

AGENDA

RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG) (REGION M) SPECIAL MEETING

10:00 A.M. WEDNESDAY, SEPTEMBER 16, 2020

LRGVDC MAIN CAMPUS
GOTOMEETING VIDEO CONFERENCE
INITIATED AND CHAIRED AT 301 W. RAILROAD ST., WESLACO, TEXAS

PRESIDING: SONNY HINOJOSA, VICE CHAIR

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1. Call to Order & Roll Call Chairman
 2. Consideration and **ACTION** to Approve July 1, 2020 Meeting Minutes Chairman
 3. Public Comment..... Chairman
 4. Presentation and Consider **ACTION** on Revised Water Management Strategies (WMS)Lauren Gonzalez
Black & Veatch
 5. New or Unfinished Business..... Chairman
 6. Adjourn

Next Meeting Date:
10:00 am Wednesday, October 7, 2020
via GoToMeeting

Agenda items may be considered, deliberated and/or acted upon in a different order than numbered above. The Board of Directors of the Rio Grande Regional Water Planning Group (RGRWPG) (Region M) reserves the right to adjourn into Executive (Closed) Session at any time during the course of this meeting to discuss any of the items listed on this agenda as authorized by the Texas Open Meetings Act. No final action will be taken in Executive Session.

PUBLIC INPUT POLICY

Public Input Policy: "At the beginning of each RGRWPG meeting, the RGRWPG will allow for an open public forum/comment period. This comment period shall not exceed one (1) hour in length, and each speaker will be allowed a maximum of three (3) minutes to speak. All individuals desiring to address the RGRWPG must be signed up to do so, prior to the open comment period. The purpose of this comment period is to provide the public an opportunity to address issues or topics that are under the jurisdiction of the RGRWPG as outlined within final implementation guidelines of Senate Bill 1, 75th Legislative Session (SB-1). For issues or topics which are not otherwise part of the posted agenda for the meeting, RGRWPG members may direct staff to investigate the issue or topic further. No action shall be taken on issues or topics which are not part of the posted agenda for the meeting. Members of the public may be recognized on posted agenda items deemed appropriate by the Chairman as these items are considered, and the same time limitation (3 minutes) applies".

MINUTES

MEETING OF THE RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG) (REGION M)

10:30 A.M. WEDNESDAY, JULY 1, 2020

LRGVDC MAIN CAMPUS
VIA GOTOMEETING VIDEO CONFERENCE AND
FOLLOWING SOCIAL DISTANCING MANDATES DUE TO THE COVID-19 PANDEMIC
INITIATED AND CHAIRED AT 301 W. RAILROAD STREET
PRESIDING: SONNY HINOJOSA, VICE CHAIR

- DRAFT -

1. Call to Order and Roll Call

Chairman Tomas Rodriguez was unable to chair this meeting due to health concerns but was able to attend a portion of the meeting online. Vice Chairman Sonny Hinojosa called the meeting to order at 10:30 a.m. and asked for roll to be called, upon conclusion of roll call it was determined that a quorum of the voting membership was present online.

The following voting members in attendance were:

Board Members

Tomas Rodriguez, Chairman
Sonny Hinojosa, Vice Chairman
Don McGhee, Secretary
Frank Schuster, Executive Committee
Glenn Jarvis
John Bruciak
Mayor Jim Darling
Carlos Garza
Dennis Goldsberry
Judge Joe Rathmell
Jaime Flores
Armando Vela
Riazul Mia
Dale Murden
Dr. Neal Wilkins
Jorge Flores
Commissioner David Fuentes
Tom McLemore

Category

Public
Water Districts
Industries
Other
Other
Municipalities
River Authorities
Small Business
Water Utility
Counties
Environmental
Groundwater Management Area
Municipalities
Agriculture
Agriculture
Municipalities
County
Water Districts

The following voting member was not in attendance:

Nick Benavides, Executive Committee

Small Business

2. Consideration and Action to Approve February 5, 2020 Meeting Minutes

Mayor Jim Darling made a motion to approve the minutes of the February 5, 2020 meeting as presented. Mr. Dale Murden seconded the motion, and upon a vote the motion carried unanimously.

3. Hear Public Comment

Due to technical issues public comments were heard later in the meeting.

4. Presentation on Lower Rio Grande Water Quality Initiative

Roger Miranda Ph.D., P.G., from the Texas Commission on Environmental Quality, (TCEQ) was recognized and provided a presentation titled “The Lower Rio Grande/Rio Bravo Water Quality Initiative (LRGWQI)”. The presentation covered water quality issues including bacteria and high salinity. This initiative includes a binational effort to restore and protect water quality in the Lower Rio Grande/Rio Bravo and will be conducted under the auspices of the International Boundary and Water Commission (IBWC). The objectives of the initiative are to address current and future water quality issues, evaluate management strategies for point sources, evaluate other mechanisms and strategies to improve water quality under steady-state conditions including salinity management, and to suggest implementation strategies.

5. Discussion and Action to Consider Petitions from Voting Members to Serve Additional Term

Vice Chairman Hinojosa informed the Group that the terms of the following members will expire on September 1, 2020: Mr. Glenn Jarvis, Mr. John Bruciak, Mr. Dennis Goldsberry and himself. All four voting members have indicated they would like to continue serving on Region M. As per the bylaws, a two-thirds vote of the voting members present is required for approval of a petition for additional terms. ***Mr. Tomas Rodriguez made a motion to approve petitions from Mr. Jarvis, Mr. Bruciak, Mr. Goldsberry, and Mr. Hinojosa to serve an additional 5-year term. Mr. Riazul Mia seconded the motion, and upon a vote the motion carried unanimously.***

6. Discussion and Consider Action on Status of Solicitation for Voting Member in Electric Generating Utilities Category

There are no nominations for this vacancy, and there is no new information to report.

7. Status Reports

A. Status on Current TWDB Contract Activities

Ms. Sara Eatman, Black & Veatch (B&V) was recognized and introduced her fellow B&V team members: Ms. Lauren Gonzalez, Mr. Junior Lagade, and Ms. Katie Snyder; this team will be filling in for Ms. Eatman while she is out on leave. She then began her presentation covering the following topics:

1. Review Comments Received to Date on Region M IPP and Request Guidance for Response on Select Comments

a. TWDB Draft and Final Comments

Ms. Eatman stated that TWDB provided draft comments for review on May 29 and B&V responded with clarification, follow up questions, and proposed resolutions. Final comments were provided to B&V on June 18. The comments received were mostly reporting requests of existing information and clarifications or corrections. She went over the comments and asked the Group to define “significant need” threshold for consideration of Aquifer Storage and Recovery (ASR). She recommended 10,000-acre feet or greater would be reasonable. Upon conclusion of discussion ***Mr. Dale Murden made a motion to recommend 10,000-acre feet or above as the threshold for ASR for municipal use. Mr. Glenn Jarvis seconded, and upon a vote the motion carried unanimously.***

b. Public and RWRPG Comments

Ms. Eatman summarized comments received and provided a comprehensive list of those in the meeting packet.

2. Infrastructure Financing Report Update

Ms. Eatman turned the floor over to Ms. Snyder to present this section. Ms. Snyder reported that the Infrastructure Financing Survey is used to gather information about how project sponsors anticipate funding water supply projects recommended in the 2021 RWP, including whether the sponsor intends to use financial assistance from the TWDB. The results of the survey were made available in the meeting packet. The deadline for responses is August 1, 2020.

3. Implementation Survey

Ms. Snyder reported that the Implementation Survey is used to gather information about how projects that were recommended in the 2016 RWP have progressed. It helps to understand what projects are being implemented and where there are impediments.

4. Project Prioritization

Ms. Eatman turned the floor over to Mr. Lagade to report on this section. He informed the Group that the Project Prioritization is the ranking of each recommended project within Region M by score which is based on project assessments and the Uniform Standards set forth by the Uniform Standards Stakeholder Committee. He then summarized the Uniform Standards. Examples of project prioritizations were included in the meeting packet and Ms. Eatman added that the prioritizations will be available for review at the next meeting. Because prioritization does not directly affect all parts of the RWP, it is submitted alongside of it, so changes can be made at the next meeting without difficulty.

5. Consider Addition of Non-MAG Gulf Coast Aquifer, Cameron & Willacy Counties

Ms. Eatman next reported that as the Group will remember, the groundwater availability provided by Groundwater Management Area 16 (GMA 16) changed significantly between the last planning cycle and this one. The GMAs are responsible for working with a technical consultant and the TWDB to identify how much pumping is currently happening and projected to happen in the future updating the groundwater model with that projection and establishing the Desired Future Conditions. The combination of that information provides us with the Modeled Available Groundwater. But one of the changes GMA 16 made is that they only presented Region M with the availability relevant to the official extent of the aquifer and not the full area that was modeled. This turned out to be helpful information because the pumping was included in the model. So, when we look at how the groundwater is behaving, there is already the assumption that there is pumping in most of the Non-District area of Cameron County, but it is not being presented as an availability within the MAG.

What B&V was able to do, with the help of their groundwater sub-consultant, is to look at the model and determine how much pumping was estimated for those areas outside of the model area and request that that amount of water be considered an additional source outside of the MAG process. In short, B&V has identified that the only pumping that GMA 16 provided was only representative of the western portion indicated in blue on the map provided in their presentation, and that they were able to develop a new source to use in this plan that encompasses available water in the red area of that map.

Ms. Eatman requested approval from the Group to include the pumping used in the model outside of the official extent of the aquifer as an additional source, "Non-MAG Gulf Coast Availability". ***Mayor Jim Darling made a motion to approve the use of the new source of pumping used in the model outside of the official extent of the aquifer in the 2021 RWP as requested. Mr. Dale Murden seconded and upon a vote the motion carried unanimously.***

6. Schedule for Completion of Regional Water Plan (RWP)

Ms. Eatman turned the floor over to Ms. Lauren Gonzalez who presented the 2021 RWP timeline from March 2020 through the deadline to submit the plan on October 14, 2020.

- a. Next Meeting(s)
B&V staff recommend scheduling the next meeting in September in order to make final adjustments prior to the October deadline.

3. Hear Public Comment

Due to the previously mentioned technical issues, public comments were heard at this time. Mr. Ray Prewitt was recognized and stated that his comment is regarding the connection between the irrigation district infrastructure and on-farm water conservation. Consideration has been given to improving the infrastructure of irrigation districts including canal linings and SCADA systems, but one specific thing he would like the Group to consider is to try to get an estimate of water savings by improving an irrigation district's ability to maintain a good and consistent head of water for the farms. He feels that on-farm conservation efforts in the Rio Grande Valley and a consistent head of water would help in terms of how farmers manage their water.

Upon conclusion of Public Comments, Chairman Hinojosa continued with Item 7. – Status Reports.

B. Financial Report

1. **Consideration and Action to Approve Budget & Expenditure Report – May 2020**

Ms. Debby Morales, LRGVDC, was recognized and reported that the current budget balance as of May 31, 2020 was \$5,679.26 from the annual budget of \$22,550.00, and there is an available cash balance of \$123,797.37. ***Mr. Dennis Goldsberry made a motion to approve the Budget & Expenditure Report as presented. Mr. Dale Murden seconded the motion, and upon a vote the motion carried unanimously.***

2. **Status Report on Request of Local Funds**

Ms. Morales reported that staff was preparing to send the request for local funds in early April, but due to the outbreak of the COVID-19 and the additional expenses municipalities incurred to cope with the pandemic, Chairman Rodriguez and staff recommended postponing this request until next year.

C. Status of Joint Groundwater Area Planning in GMA's 4, 5, 7, 13, & 16

Mr. Armando Vela was recognized and reported that the meeting GMA 16 had scheduled for June 23 has been postponed until July 28, and that there was no new information to report.

D. Status of No Charge Releases from the San Juan River

Vice Chairman Hinojosa reported that there is no new information to report.

E. Reports from Other Water Planning Groups

1. **Reports from Liaisons with Other Regions: Region J, Chairman Tomas Rodriguez; Region L, Don McGhee, and Region N, Commissioner David Fuentes**

There was no new information to report from other Water Planning Groups at this time.

- F. Report on Water Conservation Plans and Drought Management Plans Filed with Region
An updated list of plans that have been received was provided in the meeting packet.
- G. Report on Notices of Applications for Funding and Grants
A current list of notices was provided in the meeting packet.
- H. Report on Regional Water Resource Advisory Committee (RWRAC)
Mr. Derek Katznelson, LRGVDC, was recognized and reported on behalf of Commissioner David Fuentes, Chair of the RWRAC. Mr. Katznelson informed the Group that the TWDB has solicited nominations for members of the newly formed Regional Flood Planning Group 15; the RWRAC unanimously nominated Dr. Andrew Ernest, Research, Applied Technology, Education, and Services (RATES) for the Environmental Interest category for this group; this nomination was also unanimously approved by the LRGVDC Board of Directors. He also reported that the RWRAC supported the LRGVDC by completing the Flood Infrastructure Fund Abridged Application and Cameron County has also provided support for this project. And lastly, the RWRAC submitted a Regional Priority List Resolution to the LRGVDC Board of Directors that was unanimously approved. This resolution will be used as a "living document" to continue identifying regional projects to add to existing hazardous mitigation plans as an addendum. The Lower Rio Grande Valley has several jurisdictional hazard mitigation plans, and the identification of regional projects with the greatest mitigation impact would provide the region with additional competitive leverage for funding opportunities.

8. Reports from Federal and State Agencies

Mr. William Alfaro, TWDB Liaison was recognized to report on the following items:

- A. Status of TWDB Regional Flood Planning
Mr. Alfaro reported that on April 9, the TWDB designated 15 Flood Planning Regions as noted in the previous item, and on May 21 the final rules were adopted to implement the Regional and State Flood Planning process. The deadline for solicitations for planning group membership and potential political subdivision sponsors is July 2, 2020.
- B. TWDB
 - 1. **TWDB Agency Rulemaking Efforts**
Mr. Alfaro informed the Group that regarding Regional Water Planning, revisions to Chapter 357 that were adopted on June 4, 2020 by TWDB became effective on June 28. These revisions implement changes included in HB 807 and clarify other rules. This summer TWDB staff will update corresponding electronic rules pamphlets available on their website.
 - 2. **Final Plan Process**
Mr. Alfaro reported that TWDB has reviewed the Initially Prepared Plans (IPP) and provided comments to all planning regions. Comments were sent to the membership and Regional Water Planning Groups will need to consider all comments received. The Final Plan and Prioritization List are due by October 14, 2020 and the Implementation Survey and Infrastructure Financing Report will need to be completed by then.

Regarding the Sixth (6th) Cycle of Regional Water Planning, the first Request For Applications (RFA) will be issued in the spring of 2021. The Group will need to take action to designate the Political Subdivision and authorize submitting an application for funding.

3. Interregional Planning Council Status

Mr. Alfaro reported that several virtual meetings of the Interregional Planning Council were held over the past few months and a report to the TWDB is due by October 15. A webpage has been created for the Interregional Planning Council, twdb.texas.gov/waterplanning/rwp/ipc/index.asp where information on upcoming meetings, minutes, and video recordings is available.

C. IBWC

Commissioner Jayne Harkins was recognized and reported that Mexican Section Commissioner Roberto Salmon recently resigned, Dr. Humberto Marengo has been named. There is also a new Director General for North America for Mexico's Foreign Relations Department, Roberto Velasco.

Commissioner Harkins also reported that under Minute 234, the two sections of the IBWC can change the amount of water that is credited to the United States coming from Mexico; she stated that after some consultations with TCEQ changes have been approved. The changes were effective on May 28, and with these changes the United States will be credited with 100% of the water coming from the Conchos River, and the United States will receive 2/3 of the water contributed by the San Diego, the San Rodrigo, the Escondido, the Salado River, and the Arroyo de las Vacas. She also reported that water releases from Luis Leon increased, but because of farmer protests, those releases were reduced, but since the US is getting a little more to share, Mexico has delivered some water to the US, however, there is still a considerable amount of the debt remaining. The US IBWC is still working with Mexico on how this will be accomplished. Mexico has told the US IBWC that they need to make releases from the Boquilla Dam, and they are having meetings with local farmers again this week, which is what Commissioner Harkins heard back in December. However, she stated that staff has received written assurances from Mexico that they intend to meet the delivery by the end of this cycle, and Commissioner Harkins has received verbal commitments from both the Director General of North America and the new Mexican IBWC Commissioner. She announced that IBWC staff in both the US and Mexico plan to work on educational information regarding how the 1944 Treaty operates and how the water accounting is calculated to help alleviate erroneous assumptions.

Commissioner Harkins addressed the issue of El Morillo Drain and acknowledged that the Rio Grande's salinity levels have been high, over 1,000 parts per million, and recent rains have also increased salinity. She is concerned and is working with Mexico to get adequate capacity back into El Morillo Drain and make sure the pumps work. She stated that some work has been done, but not enough on the drain itself to allow it to take the flows. The IBWC will continue to monitor the El Morillo Drain situation and to keep pressing Mexico to make sure the water debt is paid during this cycle.

D. TCEQ Watermaster

Mr. Anthony Stambaugh was recognized and reported on the current storage in Amistad and Falcon Dams as of June 20, he also reported that water releases are based on demand and that Falcon Reservoir was currently releasing at 20 cubic meters and Anzalduas Dam at 10.1 cubic meters.

E. TPWD

No representative was present, and no report was provided.

9. Discussion, Consideration, and Action on Date for Next Business Meeting

It was the consensus of the Group to schedule the next business meeting on Wednesday, September 16, 2020 at 10:00 am. If social distancing mandates have not changed by this time, this meeting will again be virtually conducted online on the GoToMeeting platform.

10. New or Unfinished Business

There being no further business to come before the Group the meeting was adjourned at 12:41 p.m.

Sonny Hinojosa, Vice Chair

DRAFT

DRAFT - Appendix G: Texas Water Development Board Comments and Responses

This appendix provides the comments received from the Texas Water Development Board (TWDB) and the Rio Grand Regional Water Planning Group's (RGRWPG's) responses. Comments from the public and other federal/state agencies regarding the 2021 Region M IPP are compiled in Appendix H, along with the SCTRWPG's responses. An overview and summary of comments is included in Chapter 10 of the SCTRWP. The following provides a list of each comment and includes the SCTRWPG's response, including revisions made to the final plan to address the comment.

Level 1: Comments, questions, and data revisions that must be satisfactorily addressed in order to meet statutory, agency rule, and/or contract requirements.				TWDB Pre-Approval Status & Notes
No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	
1.a	Chapter 5 and DB22	<p>1. Chapter 5 and the State Water Planning Database (DB22). The plan includes the following recommended water management strategies (WMS) by WMS type, providing supply in 2020 (not including demand management): 10 groundwater wells & other, seven groundwater desalination, five direct potable reuse, three other direct reuse, one seawater desalination, five other surface water, and one other strategies. Strategy supply with an online decade of 2020 must be constructed and delivering water by January 5, 2023.</p> <p>1.a) Please confirm that all strategies shown as providing supply in 2020 are expected to be providing water supply by January 5, 2023. [31 § TAC 357.10(21); Contract Exhibit C, Section 5.2]</p>	<p>The Region M technical consultant, Black & Veatch, reached out to sponsors with projects beginning in 2020 to verify whether projects providing a supply in 2020 will be online by January 5, 2023. Based on responses received from sponsors, ## projects will have a revised implementation decade from 2020 to 2030, including the following WMSs/WMS projects: Project A, Project B, Project C... The RWP and DB22 have been updated to reflect revised decades for these WMS Projects.</p>	Approach will be sufficient
1.b	Chapter 5 and DB22	<p>1.b) Please provide the specific basis on which the planning group anticipates that it is feasible that the seven groundwater desalination, one seawater desalination, and five other surface water WMSs will all actually be online and providing water supply by January 5, 2023. For example, provide information on actions taken by sponsors and anticipated future project milestones that demonstrate sufficient progress toward implementation. [31 § TAC 357.10(21); Contract Exhibit C, Section 5.2]</p>	<p>The WMS will be reviewed to ensure that all are feasibly able to provide water by this date and revised as necessary.</p>	<p>This response will sufficient, if the specific basis for implementation are provided. B&V will ask RWPG's recommendation on projects providing supplya in 2020, specifically for sponsors that didn't respond with information on actions taken to demostrate sufficient progress.</p>

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
1.c	Chapter 5 and DB22	1.c) In the event that the resulting adjustment of the timing of WMSs in the plan results in an increase in near-term unmet water needs, please update the related portions of the plan and DB22 accordingly, and also indicate whether 'demand management' will be the WMS used in the event of drought to address such water supply shortfalls or if the plan will show these as simply 'unmet'. If municipal shortages are left 'unmet' and without a 'demand management' strategy to meet the shortage, please also ensure that adequate justification is included in accordance with 31 TAC § 357.50(j). [TWC § 16.051(a); 31 § TAC 357.50(j); [31 TAC § 357.34(i)(2); Contract Exhibit C, Section 5.2]	Depending on the results of the WMS review for feasible implementation decade, revisions will be made to the plan and DB22 accordingly.	
1.d	Senate Bill 1511	1.d) Please be advised that, in accordance with Senate Bill 1511, 85th Texas Legislature, the planning group will be expected to rely on its next planning cycle budget to amend its 2021 Regional Water Plan during development of the 2026 Regional Water Plan, if recommended WMSs or projects become infeasible, for example, do to timing of projects coming online. Infeasible WMSs include those WMSs where proposed sponsors have not taken an affirmative vote or other action to make expenditures necessary to construct or file applications for permits required in connection with implementation of the WMS on a schedule in order for the WMS to be completed by the time the WMS is needed to address drought in the plan. [Texas Water Code § 16.053(h)(10); 31 TAC § 357.12(b)]	The RGVWPG acknowledges this comment.	Notes: Infeasible WMSs determination - potentially assessed during existing supplies portion
2.	Chapter 1, Page 1-30, Table 1-7	2. Page 1-30, Table 1-7. Please clarify if 2010 water loss audit data was used for the data presented Table 1-7. If not, please update the table name. If so, please summarize water loss audit data provided during the current planning cycle in the final, adopted regional water plan. [31 TAC § 357.30(11)]	The noted year "2010" in title was incorrect, it is corrected to "2017".	Requires text
3.	Chapter 3, Section, 3.1.4, Page 3-20	3. Section 3.1.4, page 3-20. Please confirm whether the local surface water supplies listed in Table 3-5 are firm supplies that will be available under drought conditions in the final, adopted regional water plan. [31 TAC § 357.32(a); Contract Exhibit C, Section 3.7]	Surface water availabilities presented are firm supplies available under the drought of record conditions. Language will be added.	

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
4.	Chapter 3, Section 4.2.4, Page 3-30	4. Section 3.2.4, page 3-30. The plan references the GAM Run 17-027 MAG report as the citation for the non-MAG availability presented in Table 3-10. GAM Run 17-027 MAG does not report availability projections for the Yegua-Jackson aquifer. Please clarify the data source for these values as appropriate and document the information in the final, adopted regional water plan. [Contract Exhibit C, Section 3.5.2]	Language will be revised to indicate that the Yegua-Jackson aquifer availabilities are DFC compatible non-relevant availability estimates, generated in the GR17-027_MAG model run, as reported in the "NonRelevantGroundwaterDFCCompatibleWaterVolumes" workbook provided by TWDB dated 5/2/2018. (GR17-030_MAG is also listed in the non-relevant workbook for the Region M counties with Yegua-Jackson, but that model, from GMA12, does not cover any counties in Region M.)	Sufficient response; Revise language
5.	Chapter 3	5. Chapter 3. The plan does not appear to include the evaluation results of existing supplies for major water providers (MWP). Please report existing supplies for MWPs by decade and category of use in the final, adopted regional water plan. [31 TAC § 357.32(g)]	This information will be added.	Approach sufficient
6.	Chapter 4, Section 4.3.1, Page 4-7	6. Section 4.3.1, page 4-7. The plan does not appear to include identified water needs for MWPs reported by category of use including municipal, mining, manufacturing, irrigation, steam electric, mining, and livestock. Please report the results of the needs analysis for MWPs by categories of use as applicable in the region in the final, adopted regional water plan. [31 TAC § 357.33(b)]	This information will be added.	This response will be sufficient. -- Need to verify revised sections.
7.	Chapter 4	7. Chapter 4. The plan does not appear to include a secondary needs analysis for MWPs. Please present the results of the secondary needs analysis by decade for MWPs in the final, adopted regional water plan. [31 TAC § 357.33(e)]	This information will be added.	Response will be sufficient; Need to verify sections
8.	Chapter 5, Section 5.2.11, Page 5-83	8. Section 5.2.11, page 5-83. The plan does not appear to define a threshold for significant water needs related to the potential for aquifer storage and recovery (ASR) projects to meet those needs. Please include information on how the planning group defines significant water need for the potential for ASR projects to meet those needs in the final, adopted regional water plan. [TWC § 16.053(e)(10); 31 TAC § 357.34(h)]	Language was added to Section 5.1 to include the threshold for significant identified needs and a specific assessment of the potential for ASR projects to meet those needs. "At the July 1, 2020, RWPG meeting, the LRGRWPG defined the threshold of significant water needs to be a municipal WUG with an identified need of 10,000 ac-ft/yr or greater. WUGs meeting this definition in the 2021 LRGRWP in 2070 include Brownsville, Edinburg, Laredo, McAllen, Mission, North Alamo WSC, Sharyland WSC, and Weslaco."	Meets requirement
9.	Chapter 5, Section 5.2.5, DB22	9. Section 5.2.5 and DB22. The plan includes rainwater harvesting as a recommended demand reduction WMS for La Feria. For regional water planning purposes rainwater harvesting is considered a separate source and should not be classified as conservation in accordance with contract guidance. Please include a specific WMS evaluation for rainwater harvesting, including assumed rainfall under drought of record conditions, and revise the WMS classification in DB22 in the final, adopted regional water plan. [Contract Exhibit C, Section 5.10]	The La Feria Rainwater Harvesting WMS in DB22 and in the IPP was a carry over from the 2016 RWP and has since been removed.	Pre-Approved

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
10.	Chapter 5, Section 5.2.10	10. Section 5.2.10. Please confirm that the quantified supply estimates for the Arundo Donax Biological Control WMS is available during drought of record conditions in the final, adopted regional water plan. [31 TAC § 357.34(b); 31 TAC §357.34(e)(3)(A)]	"This suggests a water savings of 6,593 acft because of reduced consumptive use by A. donax, accounting for water used by regrowth of native riparian plants. Since the United States receives about 2/9 of this water, availability to the United States would be 2,183 acft. This water, available annually, will increase over time, as will the effectiveness and expansion of the biological control agents. It is assumed that 80 percent of the total water saved through biological control will be above the Amistad or Falcon Reservoirs in the Rio Grande Watershed, thus making that water available as a supply for irrigators; estimated for drought of record conditions (Table 5.2 38)."	Pre-approved; Present content
11.	Chapter 5, Section 5.3	11. Section 5.3. Please clarify whether the Resaca Restoration WMS is subject to TCEQ's adopted environmental flow standards and document this information in the final, adopted regional water plan. [31 TAC § 357.34(e)(3)(B); 31 TAC § 358.3(22); 31 TAC § 358.3(23)]	Clarifying language will be added to Section 5.3. The resacas that are considered in the Resaca Restoration WMS are oxbow lakes in the former channel of the Rio Grande, which have been cut off from the river for decades and are outside of the Rio Grande basin as a result of the levees that have since been constructed to control flood waters along the Rio Grande. They do not have flowing inlets or outlets to either the Rio Grande or the Arroyo Colorado, and are therefore not subject to TCEQ environmental flow standards.	Response will be sufficient
12.	Chapter 5, Section 5.3, Page 5.3-15	12. Section 5.3, page 15. The firm yield for the proposed Banco Morales Reservoir when running the Water Availability Model (WAM) files provided is 1,561 acre-feet/year, which differs from the 3,835-3,906 acre-feet/year listed for water right number 1838. Please reconcile the difference in firm yield for Banco Morales Reservoir in the final, adopted regional water plan. [Contract Exhibit C, Section 5.2.1]	The Region M technical consultant will investigate this comment and update the firm yield as appropriate.	Notes: William will check internally (SW division) about discrepancy and may give contact; will seek WAM submitted to TWDB - Proposed reservoir, not an existing reservoir
13.	Chapter 5, Section 5.4	13. Section 5.4. The plan does not appear to provide complete strategy evaluations for alternative WMSs. For example, the alternative Delta Watershed WMS is briefly mentioned in Section 5.2.9 but does not appear to be evaluated in Section 5.4 (Alternative WMSs). Additionally, some alternative WMSs reported in DB22, for example, the Eagle Pass New BGD Plant alternative WMS do not appear to be included in the text of the plan. Please include complete evaluations for all alternative WMS and projects in the final, adopted regional water plan or remove them from the alternative WMS list. [31 TAC 357.35 (g)(3)]	Alternative WMSs for the 2021 cycle were identified and fully evaluated. Alternative WMSs that were carried over from the 2016 cycle or not submitted by sponsors have been removed.	

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
14.	Chapter 5, Section 5.4, Page 5.4-19	14. Chapter 5. The alternative strategy evaluation for the 1 Million Gallon Water Tower WMS (page 5.4-19) states that the strategy provides storage but does not provide any additional supply. Please ensure that all recommended WMSs and projects increase the volume of water supply that is delivered to a WUG (e.g., via transmission). The final adopted regional water plan may include a separate section for additional recommendations that do not increase the volume of water supply, but these may not be considered recommended WMS. [31 TAC 357.43(d); Contract Exhibit C, Section 5.5.3]	All recommended WMSs and projects were confirmed to increase the volume of supply. WMSs that were initially recommended or alternative, but not increasing volume of supply have been moved to Section 5.5 - Additional Recommendations.	
15.	Chapter 5, Section 5.3	15. Units costs reported in DB22 appear notably high for the Eagle Pass – ASR and MII - El Jardin WSC Distribution Pipeline Replacement WMSs. For example, unit costs range from \$523,833 in 2020 to \$218,580 in 2070 for the Eagle Pass – ASR WMS, and unit costs are reported as \$150,727 in 2020 and 2030 for the El Jardin WSC Distribution Pipeline Replacement WMS. Please confirm that the calculated unit costs are correct in DB22 and that costs were considered in WMS recommendations in the final, adopted regional water plan. [31 TAC § 357.34(e)(2)]	Costs will be checked and revised as necessary.	
16.	Chapter 5	16. Chapter 5. The plan does not appear to include the documented process used by the planning group to identify potentially feasible WMSs, as presented to the planning group in accordance with 31 TAC § 357.21(b). Please include this information in the final, adopted regional water plan. [Contract Exhibit C, Section 5.1]	The process discussion from the Technical Memorandum will be included. Section 5.1.1. documents the process by which potentially feasible WMS were identified and evaluated, as well as section 11-4, page 11-10.	
17.	Chapter 5	17. Chapter 5. The plan does not appear to include the list of potentially feasible WMSs identified for the region. Please include this information in the final, adopted regional water plan. [31 TAC § 357.34(b)]	The complete list of potentially feasible WMS will be included.	
18.	Chapter 5	18. Chapter 5. Please clarify whether potentially feasible WMSs were evaluated under drought of record conditions and document this information in the final, adopted regional water plan. [31 TAC § 357.35(a)]	Potentially feasible WMS were evaluated under drought of record conditions. Language will be added. Will follow Region L's approved response.	Sufficient Response
19.	Chapter 5	19. Chapter 5. WMS and associated project evaluations presented in the plan do not appear to include quantitative reporting of reliability or anticipated strategy water losses. Please provide this information for all strategy evaluations in the final, adopted regional water plan. [31 TAC § 357.34(e)(3)(A)]	Quantitative reliability will be added as a column to the Environmental Impact tables for each WMS section. Anticipated strategy water losses will be described in a subsection of Chapter 5.2.	Approach and text sufficient

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
20.	Chapter 5	20. Chapter 5. The WMS evaluations do not appear to include a quantitative reporting of all environmental factors, even when there may not be impacts. For example, the environmental evaluations do not appear to include a quantitative reporting of effects to environmental water needs and upstream development on bays, estuaries, and arms of the Gulf of Mexico. Please include a quantitative reporting of impacts to environmental water needs and upstream development on bays, estuaries, and arms of the Gulf of Mexico in the final, adopted regional water plan. [31 TAC § 357.34(e)(3)(B)]	Seeking guidance on TAC rule	Use Region A as reference - Please find Region A, IPP - Vol 2, Appendix G for an example on how to meet this requirement; http://www.twdb.texas.gov/surface_water/flows/index.asp
21.	Chapter 5	21. Chapter 5. The plan does not appear to include a quantitative analysis for impacts to agricultural resources for the strategies evaluated. Please include a quantitative impacts analysis for agricultural resources for each WMS in the final, adopted regional water plan. [31 TAC § 357.34(e)(3)(C)]	This evaluation will be included in each WMS. With example language below: "Information was added to the Environmental Considerations section of each WMS evaluation that includes the quantitative reporting of impacts to agricultural resources. Generally, this information includes the following statement: "Based on TPWD vegetation mapping, the project may have the potential to impact ___ acres of agricultural resources, including ___ acres mapped as row crops, and ___ acres of disturbance or tame grassland which may include pasture areas used for grazing." Chapter 6 has been revised to include a summary table of the quantitative impacts on agricultural resources for all WMSs."	Response will be sufficient
22.	Chapter 5	22. Chapter 5. The plan does not appear to include consideration of third-party social and economic impacts resulting from voluntary redistributions of water, including analysis of third-party impacts of moving water from rural and agricultural areas in the evaluation of potentially feasible WMSs. Please include this information in the final, adopted regional water plan. [31 TAC § 357.34(e)(7)]	Consideration of third-party social and economic impacts resulting from voluntary redistributions of water has been added as a subsection Chapter 5.2.	Approach sufficient
23.	Chapter 5	23. Chapter 5. The plan does not appear to present the reservoir-associated land costs separately. Please include separated reservoir-associated land costs as applicable to reservoir WMSs in the final, adopted regional water plan. [Contract Exhibit C, Section 5.5]	The costs for this WMS are directly from the Unified Costing Model. Language was added to the narrative to explain how the costs for mitigation were determined and included land areas associated with the various project components. "Per section 8.2.4 of the UCM User Guide, dated November 2018, for all project components except pipelines, the UCM assumes the Environmental/Mitigation Costs are 100 percent of land costs. The recommended value for environmental studies and mitigation costs for pipelines is \$25,000/mile of pipeline. This cost estimate is representative of XXX acres for the Reservoir foot-print and conservation pool, X acres for the pipeline facilities, and X acres for a pump station."	Approach sufficient to break out text

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
24.	Chapter 5	24. Chapter 5. The plan does not appear to present management supply factors for MWP. Please report management supply factors for all MWPs by decade in the final, adopted regional water plan. [31 TAC § 357.35(g)(2)]	Management supply factors will be provided for all MWPs in the final plan.	Approach sufficient
25.	Chapter 6.3, Table 4-14	25. Section 6.3 and Table 4-14. The plan states that there are no unmet Municipal/County-Other needs. However, the summary of unmet needs presented in Table 4-14 includes Municipal and County-Other unmet needs. Additionally, the unmet needs data presented in Table 4-14 appears to be inconsistent with data reported in DB22. For example, in DB22, there are no unmet Municipal needs, however County-Other unmet needs in DB22 range from 13 ac-ft/yr in 2020 to 18 ac-ft/yr in 2070. Table 4-14 presents these County-Other unmet needs as 162 ac-ft/yr in 2020 and 597 ac-ft/yr in 2070. Please reconcile this data as necessary and provide an adequate justification of unmet needs for Municipal and/or County- Other WUGs as outlined in rule and contract guidance in the final, adopted regional water plan [31 TAC § 357.50(j); Contract Exhibit C, Section 6.3]	DB22 and the final report will be updated and reconciled to ensure the same values are shown in the needs estimates for every WUG.	
26.	Chapter 7, Section 7.4	26. Section 7.4. Please confirm whether the entities evaluated for emergency responses to local drought conditions or loss of municipal supply were assumed to have 180 days or less of remaining supply. [Contract Exhibit C, Section 7.4]	All entities evaluated for emergency responses would have 180 days or less of water supply if they experienced a "loss of existing water supplies (Contract Exhibit C, Section 7.4). Language will be added to describe this.	
27.	Chapter 7, Section 7.5, Page 7-27	27. Section 7.5, page 7-27. The plan does not appear to include copies of the model drought contingency plans as referenced in Attachment 7.B. Please include the model plans (two plans minimum) in the final, adopted regional water plan. [31 TAC § 357.42(j)]		Notes: Sara may have proposed to use the TCEQ Model DCPs; Probably not a specific entity
28.	Chapter 7	28. Chapter 7. Model drought contingency plans were not provided for review. Please ensure that model drought contingency plans submitted with the final, adopted regional water plan at a minimum have triggers and responses to 'severe' and 'critical/emergency' drought conditions. [Contract Exhibit C, Section 7.6]		Notes: Sara may have proposed to use the TCEQ Model DCPs; Probably not a specific entity

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
29.	Chapter 7	29. Chapter 7. The plan does not appear to include a discussion of whether drought contingency measures have been recently implemented (for example, since adoption of the last regional water plan) in response to drought conditions. Please describe this in the final, adopted regional water plan. [Contract Scope of Work, Task 7, subtask 3]	<p>Black and Veatch reached out to several sponsors to see if drought contingency measures had been recently implemented. The following text will be added to chapter 7:</p> <p>"A few water utilities within Region M that have recently implemented drought contingency measures in response to drought conditions. Since adoption of the 2016 Regional Water Plan (at the end of 2016), ENTITY activated stage I contingency measures during the SEASON of YEAR. At the time of writing this chapter, Stage 2 drought restrictions were implemented by the City of San Juan as recently as July 2020. North Alamo WSC and Olmito WSC indicated that they have no records of activating drought contingency measures since adoption of the 2016 Regional Water Plan."</p>	Language sufficient
30.	Chapter 7	30. Chapter 7. The plan does not appear to include discussion of unnecessary or counterproductive variations in drought response strategies that may impede drought response efforts. Please include discussion of any unnecessary or counterproductive variations in drought response strategies that were identified by the planning group in the final, adopted regional water plan. [TWC § 16.053(e)(3)(E); 31 TAC § 357.42(b)(2)]	This discussion will be added to Chapter 7.	
31.	Chapter 10	31. Chapter 10. Please address how the planning group complied with the Texas Open Meetings Act and Texas Public Information Act in the final, adopted regional water plan. [31 TAC §357.21; 31 TAC §357.50(f)]	<p>Section 10.1 will be revised to include a more detailed discussion of how the RWPG complied with Texas Open Meetings Act and Texas Public Information Act:</p> <p>"New to the Regional Water Planning process this cycle, beginning in 2019 were the adoptions of the Open Meetings Act[1] and Public Information Act[2], which require members of governmental bodies to participate in education training and open records training pursuant to Sections 551.005 and 552.012 of the Texas Government Code, respectively. These Acts in conjunction determine how open meetings are operated and public information is made available to the public. More information can be found on the Office of the Texas Attorney General website (https://www.texasattorneygeneral.gov/). As described above, the RGVWPG has routinely abided by such open forums and information prior to the adoption of these acts and has been able to appropriately incorporate the requirements. The RGVWPG met all requirements under the Texas Open Meetings Act and Public Information Act in accordance with Title 31 of the Texas Administrative Code (31 TAC) Sections 357.12, 357.21, and 357.50(f).</p> <p>[1] Office of the Texas Attorney General. "Open Meetings Act". https://www.texasattorneygeneral.gov/open-government/open-meetings-act-training.</p> <p>[2] Office of the Texas Attorney General. "Public Information Act". https://www.texasattorneygeneral.gov/open-government/governmental-bodies/oa-and-ome-training-resources/public-information-act-training."</p>	Language sufficient

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
32.	Chapter 11, Section 11.4	32. Chapter 11, Section 11.4. The plan did not include implementation survey data collected to date in Appendix E. Please ensure that the template and data used for the implementation survey in the final, adopted regional water plan are based on the survey template and data that the TWDB provided in June 2019. [31 TAC § 357.45(a)]	Implementation survey data in the required template will be included in the final plan.	
33.	Chapter 11, Section 11.4	33. Chapter 11. Please provide a brief summary of how the 2016 Plan differs from the 2021 Plan with regards to recommended and alternative WMS projects in the final, adopted regional water plan. [31 TAC § 357.45(c)(4)]	Section 11.4 describes how WMS were evaluated in each plan, and a comparison of recommended WMS in the 2016 and 2021 plans is included as Table 11-2, p. 11-23. See attachment for discussion	Notes: Comparison of volumes & number of recommended and alternative projects
34.	Chapter 11	34. Chapter 11. The plan does not appear to assess the progress of the regional water planning area in encouraging cooperation between water user groups for the purpose of achieving economies of scale and otherwise incentivizing strategies that benefit the entire region. Please provide a general assessment of these items in the final, adopted regional water plan. [TWC § 16.053(e)(12); 31 TAC § 357.45(b)]	An assessment of the progress in encouraging cooperation and regionally beneficial strategies will be discussed.	
35.	[31 TAC § 358.3(19)]	35. Please clarify whether the plan development was guided by the principal that designated water quality and related uses as shown in the state water quality management plan shall be improved or maintained. [31 TAC § 358.3(19)]	Language will be added to clarify.	Notes: Statement location - Chapter 5 where WMS are identified and evaluated? - add link to State Water Quality Management Plan on TCEQ website - William will confirm
36.	Appendix A	36. Appendix A. The plan includes some DB22 reports that appear blank due to the region not having relevant data for these reports. Please provide a cover page to the DB22 report appendix indicating the reason for these report contents being blank.	The cover page will be revised to indicate why the following DB22 reports are blank: WMS supply associated with interbasin transfers, and WUG WMS supply associated with IBT.	
37.	Electronic Appendices	37. Electronic Appendices. The WAM file used to simulate the yield from the proposed Brownsville-Matamoros Weir and Reservoir (water right number 5259) does not appear to have been provided. Please provide the WAM file with the final, adopted regional water plan. [Contract Exhibit C, Section 5.2.1]	WAM file will be included.	
38.	GIS Files	38. The GIS files submitted did not appear to include the locations of every recommended and alternative WMS project. Please include the locations of every recommended and alternative WMS project listed in the final, adopted regional water plan with the final GIS data submitted. [Contract Exhibit C, Section 13.1.2]	GIS records will be reconciled with final WMS projects so that all alternative and recommended projects are shown.	

No. IPP Reference		TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
<p>Level 2: Comments and suggestions for consideration that may improve the readability and overall understanding of the regional water plan.</p>				<p>TWDB Pre-Approval Status</p>
No. IPP Reference		TWDB Comment	SCTRWPG Response	
1.	Page ES-12, Table ES-5.	Please consider updating the outdated term 'Managed Available Groundwater' to 'Modeled Available Groundwater'.		
2.	Chapter 3, page 3-8, footnote No. 4.	The WRAP version date of 2004 is not consistent with the WRAP version date of July 2018 in the WAM files submitted. Please reconcile this inconsistency and revise the footnote in the final plan.		
3.	Page 3-26, Table 3-9.	3. Please correct the legend to correctly identify the "Carrizo- Wilcox (outcrop)" aquifer.		
4.	Page 3-31.	Please consider revising the title of Section 3.2.6 to Allocation of Groundwater Supplies.		
5.	page 5-7	Please consider including section number references (e.g. Banco Morales Reservoir - Section 5.3.1.2) for WMSs on page 5-7 to clearly identify where additional information about the WMS can be found in the plan.		
6.	Page 5-9, Table 5.2-3.	The Adams Garden ID row is the same as the Bayview ID row below it. Please verify the data in these rows and revise as appropriate.		
7.	Section 5.2.5	Section 5.2.5 includes rainwater harvesting and reuse in the list of advance water conservation measures. While the TWDB acknowledges that the municipal conservation best practices guide includes rainwater harvesting and reuse, for regional water planning purposes these practices are considered separate sources and should not be classified as conservation. Please consider clarifying this information within Section 5.2.5 in the final, adopted regional water plan. [Contract Exhibit C, Section 5.6]		
8.	Page 5-27, Table 5.2-11.	Column A for County-Other, Cameron is zero and Column B, which should be 110 percent of column A, is 10. Also, in Table 5.2-11, Irrigation, Jim Hogg, Column A is 3 and column B, which should be 110 percent of column A, is 6. Please correct these values as appropriate.		
9.	Page 5.4-39.	Please consider removing the duplicate section of "Implementation Issues".		
10.	Page 7-30.	Please consider revising the section title of 7.6.2 to Recommended Drought Management WMS and Triggers, since no alternative Drought Management WMSs appear to be included in the plan.		
11.	Page 8-5.	Please consider updating the state of the Brownsville Weir and Reservoir to reflect past Legislative designation, and updated information regarding planning cycles, for example, the last sentence in Section 8.2.1 states the 2010 plan is the current plan.		

No.	IPP Reference	TWDB Comment	RGRWPG Proposed Response/Approach	Status & Notes
12.	Section 11.5.	The plan states that there are new requirements related to drought response that were required in the previous planning cycle. Additionally, the plan states that region specific model drought contingency plans are required for each type of WUG, however the TWDB requires two model plans. Please correct this information in the final plan.		
13.	GIS Files	The GIS files submitted for WMS projects do not adhere to the contractually required naming convention. Please rename the GIS files following the naming convention outlined in Exhibit D, Section 2.4.5 in the final GIS files submitted. [Contract Exhibit D, Section 2.4.5]		
14.	GIS Files	The GIS files submitted for WMS projects do not include all of the required attribute fields listed in Table 1 of Exhibit D, Section 2.4.5. Please include the following attribute fields in all submitted WMS project GIS data: Description, Project Components, and Datum, with the final GIS files submitted. [Contract Exhibit D, Section 2.4.5]		
15.	GIS Files	The GIS files submitted for WMS projects do not include minimum metadata requirements. Please include at a minimum, metadata about the data's projection, with the final GIS data submitted. [Contract Exhibit D, Section 2.4.1]		