

REGION H

Water Planning Group

MEETING MATERIALS

May 4, 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
May 4, 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 February 2, 2022 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. Review Region H committee assignments for development of the 2026 Region H Regional Water Plan (RWP).
6. Special Items and Informational Presentations
 - a. Receive presentation from Consultant Team regarding the proposed application by the City of Baytown to amend the 2021 Region H RWP and consider approving the submittal of the application package to TWDB for the determination of minor amendment status.
7. Plan Development and Administration
 - a. Discuss and consider taking action to adopt proposed amendments to the Region H bylaws.
 - b. Discuss and consider taking action to authorize the San Jacinto River Authority to negotiate and execute an amendment to the TWDB contract to incorporate the full scope of work and total project cost for the 2026 RWP.
 - c. Receive update from Consultant Team and Non-Population Demands Committee regarding 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 (WUG) data for the 2026 Region H RWP.
 - e. Consider taking action authorizing the Consultant Team and Population Demands Committee to develop and transmit recommendations to the Texas Water Development Board regarding WUG identification and data.
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: August 3, 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 February 2, 2022 meeting.

**REGION H WATER PLANNING GROUP
MINUTES OF REGULAR MEETING
FEBRUARY 2, 2022**

MEMBERS PRESENT:

Gary Ashmore, David Bailey, WR Baker, John Bartos, Brad Brunett, Jun Chang, Caleb Cooper, Mark Evans, Bob Hebert, Jace Houston, Robert Istre, Byron Ryder, Michael Turco, Brandon Wade, and Kevin Ward.

ALTERNATES:

Tom Michel for Bill Teer and Veronica Osegueda for Yvonne Forrest.

MEMBERS ABSENT:

James Comin, Carl Burch, Glenn Lord, Marvin Marcell, James Morrison, and Ivan Langford.

NON-VOTING MEMBERS:

Lann Bookout

CONSULTANT TEAM:

Philip Taucer, Jason Afinowicz, and Courtney Corso

1. CALL TO ORDER

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

2. INTRODUCTIONS

There were no introductions.

3. REVIEW AND APPROVE MINUTES OF NOVEMBER 3, 2021 MEETING

Mr. Chang made a motion to approve the minutes of November 3, 2021. The motion was seconded by Mr. Bartos and carried unanimously with one correction to amend the name Mr. Hollingsworth related to item 8.

4. RECEIVE PUBLIC COMMENTS ON SPECIFIC ISSUES RELATED TO AGENDA ITEMS 5 THROUGH 8

There were no public comments.

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**

Mr. Chang, Chair of Nominating Committee (Gary Ashmore, David Bailey, Mark Evans, Glenn Lord, and Michael Turco) explained that the committee met on January 18, 2022, to recommend individuals to fill the various vacancies within the Planning Group. Following are the nominations:

Danny Pearce representing Agriculture (Alternate-Toni Bruner); Loyd Smith representing Counties; and Ken Kramer representing General Public.

The Committee also nominated Yvonne Forrest to serve on the Executive Committee as a member representing Municipalities. Mr. Ward made a motion to approve the slate of individuals as presented. The motion was seconded by Mr. Wade and carried unanimously.

- b. Discuss and elect officers and members of the Executive Committee of the RHWPG**

Mr. Evans explained that currently, there is a vacancy on the Executive Committee due to Mr. Pudge Willcox's resignation. Mr. Evans named the members of the Executive Committee: Mark Evans (Chair), John Bartos, Jace Houston, and Marvin Marcell. Mr. Chang made a motion to elect Mark Evans as Chair, Marvin Marcell as Vice President, Jace Houston as Secretary, John Bartos, and Yvonne Forrest as committee members. The motion was seconded by Mr. Turco and carried unanimously.

- c. Review RHWPG bylaws and discuss potential revisions**

Mr. Taucer explained that the beginning of a new cycle is a good time to review the Region H Water Planning Group's Bylaws. He stated that various state laws have changed. Mr. Houston and Mr. Bartos volunteered to review the various changes and present and discuss any necessary revisions to the Bylaws.

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**

Mr. Taucer explained that during the COVID-19 pandemic, the Governor's proclamations created an avenue for agencies to meet remotely while maintaining transparency, allowing for public input, and continued outreach. He stated that the Region H Water Planning Group went above and beyond to ensure public transparency and participation. Further,

Mr. Taucer stated that many agencies have ratified all formal actions taken during the pandemic as a precaution to avoid risk from challenges, validity, etc. (See attached Exhibit “A” for specific actions). Mr. Wade moved approval to ratify all formal actions taken by the Region H Water Planning Group during meetings held remotely due to the COVID-19 pandemic. The motion was seconded by Mr. Turco and carried with all present voting aye.

7. PLAN DEVELOPMENT AND ADMINISTRATION

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

Mr. Taucer provided an update of the various revisions to the State Water Planning Guidance Principles and Regional Water Planning rules which can be found on the Texas Water Development Board’s website.

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

Mr. Taucer explained that certain designated political subdivision expenses are now eligible for funding such as administrative expenses. Discussion ensued related to the continued use of the local contribution fund for various administrative expenses. It was suggested no action be taken at this time however, it could be considered at a later date, if necessary.

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

Mr. Taucer explained that the Texas Water Development Board recently release the draft projection along with methodology information relative to livestock, manufacturing, and steam electric power. He provided a high-level overview of comparing methodologies used in the last cycle and this cycle. Mr. Taucer stated that the Texas Water Development Board allows the planning groups, throughout the cycle, the flexibility to adjust the projections through data-based information.

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

Mr. Taucer stated that the information is not currently available, however he explained that the Texas Water Development Board will provide a draft list of the Water User Groups along with data on historical water use, connection counts, and recent population per capita. Further, Mr. Taucer stated that the planning groups would have the opportunity to request

changes to the list. He stated that once the list is available, the Population Demands Committee will meet to review and discuss.

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

Mr. Taucer explained the Texas Water Development Board and the Interregional Planning Council's recommendations related to the Interregional Coordination process. Discuss and document the process, identify cross-regional sources, determine which strategies may create coordination opportunities, standing agenda item for liaisons, coordination memoranda by consultant team, and formal meeting(s) of interregional representatives were a few that Mr. Taucer mentioned. Discussion ensued. Mr. Houston made a motion to receive updates from interregional planning council liaison on an as-needed basis. The motion was seconded by Mr. Bartos and carried unanimously.

8. GENERAL UPDATES AND OUTREACH

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

Mr. Taucer provided an overview related to the schedule and milestones for the development of the 2026 Region H Regional Water Plan by providing dates of scheduled events/tasks.

b. Receive update from liaisons to other groups

Mr. Wade thanked Mr. Taucer for providing information to Region 8 related to allocation of reservoirs, etc.

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

Mr. Taucer expressed that the consultant team is willing to provide presentations to interests groups, etc.

d. Agency communications and general information

Mr. Bookout suggested that an agenda item be considered at the next Region H meeting to authorize the San Jacinto River Authority to amend the contract by including additional scope and fees, a requirement of the Texas Water Development Board.

9. RECEIVE PUBLIC COMMENTS

There were no public comments.

10. NEXT MEETING

It was announced that the next meeting of the Region H Water Planning Group will take place on May 4, 2022.

11. ADJOURN

The meeting was adjourned at 11:46 a.m.

Agenda Item 5a

Review Region H committee assignments for development of the 2026 Region H Regional Water Plan (RWP).

Agenda Item 5a Committee Assignments



Executive

- John Bartos
- Mark Evans (chair)
- Yvonne Forrest
- Jace Houston
- Marvin Marcell



Nominating

- Gary Ashmore
- David Bailey
- Jun Chang (chair)
- Glenn Lord
- Mike Turco

Agenda Item 5a Committee Assignments



Non-Population Demand

- W.R. Baker
- Carl Burch
- James Comin
- Robert Istre
- Glenn Lord



Population Demand

- Robert Istre
- Ivan Langford
- Marvin Marcell (chair)
- Byron Ryder
- Mike Turco

Agenda Item 5a Committee Assignments



Groundwater Supply

- Gary Ashmore
- David Bailey
- Yvonne Forrest
- Ivan Langford
- Mike Turco (chair)



Surface Water Supply

- Brad Brunett
- Jun Chang
- Yvonne Forrest
- Jace Houston (chair)
- Brandon Wade
- Kevin Ward

Agenda Item 5a Committee Assignments



Water Management Strategies

- John Bartos
- Brad Brunett
- Jun Chang
- Yvonne Forrest
- Bob Hebert
- Jace Houston
- Ken Kramer
- Ivan Langford
- Glenn Lord
- Mike Turco
- Brandon Wade
- Kevin Ward



Agenda Item 6a

Receive presentation from Consultant Team regarding the proposed application by the City of Baytown to amend the 2021 Region H RWP and consider approving the submittal of the application package to TWDB for the determination of minor amendment status.

Agenda Item 6a Proposed RWP Amendment

- Proposed by City of Baytown
 - Reflect current capacities
 - Inclusion of anticipated expansion
 - Consistency for potential funding

- Treatment infrastructure

- Anticipated amendment approach:
 - Roll back existing allocations
 - Return through WMS and project(s)



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Agenda Item 6a Proposed RWP Amendment

- Executive Summary

- Chapter 3 – Analysis of Current Supplies
 - Appendix DB

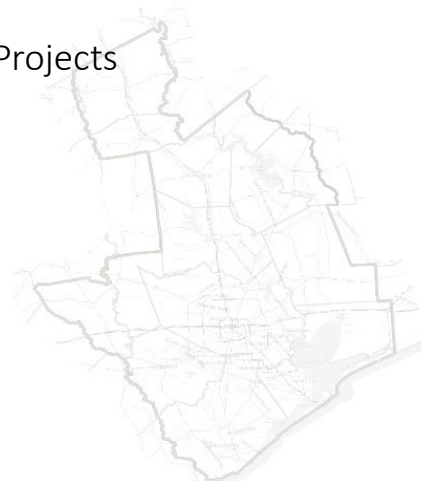
- Chapter 4 – Analysis of Needs
 - All chapter tables and figures
 - Appendix 4-A: MWP Need Summaries
 - Appendix DB



Agenda Item 6a

Proposed RWP Amendment

- Chapter 5 – Water Management Strategies
 - Revisions to text
 - Table 5-3: Region H Potentially Feasible WMS and Projects
 - Table 5-4: WMS and Key Project Relationships
 - Table 5-5: Key Project Overview
 - Figure 5-2: Region H Capital and Annual Costs
 - Appendix 5-A: Water Management Strategy Tables
 - Appendix 5-B: Project Technical Memoranda
 - Appendix DB



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Agenda Item 6a

Proposed RWP Amendment

- Chapter 6 – Impacts of the RWP
 - Revisions to text
 - Table 6-1: Key Recommended WMS and Projects
 - Appendix 6-B: Impacts to Resources
- Chapter 9 – Financing
 - Revisions to text
 - All tables and figures
 - Appendix 9-A: Tabulated Survey Results



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Agenda Item 6a Proposed RWP Amendment

- Chapter 11 – Implementation and Comparison
 - Revisions to text
 - WMS figures and tables
 - Appendix 11-A: Implementation Report
- DB22 data entry

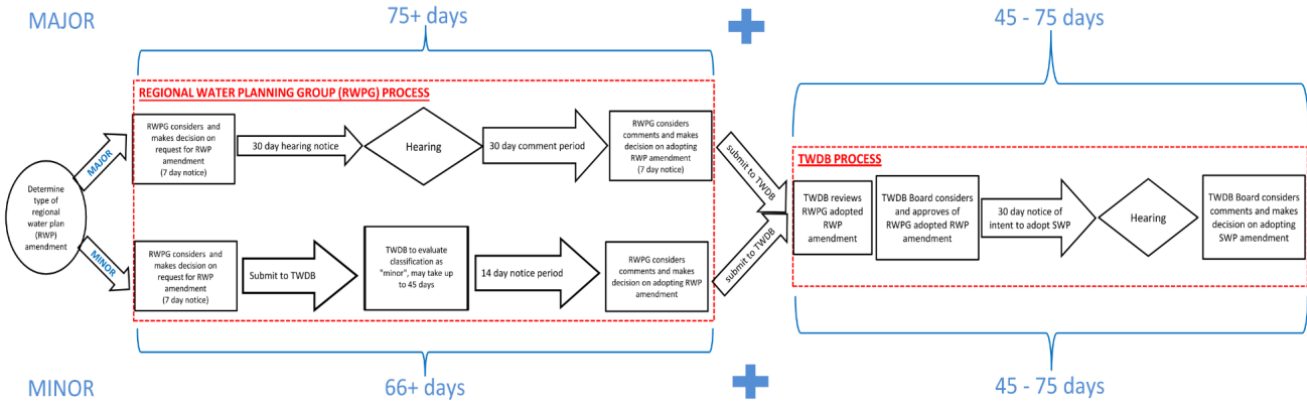
The screenshot shows the 'Regional Water Plan Data Entry' application interface. At the top, it features the 'Texas Water Development Board' logo and navigation links for 'Home', 'Logout', 'Agency Policies', and 'Contact Webmaster'. Below this is a secondary navigation bar with tabs for 'Home', 'User Access', 'Sources', 'Entities', 'WMS', 'Data Checks', 'Reports', and 'Help'. The main content area includes a 'Home Page for Regional Water Planning' section with a welcome message and instructions for using the application to update and maintain regional and state water planning data for the 2022 and subsequent planning cycles. It also provides information on the default planning cycle and how to update user access or download data. A 'Planning Cycle' dropdown menu is visible, currently set to '2022'. The footer of the page reads 'Freese and Nichols, Inc. | INTERA Inc.'

Agenda Item 6a Proposed RWP Amendment

1. RWPG considers concept for referral to TWDB
2. TWDB determines minor or major amendment status
3. Public process
4. RWPG considers approval of amendment
5. TWDB considers approval of amendment

Agenda Item 6a Proposed RWP Amendment

Texas Water Development Board State Water Plan (SWP) Amendment Process Timeline



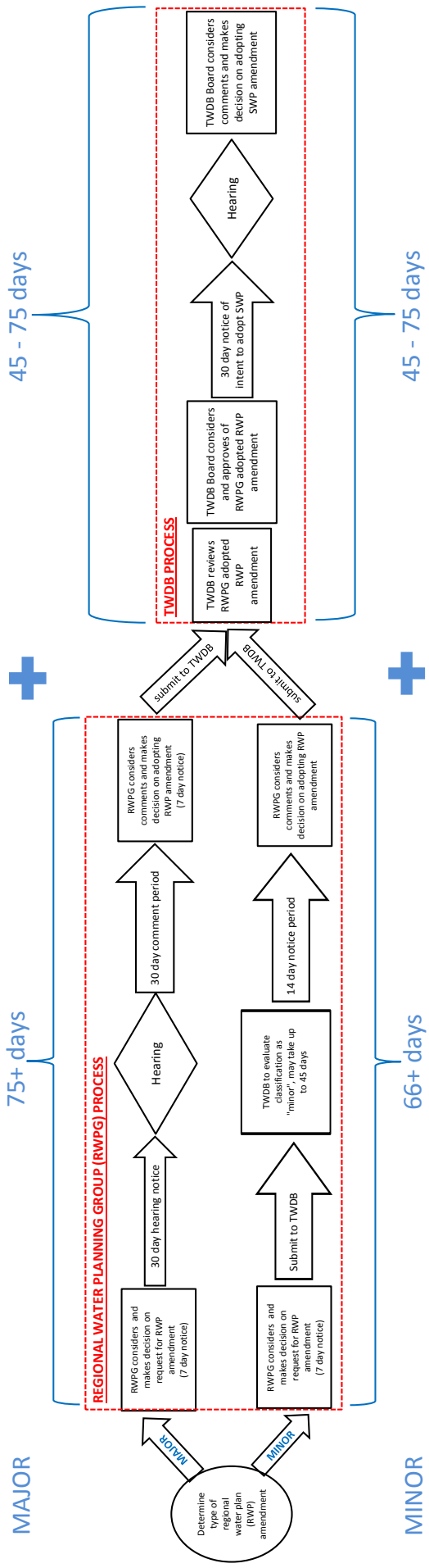
Agenda Item 6a Proposed RWP Amendment

Action:

Approve the submittal of the application package to TWDB for the determination of minor amendment status.



Texas Water Development Board State Water Plan (SWP) Amendment Process Timeline



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.

Updated 12/21

¹⁶ 31 TAC §357.60 (b)(5).

Agenda Item 7a

Discuss and consider taking action to adopt proposed amendments to the Region H bylaws.

Agenda Item 7a Bylaws



- Touched on in February
- Proposed minor revisions
 - Statute references
 - Notification length
 - RWP posting
 - Alternates
- Other suggestions?



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Agenda Item 7a Bylaws

Action:

Approve amendments to Region H bylaws.



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REGION H

Water Planning Group



Bylaws

Originally adopted – May 1998

Amended – October 2007

Amended – February 2017

[Amended – May 2022](#)

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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 44~~ and 7 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. 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 §357.11\(e\)\(2\)-\(e\)\(3\)](#), and from the Texas Department of Agriculture and State Soil and Water Conservation Board ~~31 TAC §357.4(g)(1)-(g)(3)~~ as set forth in [31 TAC §357.11\(e\)\(5\)-\(e\)\(6\)](#) 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 §357.11\(e\)\(4\)](#)~~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 §357.11\(e\)\(4\)](#)~~31 TAC §357.4(g)(4)~~ member, the Nominating Committee shall solicit nominations for persons to serve as a [31 TAC](#)

~~§357.11(e)(4)~~~~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 §357.11(e)(4)~~~~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 §357.11(e)(4)~~~~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 §357.11(e)(4)~~ ~~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 §357.11(g)-(h)~~ ~~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. 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~~may 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. 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. 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. 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~~seven 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~~seven 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 ~~TAC §357.12~~ 31 TAC §357.2131.

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-seven~~ 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 The approved regional water plan shall be posted to the Region H WPG website to facilitate public access. ~~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. Requirements and procedures for committee meetings shall follow those established in Article IX of these bylaws, including requirements for notice. Committees 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 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 §357.1131](#) ~~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 7b

Discuss and consider taking action to authorize the San Jacinto River Authority to negotiate and execute an amendment to the TWDB contract to incorporate the full scope of work and total project cost for the 2026 RWP.

Agenda Item 7b Contract Amendment

- Initial phase executed
- TWDB working on amendments
- Remaining scope and funding
- Anticipated this summer
- RWPG authorization required

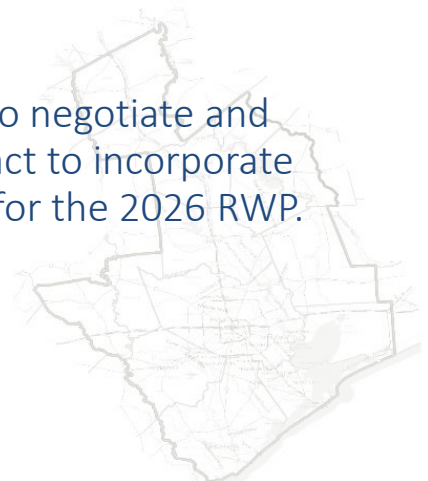


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Agenda Item 7b Contract Amendment

Action:

Authorize the San Jacinto River Authority to negotiate and execute an amendment to the TWDB contract to incorporate the full scope of work and total project cost for the 2026 RWP.



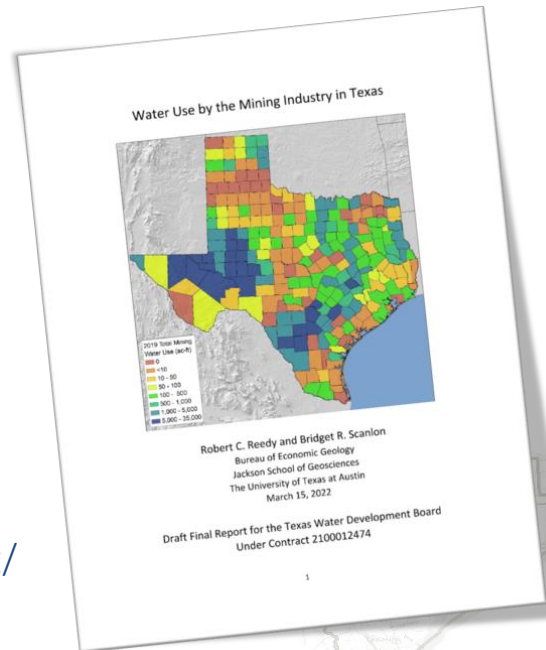
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Agenda Item 7c

Receive update 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

- New BEG study for TWDB
- Fresh look at mining demands
- DRAFT report
 - Final report anticipated in June
 - TWDB draft projections in August
- <https://www.twdb.texas.gov/waterplanning/data/projections/MiningStudy/index.asp>



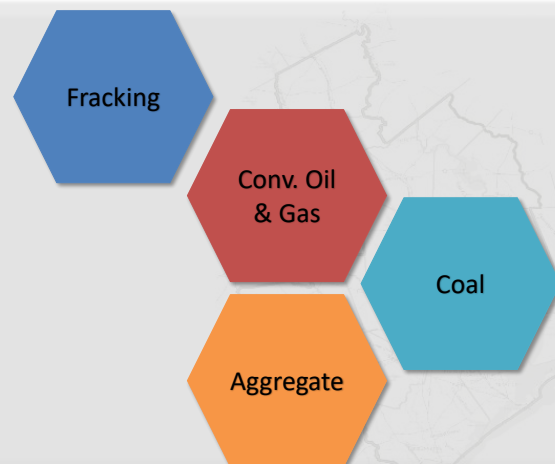
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Agenda Item 7c Non-Municipal Water Demand

Methodology

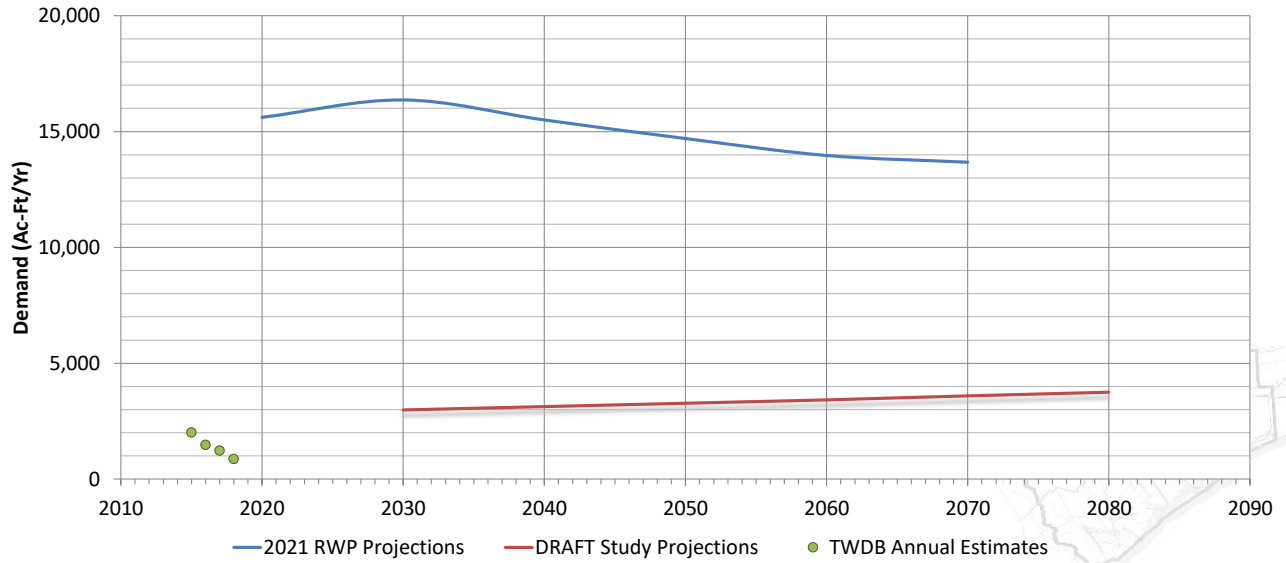
- Historical use by mining type
- Demand locations and water sources
- Industry and agency data
- Projections by mining type

What's Included



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Agenda Item 7c Non-Municipal Water Demand



Agenda Item 7d

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

Agenda Item 7d Population Water Demand

What is a Municipal WUG?

Automatic	<ul style="list-style-type: none"> • Retail public utility providing over 100 ac-ft/yr • Owned by political subdivision
Private, State, or Federal	<ul style="list-style-type: none"> • Provides over 100 ac-ft/yr • Requested by the RWPG or the entity
Collective Reporting Unit	<ul style="list-style-type: none"> • Aggregations of related systems like Regional Water Authorities • Requested by the RWPG or the entity
County-Other	<ul style="list-style-type: none"> • Everyone else

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Agenda Item 7d Population Water Demand

New from County-Other

- Ames-Minglewood WSC
- Blaketree MUD 1
- BC MUDs 22, 39, 55
- CC Water Works
- City of Patton Village
- Conroe Resort Utilities
- EMC MUD 6
- FBC MUD 131
- Grand Oaks MUD
- HCMUDs 494, 504, 542
- HC WCID 161
- Keenan WSC
- MC MUDs 24, 105, 126, 127, 137, 139
- Nitsch and Son Utility
- NE Harris County MUD 1
- Raywood WSC
- Westfield Garden Park
- Willow Creek Farms MUD
- Windfern Forest UD
- Wood Trace MUD 1
- Woodland Oaks Utility
- Woodridge MUD

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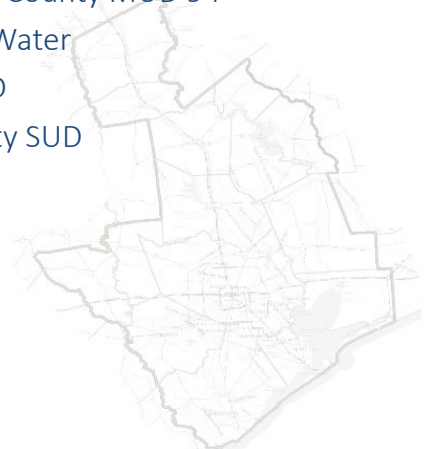
Agenda Item 7d Population Water Demand

Reassigning Old WUGs to

- Harris County MUD 261
- TDCJ Darrington Unit
- TDCJ Ferguson Unit
- Investor-Owned Utilities
- NHCRWA
- WHCRWA

Name Updates

- Montgomery County MUD 94
- Ranch Crest Water
- Riverside SUD
- Walker County SUD



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Agenda Item 7d Population Water Demand

- Preliminary review by RWPG consultant team and members
- So far, only minor items
- Preliminary recommendations
 - Roll non-member districts out of RWAs
 - Roll member districts into RWAs
 - Additional name updates



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Agenda Item 7e

Consider taking action authorizing the Consultant Team and Population Demands Committee to develop and transmit recommendations to the Texas Water Development Board regarding WUG identification and data.

Agenda Item 7e

WUG List Revisions

Action:

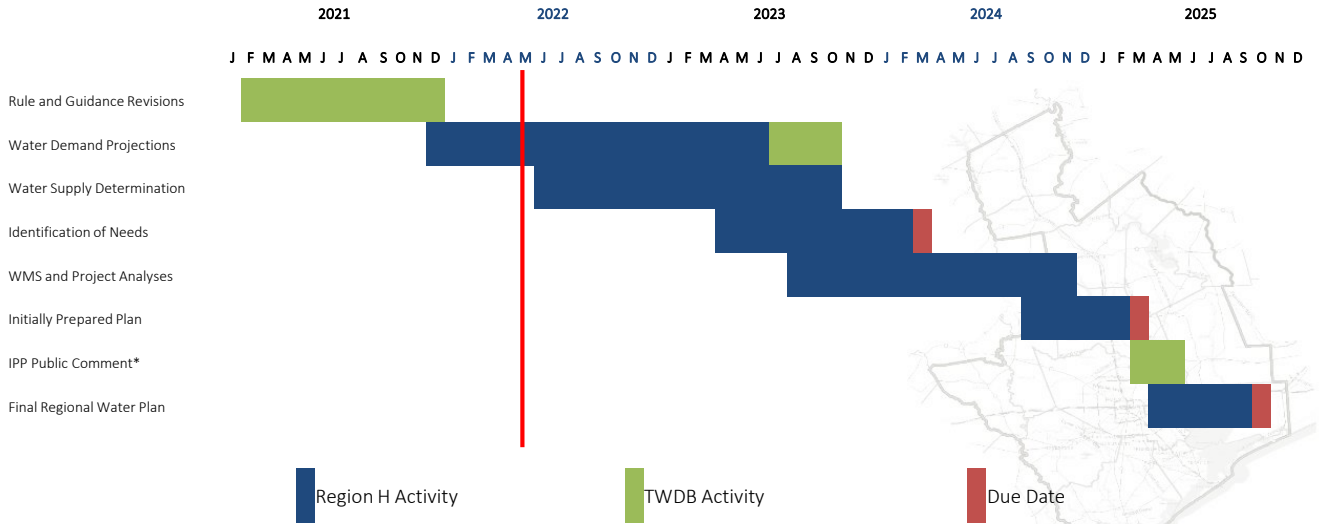
Authorize the Consultant Team and Population Demands Committee to develop and transmit recommendations to the Texas Water Development Board regarding WUG identification and data.



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
05/2022	RWPG Meeting
06/2022	Deadline for Municipal WUG historical data changes
08/2022	RWPG Meeting / 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

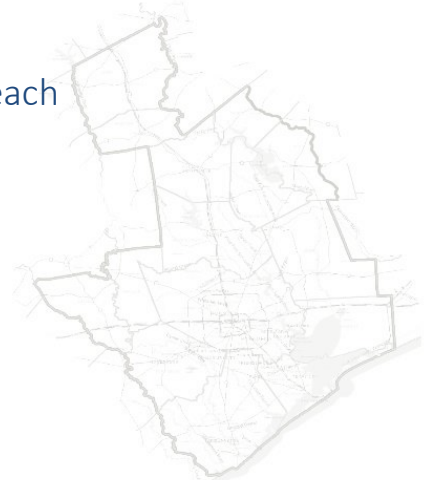
Agenda Item 8c

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

Agenda Item 8c

Community Outreach

- 04/13 – Harris-Galveston Subsidence District
“Texas Regional Water Planning: Background and Local Efforts ”
- Looking for additional opportunities for external outreach
- Technical outreach starting



Agenda Item 8d

Agency communications and general information.

Region H TWDB Update 5-4-22

1. Regional Water Planning Rulemaking

- April 11, 2022 TWDB Board adopted amendments to regional water planning rules (31 TAC Chapter 357) and state water planning rules (31 TAC Chapter 358).
- Proposed rules published December 31, 2021 in Texas Register; public comment period ended January 31, 2022.
- As a result of public comments, two rule revisions originally included in the rule proposal for Chapter 357 were not adopted (§357.34(j) and §357.42(j)). No changes were warranted to Chapter 358 as a result of public comments.
- Board item with detailed information available on the TWDB website: <https://www.twdb.texas.gov/board/2022/04/Board/Brd04.pdf>

Region H TWDB Update 5-4-22

2. Key Rule Changes

- Regional water planning rules (31 TAC Chapter 357)
 - New requirements added for RWPGs to discuss their process for conducting interregional coordination at the pre-planning public input meeting and summarize interregional coordination efforts in the Technical Memorandum, Initially Prepared Plan (IPP), and adopted Regional Water Plan (RWP). (§357.12(a)(1), §357.12(c)(8), §357.50(g)(1)(C))
 - Clarification provided that the Technical Memorandum include a statement if applicable, that no infeasible water management strategies (WMS) or water management strategy projects (WMSP) were identified by the RWPG. (§357.12(c)(7))
 - Requirement for RWPGs to perform an infrastructure financing analysis is removed, and total number of regional water plan chapters is reduced to 10 accordingly. (§357.44 [removed], §357.22(b))

Region H TWDB Update 5-4-22

2. Key Rule Changes (cont.)

- Requirement for RWPGs to prioritize recommended WMSPs and submit the prioritization with an adopted RWP is removed. (§357.46 [removed])
- Clarification provided that specific allowances for certain limited costs associated with delivery of water within a water user group service area after treatment are permissible for direct reuse and conservation WMSs. (§357.34(e)(3)(A))
- Several clarifications made to align the rules more closely with statute and remove nonstatutorily required reporting.
- Drought response information revised to align with statute, RWPGs required to identify drought response triggers and actions (§357.42(c))
- An allowance is made for minor amendments to include an increase in unmet needs or new unmet needs if the amendment is the result of removing infeasible WMSs or WMSPs. (§357.51(c)(2)(C))

Region H TWDB Update 5-4-22

2. Key Rule Changes (cont.)

- Clarification is provided that the EA will establish a deadline for RWPGs to submit amendments associated with infeasible WMSs that may be identified in the previously adopted RWP and that these amendments must include a summary of changes to unmet needs, if applicable. (§357.51(g))
- An allowance is made for RWPGs to adopt errata to a final RWP to correct minor errors identified after adoption of the final RWP but prior to adoption of the corresponding State Water Plan. (§357.51(i))
- State water planning rules (31 TAC Chapter 358)
 - Clarification is provided that RWPGs may, at the discretion of the RWPG, plan for drought conditions worse than the drought of record. (§358.3(2))
 - The term 'water management strategy projects' is added through the section to align the state water planning guidance principles terminology with regional water planning rules. (§358.3(8))

From: [RegionalWaterPlanning](#)
To: [RegionalWaterPlanning](#)
Cc: [OOP-WSP-RWP](#); [Katie Dahlberg](#); [Sarah Backhouse](#); [Temple McKinnon](#); [Matt Nelson](#)
Subject: Water User Group List and Historical Data Review
Date: Wednesday, March 16, 2022 11:38:32 AM
Attachments: [Draft2027WUGs.xlsx](#)
[WUG_HistoricalData_2026RWPs.xlsx](#)
[image001.png](#)

Good morning,

Prior to developing draft population and water demand projections for the 2026 Regional Water Plans (RWPs), a list of Water User Groups (WUGs) needs to be established. TWDB staff have drafted the WUG list (attached), including relationships to WUGs in the 2021 Regional Water Plans and current relationships to public water systems. WUGs are defined in the [Texas Administrative Code 31 TAC § 357.10\(43\)](#) and are being provided for your preview and potential revision, as appropriate.

Also included for review are the historical WUG-level population estimates, net use collected by public water system through the TWDB water use survey and aggregated to the WUG-level, and Gallons per Capita Daily (GPCD). Population for 2010 and 2020 was developed using utility boundaries and Census Blocks. Population for 2011-2019 was estimated using a variety of sources, including Census data, water use survey-reported connections, and growth rates. Historical GPCD is calculated as net use (gallons) divided by population divided by 365 days per year. The draft baseline GPCD utilizes the baseline GPCD from the 2021 RWPs minus accumulated plumbing code savings and will be used to draft municipal demand projections.

Points of interest:

- All utility-based WUGs were carried forward from the 2021 RWPs
- New WUGs were evaluated and added based on the utility use from 2015-2019 of 100 acre-feet per 31 TAC § 357.10(43)
- Utility-based WUGs from the 2021 RWPs were removed from the draft 2026 WUG list, if:
 - Utility merged with another WUG
 - The utility-based WUG no longer had an active, community public water system
- 2010 and 2020 WUG populations were developed using decennial Census data
- Draft baseline GPCDs were carried over from the 2021 RWPs and reduced by estimated, accumulated plumbing code savings since the year of the baseline GPCD in the last plan
- Statewide, draft baseline GPCDs are generally lower than the 2021 RWPs baseline GPCD
- GPCD of 60 is the lowest allowed baseline GPCD
- Utility boundaries are available to view within the dashboard itself

Please review the attached list of WUGs and submit revisions to the WUG list (e.g., merges, additions) via the region's consultant to TWDB by July 29, 2022 based on the WUG criteria listed in section 2.2.1.1 of TWDB's [Sixth Cycle of Regional Water Planning Documents \(Exhibit C\)](#). The final, approved set of WUGs will be used to develop population projections in the 2026 Regional Water Plans. You may also review historical population, net use, and GPCD data and let us know of any revisions to the historical data. Baseline GPCDs can also be revised during the municipal demand projections revisions process (February 2023 – August 2023).

The datasets are attached and available to view in a dashboard:

<https://www.twdb.texas.gov/waterplanning/data/projections/2027/municipal.asp>

Thank you,

Katie S. Dahlberg

Manager, [Projections & Socioeconomic Analysis](#)

Water Supply Planning, Office of Planning

[Texas Water Development Board](#)

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