region 8 Education Service Center on a date in mid-May to be determined as is available. The motion was seconded by Ned Muse. Motion carried unanimously all voting aye.

A discussion opened regarding the need for coordination and timely identification of potential interregional conflicts. Discussion points included the importance of proactive coordination with neighboring regions and the use of the state water planning database. The process for identifying and resolving conflicts involves written submissions, negotiations, and potential public hearings. Jim Thompson highlighted the deadline for asserting conflicts, suggesting a possible additional

meeting. Kyle Dooley stated he will look into dates available for a meeting to take action on the possibility of asserting an interregional conflict and he will send an email to the board.

Item 8 – Kyle Dooley presented invoices from Carollo Engineers for payment approval. The invoices are for services provided between June 2024 and December 2024 totaling \$129,914.29. Fred Milton made a motion to pay the outstanding invoices. Greg Carter seconded the motion. Motion carried unanimously all voting aye.

Item 9 – The public was provided an opportunity to provide comments. Each person listed below appeared in their individual capacity unless otherwise noted. Christin Bentley is the State Republican Executive Committeewoman (SREC) for Senate District One. She has served in her role as the SREC for over two and a half years now, and she has discovered that most people in our senate district do not know what the Marvin Nichols reservoir is. She commended the Region D board’s dedication to standing up for personal sovereignty and opposing eminent domain when alternatives exist as well as their efforts to involve more people and encourage participation in meetings. That is crucial for building a strong community response. She offered her business card containing her contact information to anyone that would need assistance with anything in Senate District One.

Item 10 – With no additional business to be discussed the chair, Jim Thompson, adjourned the meeting at 11:48a.m.

Secretary

Date

**MEETING OF THE
North East Texas Regional Water Planning Group
WEDNESDAY, April 9, 2025**

**Agenda Item 4
Reports from Liaisons**

**MEETING OF THE
North East Texas Regional Water Planning Group
WEDNESDAY, April 9, 2025**

**Agenda Item 5
Potential Interregional Conflict Discussion**

Regional Water Planning in Texas: Interregional Conflict

What is an interregional conflict?

An interregional conflict exists when

- more than one regional water plan (RWP) includes the same source of water supply for identified and quantified recommended water management strategies (WMS) and there is insufficient water available to implement such WMSs; or
- in the instance of a recommended WMS proposed to be supplied from a different regional water planning area, the regional water planning group (RWPG) with the location of the strategy has studied the impacts of the recommended WMS on its economic, agricultural, and natural resources and demonstrated to the Texas Water Development Board (TWDB) Board members (Board) that there is a potential for a substantial adverse effect on the region as a result of those impacts.

What coordination should be undertaken prior to identification of a potential interregional conflict?

During the development of their Initially Prepared Plan (IPP)—draft plan—all RWPGs are encouraged by the TWDB to coordinate with neighboring regions and to proactively identify and work cooperatively to avoid potential interregional conflicts.

The TWDB’s state water planning database, which contains data from the RWPs, will be a key tool in identifying potential conflicts associated with over-allocations of sources. The TWDB may use this database and information submitted by RWPGs on their methodologies to analyze water availability to identify areas that may warrant additional interregional coordination. If such areas are identified by the TWDB, certain RWPGs may specifically be asked by the TWDB to share information on technical approaches and data development with neighboring regions prior to submitting their IPP to the TWDB.

This sharing of information may be in the form of formal or informal coordination between the RWPG technical consultants, joint RWPG subcommittee meetings, or joint RWPG meetings, for example.

TWDB staff will conduct final water source over-allocation analyses as part of the agency’s review of IPPs and final RWPs and notify RWPGs.

Additionally, RWPGs are encouraged to include tabulated quantified information associated with evaluations of feasible (including recommended) WMSs in one place within the RWP to aid RWPG members, other RWPGs, the public, and TWDB staff in understanding and reviewing RWPs.

How does an RWPG identify a potential interregional conflict?

Within 60 days of the submission of IPPs to the TWDB’s Executive Administrator (EA), the RWPGs shall submit in writing to the EA and the other affected RWPG the identification of potential interregional conflicts. The RWPG identifying the potential conflict must provide the following information:

- Identification of the specific recommended WMS from another RWPG’s IPP.
- A statement of why the RWPG considers there to be an interregional conflict.
- Any other information available to the RWPG that is relevant to the Board’s decision.

The RWPGs shall seek to resolve conflicts with other RWPGs and shall promptly and actively participate in any TWDB sponsored efforts to resolve interregional conflicts.

What process does the TWDB follow when a potential interregional conflict has been identified?

Upon receiving an assertion of an interregional conflict, the EA will review the materials submitted

by the RWPG and take a recommendation on the potential conflict to the Board.

If the Board determines that an interregional conflict exists, the EA may use the following process to commence resolution of the conflict:

- Notify the affected RWPGs of the nature of the interregional conflict.
- Request affected RWPGs to appoint a representative or representatives authorized to negotiate on behalf of the RWPG and notify the EA in writing of the appointment.
- Request affected RWPGs' assistance in resolving the conflict.
- Negotiate resolutions of conflicts with RWPGs as determined by the EA.

If negotiated resolutions are successful and confirmed by the RWPG Chairs or designated representatives, the EA will take the negotiated resolution to the Board for their considered approval to resolve the conflict.

In the event the negotiation is unsuccessful, the EA may take the following steps:

- Determine a proposed recommendation for resolution of the conflict.
- Provide notice of intent to hold a public hearing on proposed recommendations for resolution of the conflict.
- Hold a public hearing on the proposed recommendation for resolution of the conflict.
- Make a recommendation to the Board for resolution of the conflict.

The Board shall consider the EA's recommendation and any written statements by a designated representative for each affected RWPG and determine the resolution of the conflict. The Board's decision is final and not appealable. The EA shall notify affected RWPGs of the Board's decision and shall direct changes to the affected RWPGs.

What steps must an RWPG take following a Board decision on conflict resolution?

In accordance with Texas Water Code § 16.053(h)(6) and direction from the TWDB, each RWPG involved will be required to prepare revisions to their respective plans and hold, after notice, at least one public hearing at a central location readily accessible to the public within their respective regional water planning areas.

The RWPGs shall consider all public and Board comments; prepare, revise, and adopt their respective plans; and submit their plans to the Board for approval and inclusion in the state water plan.

What if an interregional conflict cannot be resolved before regional water plans are finalized?

In the event that the Board has not resolved an interregional conflict early enough to allow an involved RWPG to modify and adopt its final RWP by the statutory deadline, all RWPGs involved in the conflict shall proceed with adoption of their RWP by excluding the relevant recommended WMS and all language relevant to the conflict.

Each RWPG involved must also add language to the RWP explaining the unresolved interregional conflict and acknowledging that the RWPG may be required to revise or amend its RWP in accordance with a negotiated or Board resolution of an interregional conflict.

Additional Resources

31 Texas Administrative Code, Regional Water Planning Rules, §357.10 (16), §357.50 (d), (e), and (f) (4), and §357.62:

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

Texas Water Code, §16.053 (h) (5), (6), and (7) (A):
<https://statutes.capitol.texas.gov/Docs/WA/htm/WA.16.htm#16.053>

For additional information, please call 512-936-2387 or visit

www.twdb.texas.gov/waterplanning/rwp/index.asp.

**MEETING OF THE
North East Texas Regional Water Planning Group
WEDNESDAY, April 9, 2025**

**Agenda Item 6
Financial Report**

March 24, 2025

Mr. Kyle Dooley, P.E.
Executive Director/CEO
228 Texas Ave., Suite A
New Boston, TX 75570

RE: February 2025 Invoice – 2026 Region D Water Planning
(TWDB Contract No. 2148302556 / Carollo # 200343)

Dear Mr. Dooley:

Please find the attached invoice for services performed from December 1, 2024, through February 28 2025, under the above referenced contract. The Carollo Team has been working on the following items for the 2026 Region D Regional Water Plan:

Task No.	Task Description	Current Progress	Future Progress	Problems Encountered/Resolution
1	Planning Area Description	Finalization of IPP documentation.	Finalization for Final Plan.	None.
4B	Identification of Infeasible Water Management Strategies	Finalization of IPP documentation.	Finalization for Final Plan.	None.
4C	Technical Memorandum	Finalization of IPP documentation.	Finalization for Final Plan.	None.
5B	Evaluation and Recommendation of Water Management Strategies and Projects	Finalization of IPP documentation.	Continued engagement and analyses, revisions of individual plan writeups.	None.
8	Recommendations Regarding Unique Stream Segments and/or Reservoir Sites and Legislative & Regional Policy Issues	Finalization of IPP documentation.	Finalization for Final Plan.	None.
9	Implementation and Comparison to Previous Regional Water Plan	Continued comparisons of demands, supplies, needs, and strategies.	Finalization for Final Plan.	None.
10	Public Participation and Plan Adoption	Preparation and participation in RWPG meeting, internal project coordination, and engagement.	Continued engagement, documentation, and preparation of Final Plan materials.	None.

Should you have any questions regarding this matter, please don't hesitate to contact me.

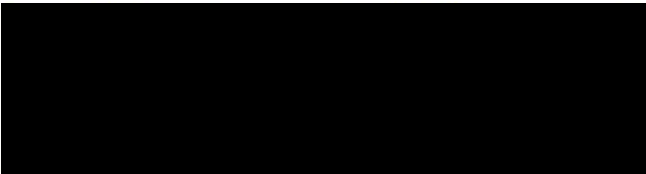
Sincerely,

Carollo Engineers, Inc.



Tony L. Smith, P.E.
Project Manager

TLS;
Enclosures



Attn: Mr. Kyle Dooley, P.E., Executive Director/CEO
 228 Texas Ave., Suite A
 New Boston, TX 75570

March 24, 2025
 Project No.: 200343
 Invoice No.: FB63669

Regional Water Plan for the North East Texas Regional Water Planning Group (Region D RWPG)
 Total Contract: \$1,160,954

Professional Services from January 1, 2025 to February 28, 2025

Task 1	000010	Planning Area Description		
Professional Personnel				
		Hours	Rate	Amount
Project Professional	Smith, Tony	3.0	86.05	258.17
	Totals	3.00		258.17
		Fringe	258.17	387.25
		Overhead	387.25	767.28
	Total Labor			767.28
Additional Fees				
	Profit			69.71
	Total Additional Fees			69.71
Billing Limits				
		Current	Prior	To Date
Total Billings		836.99	13,060.46	13,897.45
Limit				15,684.00
Remaining				1,786.55
Task Total				\$ 836.99

Task 4B	00004B	Identification of Infeasible Water Management Strategies in the previously adopted 2021 Regional Water Plan		
Professional Personnel				
		Hours	Rate	Amount
Project Professional	Smith, Tony	6.0	86.05	516.34
	Totals	6.0		516.34
		Fringe	516.34	774.51
		Overhead	774.51	1,534.57
	Total Labor			1,534.57
Additional Fees				
	Profit			139.43
	Total Additional Fees			139.43
Billing Limits				
		Current	Prior	To Date
Total Billings		1,674.00	14,742.46	16,416.46
Limit				16,866.00
Remaining				449.54
Task Total				\$ 1,674.00

Task 4C		00004C		Technical Memorandum		
Professional Personnel						
			Hours	Rate	Amount	
Project Professional	Stovall, Jeff		8.0	86.05	688.46	
	Totals		8.0		688.46	
				Fringe	688.46	1,032.68
				Overhead	1,032.68	2,046.09
	Total Labor					2,046.09
Additional Fees						
Profit					185.90	
	Total Additional Fees				185.90	185.90
Billing Limits						
		Current	Prior	To Date		
Total Billings		2,231.99	19,564.45	21,796.44		
Limit				22,216.00		
Remaining				419.56		
Task Total						\$ 2,231.99

Task 5B		00005B		Evaluation and Recommendation of Water Management Strategies and Projects		
Professional Personnel						
			Hours	Rate	Amount	
Project Professional	Smith, Tony		96.5	86.05	8,304.59	
	Jackson, Jennifer		21.0	86.05	1,807.22	
Professional	Pinckney, Michael		90.0	73.72	6,634.79	
Technicians	Jadhav, Riya		198.0	45.96	9,099.94	
	Brucker, Carli		3.0	45.96	137.88	
	Gates, Rebekah		31.5	45.96	1,447.71	
Document Processing/Clerical	Thompson, Chris		33.5	39.48	1,322.64	
	Ward, Angela		2.5	39.48	98.70	
	Totals		476.0		28,853.47	
				Fringe	28,853.47	43,279.87
				Overhead	43,279.87	85,751.84
	Total Labor					85,751.84
Additional Fees						
Profit					7,791.15	
	Total Additional Fees				7,791.15	7,791.15
Billing Limits						
		Current	Prior	To Date		
Total Billings		93,542.99	35,090.46	128,633.45		
Limit				156,720.00		
Remaining				28,086.55		
Task Total						\$ 93,542.99

Task 8		000080		Recommendations Regarding Unique Stream Segments and/or Reservoir Sites and Legislative & Regional Policy Issues		
Professional Personnel						
			Hours	Rate	Amount	
Project Professional	Smith, Tony		8.0	86.05	688.46	
	Totals		8.0		688.46	
				Fringe	688.46	1,032.68
				Overhead	1,032.68	2,046.09
	Total Labor					2,046.09

Additional Fees

Profit				185.90	
	Total Additional Fees			185.90	185.90

Billing Limits

Total Billings	Current	Prior	To Date	
Limit	2,231.99	9,710.98	11,942.97	
Remaining			12,158.00	
			215.03	

Task Total **\$ 2,231.99**

Task 9 000090 Implementation and Comparison to the
Professional Personnel Previous Regional Water Plan

	Hours	Rate	Amount	
Project Professional				
Smith, Tony	1.5	86.05	129.08	
Totals	1.5		129.08	
		Fringe	129.08	193.62
		Overhead	193.62	383.63
Total Labor				383.63

Additional Fees

Profit				34.86
Travel - Company Vehicle	<u>Quantity</u>	<u>Rate</u>		
Total Additional Fees				34.86
				34.86

Billing Limits

Total Billings	Current	Prior	To Date	
Limit	418.49	1,255.49	1,673.98	
Remaining			4,109.00	
			2,435.02	

Task Total **\$ 418.49**

Task 10 000100 Public Participation and Plan Adoption

Professional Personnel

	Hours	Rate	Amount	
Project Professional				
Smith, Tony	8.0	86.05	688.46	
Professional				
Pinckney, Michael	20.0	73.72	1,474.40	
Document Processing/Clerical				
Woody, Shoshana	4.5	39.48	177.67	
Ward, Angela	2.0	39.48	78.96	
Hughes, Tanya	13.5	39.48	533.00	
McPhail, Sara	6.5	39.48	256.63	
Cherardi, Barbara	4.5	39.48	177.67	
Butler, Katy	3.5	39.48	138.19	
Totals	62.5		3,524.98	
		Fringe	3,524.98	5,287.43
		Overhead	5,287.43	10,476.16
Total Labor				10,476.16

Additional Fees

Profit				951.83
Travel - Company Vehicle	<u>Quantity</u>	<u>Rate</u>		
Total Additional Fees				951.83
				951.83

Billing Limits

Total Billings	Current	Prior	To Date	
Limit	11,427.99	127,985.45	139,413.44	
Remaining			150,531.00	
			11,117.56	

Task Total **\$ 11,427.99**

Project Total **\$ 112,364.44**

Project 200343.0S 2026 Region D - SUBS

Subconsultant Total \$ -

Billing Limits	Current	Prior	To-Date
Total Billings	0.00	139,061.59	139,061.59
Limit			495,135.00
Remaining			356,073.41

Project Total \$ **112,364.44**

Retainage

Current Retainage	5,618.22 (5% of 112,364.44)	- \$5618.22
Prior Retainage	29,370.96	
Retainage To-Date	34,989.18	

Please Pay This Amount \$ 106,746.22

Budget Category Breakdown

Salaries & Wages	34,658.96
Fringe	17,329.08
Overhead	51,017.62
Profit	9,358.78
Travel	0.00
Other Expenses	0.00
Subcontractor Services	0.00
Total	112,364.44
Retainage	- \$5618.22
Total	106,746.22

Project Summary

Contract Amount	1,160,954.00
Less Current Invoice	106,746.22
Less Total Retainage to Date	34,989.18
Less Prior Amount Invoiced	558,048.18
Balance Remaining	461,170.42

Remit To: P.O. Box 30835 | Salt Lake City, UT 84130-0835 | United States
Phone: 1-800-523-5822

Outstanding Invoices

Number	Date	Balance	Retainage	Now Due
FB58954	12/11/2024	35,015.08	1,842.90	35,015.08
FB60053	12/23/2024	27,992.65	1,473.30	27,992.65
FB61544	1/17/2025	60,410.84	3,179.52	60,410.84

Total **123,418.57** **6,495.72** **123,418.57**

For any questions regarding this invoice please contact us at ClientInvoicing@carollo.com.