

Region M TWDB Update 4-6-22

1. Projections Release Submitted and Related Deadlines

Anticipated release schedule for remaining projections data:

- August 2022: release draft irrigation and mining water demand projections
- February 2023: release draft population projections, plumbing code savings and municipal demand projections

Projections related deadlines:

- July 2022 – Deadline for RWPGs to request changes to historical data for municipal Water User Groups.
- July 2023 – Deadline for RWPGs to request changes to draft non-municipal demand projections.
- August 2023 – Deadline for RWPGs to request changes to draft population and municipal demand projections.

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2. Rules update

- Rulemaking for Regional Water Planning (31 Texas Administrative Code Chapter 357) and State Water Planning Guidelines (31 Texas Administrative Code Chapter 358) will be presented to TWDB Board at the April 11, 2022 meeting

The purpose of the amendments to 31 TAC §357

- reduce unessential reporting
- implement legislative changes
- clarify rule language

The purpose of the amendments to 31 TAC §358

- address concerns raised stakeholders and the Interregional Planning Council to clarify that planning groups may plan for drought conditions worse than the drought of record and clarify rule language.
- You can find the proposed rules on the TWDB website at the following link:
<https://www.twdb.texas.gov/about/rules/index.asp>

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3. Amending an Approved Regional Water Plan

Why might a plan need to be amended?

- funding from the TWDB for a water supply project
- a water rights permit from TCEQ

The project must be ***consistent*** with the approved *regional water plan* and *state water plan*.

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TWDB funding programs required consistency

- **SWIFT:** recommended water management strategy projects with an associated nonzero capital cost in the most recently adopted state water plan.

Note: Alternative water management strategy projects are not eligible unless the regional and state water plans are amended

- **Other TWDB funding programs, including state revolving funds (DWSRF and CWSRF):** consistency should be assessed based on whether the water sources identified by the applicant are consistent with the existing and recommended new sources for the entity associated with the project in the plans

Note: For non-reuse CWSRF projects consistency is not applicable

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Types of plan modifications: (each type has a different process)

- Revisions to Population or Water Demand Projections
- Substitutions of water management strategies
- Minor amendments
- Major amendments

Minor and Mayor amendments

- **Minor:** 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,
 - delete or change any legal requirements of a plan

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d. Minor and Mayor amendments (continuation)

- **Mayor:** to incorporate changes that cannot be addressed through a minor amendment.
 - do not result in an over-allocation of an existing or planned source of water
 - conform with all other rules for regional water plan development

Plan Amendment Guidance

<http://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/documents.asp>

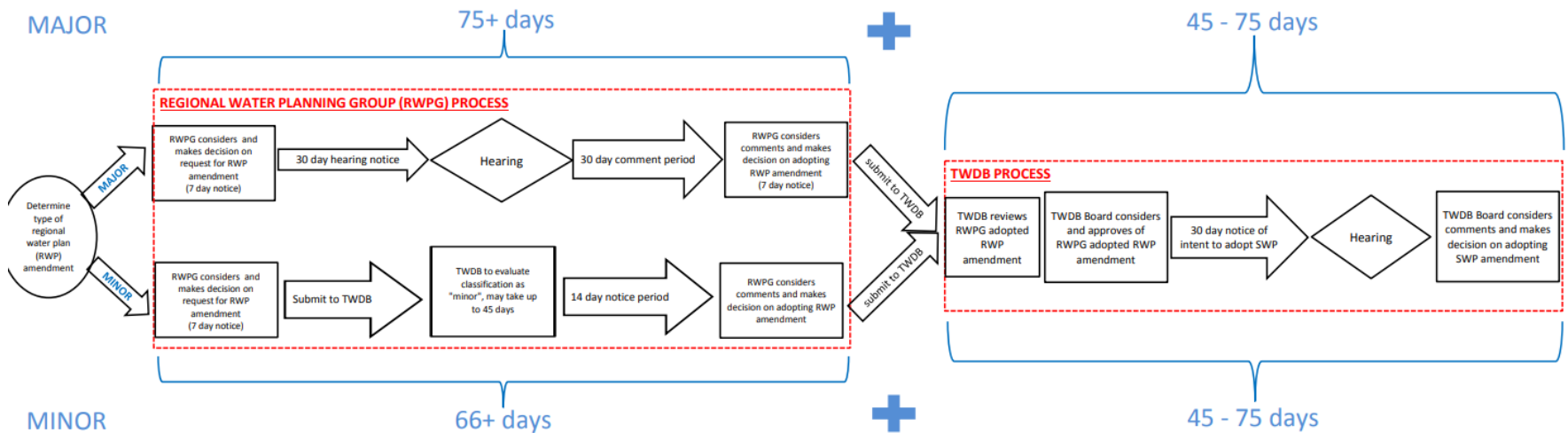
§357.51 – Amendments to Regional Water Plans

http://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/projectdocs/RWP_RulePamphlet.pdf?d=31055.5

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d. Amendment process timeline

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



- Regional Water Plan & State Water Plan
- RWPG + TWDB process
- Mayor or minor amendment
- For a minor amendment about 5 months

- Planning group decision
- Hearing
- Comment period
- TWDB decision

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Who pays for an amendment?

The entity requesting the amendment pays for the costs related to developing regional water plan amendment materials.

Next regional water plan?

If the proposed project is not already consistent and the sponsor cannot wait to incorporate the proposed project into the next adopted regional water plan, the existing plan must be amended, or a waiver must be obtained.