

AGENDA

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

9:30 A.M. WEDNESDAY, FEBRUARY 5, 2025

LRGVDC MAIN CAMPUS
INITIATED AND CHAIRED VIA GoToMeeting & IN PERSON AT
301 W. RAILROAD ST., WESLACO, TEXAS

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MEETING MATERIALS WILL BE AVAILABLE AT LEAST THREE (3)
DAYS PRIOR TO THE MEETING.

PRESIDING: JIM DARLING, CHAIR

-
1. Call to Order & Roll CallChairman
 2. Consideration and **ACTION** to Approve January 7, 2025, Meeting Minutes.....Chairman
 3. Public Comment.....Chairman
 4. Consideration and **ACTION** to Approve Nominations for Annual Election of Officers/Executive Committee.....Chairman
 5. Consideration and **ACTION** to Approve Membership Renewals for Members who have Expired Term Dates.....Chairman
 6. Review and Discussion on Region M Bylaws Membership and Attendance.....Manuel Cruz

7. Status Reports

ACTION MAY BE TAKEN ON ANY OF THE FOLLOWING ITEMS

- A. Status on Current TWDB Contract Activities..... Jaime Burke
Black & Veatch
 - 1. Schedule and Progress Update
 - 2. Presentation, Consideration and **ACTION** Regarding any RWPG member comments on draft chapters.
 - 3. Discussion and **ACTION** to Adopt and Certify as Complete the Region M 2026 Initially Prepared Plan (IPP)
 - 4. Discussion and **ACTION** to Authorize Black & Veatch to Make Non-substantive Revisions and Any Revisions Requested by the RGRWPG
 - 5. Discussion and **ACTION** to Authorize Black & Veatch to Submit the Initially Prepared Plan (IPP) to the TWDB on Behalf of Region M
 - 6. Discussion and **ACTION** to Schedule Public Hearing (s) for Initially Prepared Plan (IPP)
 - 7. Discussion and **ACTION** to Authorize LRGVDC to Prepare, Post, and Mail out the IPP Public Hearings Notice
- B. Consideration and **ACTION** to Approve Financial ReportManuel Cruz
- C. Status of Joint Groundwater Area Planning in GMA’s 13 & 16..... ..Louie Pena, GMA 16
Debbie Farmer, GMA 13
- D. Reports from Other Regional Water Planning Groups
 - 1. Reports from Liaisons with: Region J, Tomas Rodriguez; Region L, Don McGhee, and Region N, Commissioner David Fuentes
- E. Report on Water Conservation Plans and Drought Management Plans
Filed with Region.....Chairman
- F. Report on Notices of Applications for Funding and GrantsChairman

8. Reports from Federal and State Agencies

ACTION MAY BE TAKEN ON ANY OF THE FOLLOWING ITEMS

A. IBWC Dr. Maria-Elena Giner
Commissioner

B. TCEQ Watermaster Georgina Bermea
Rio Grande Watermaster

1. Status of Reservoirs

9. Discussion, Consideration, and **ACTION** on Date for Next Business Meeting.....Chairman

10. Adjourn

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 during the 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."

ITEM 2.

MEETING MINUTES

MINUTES

RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG)

(REGION M) 9:30 AM TUESDAY, JANUARY 7, 2025

LRGVDC MAIN CAMPUS
VIA GOTOMEETING VIDEO CONFERENCE & IN PERSON INITIATED
AND CHAIRED AT 301 W. RAILROAD STREET, WESLACO, TX
PRESIDING: JIM DARLING, CHAIRMAN

1. Call to Order and Roll Call

Mr. Manuel Cruz called the meeting to order at 9:32 am and confirmed that a quorum of the voting membership was present.

The following voting members were in attendance:

Board Members

Jim Darling
Sonny Hinojosa
Donaldo K. McGhee
Nick Benavides
Glen Jarvis
Tomas Rodriguez
Carlos Garza
Judge Joe Rathmell
Louie Pena
Dale Murden
Dr. Neal Wilkins
Jorge Flores
Tom McLemore
Debbie Farmer
Steven Sanchez
Marilyn Gilbert

Category

River Authorities
Water Districts
Industries
Small Business
Other
Public
Small Business
Counties
Ground Water Management Area
Agriculture
Agriculture
Municipalities
Water Districts
Ground Water Management Area
Water Utilities
Municipalities

The following voting members were **not in attendance**:

Frank Schuster
Jaime Flores
Comm. David Fuentes
Robert Latham

Other
Environmental
Counties
Electric Generating Utility

2. Consideration and Action to Approve November 6, 2024, Meeting Minutes. Jorge Flores made a comment that he was marked absent and that was a mistake due to him logging on online. Corrections were made. ***Jorge Flores made a motion to approve meeting minutes, Steven Sanchez seconded the motion, upon a vote the motion was carried unanimously.***

3. Public Comment. No public comment submitted for this meeting, but Jim Darling provided some brief comments to the planning group. The construction of a composite cutoff wall at the Amistad International Dam is moving forward, which aims to reduce the risk of failure. We thank Commissioner Henaire for her hard work and dedication in making this possible. This project is critical, and it's expected to start soon. We look forward to receiving a report on its progress at the next meeting.

Reservoir Status Update: As of December 28, our reservoir levels have dropped to 20.65% of total storage capacity, with usable storage at 20.10% due to 18,000-19,000 acre-feet of non-usable storage. These levels are hovering near record lows.

Historical Context: The current situation is concerning, as it surpasses the previous record low in August 1998 (19.06%), with this year's lowest level recorded at 18.14% on June 8, 2024. Although levels have slightly improved, we are still operating near record lows, and the current usable storage stands at approximately 59,000 acre-feet above the record. This has been an ongoing issue for nearly six months.

Water Supply Concerns: A significant portion of our water supply (30-40%) comes from the Devil's and Pecos Rivers. However, water levels from these sources are also low. There's an ongoing challenge related to inter-state water conflicts and the potential mismanagement of water resources in these rivers. While there was some progress in understanding the use of the Pecos River watershed, it appears that the program to address these issues was politically halted.

4. Consideration and Action to Accept Resignation and Solicit Nomination in Environmental Category. Mr. Cruz starts off with, the board was informed that Mr. Jaime Flores has resigned from his position with the Agri-Life Extension, effective December 31st. This action item is to formally accept his resignation and begin the process of seeking a replacement in the environmental category. Marilyn Gilbert asked if this was just to accept his resignation. They answered her with a Yes. ***Marilyn Gilbert made a motion to approve Resignation and Solicit Nomination in Environmental Category, Tomas Rodriguez seconded the motion upon a vote, the motion was carried unanimously.***

5. Discussion and Possible Action on Membership Attendance. This discussion became part of Action item #4. In this discussion Mr. Cruz asked if anyone had someone in mind to nominate for the Environmental Category. To solicit nominations for the replacement, we will advertise in the newspaper and accept nominations through that channel. These nominations will be presented at the next meeting, scheduled for February, which will be the second quarterly meeting of the region. There was a discussion regarding the environmental impact of using newspapers for publicity, and it was suggested that we consider transitioning to electronic methods in the future. Additionally, the possibility of amending the bylaws to reflect this change was raised. Nominations are now open and should be submitted accordingly. A question by Marilyn Gilbert was raised regarding the eligibility of nominees for the position, specifically whether individuals from the same environmental organization can be considered. There was also uncertainty about whether a potential nominee, if moving to another environmental firm, would still be eligible to serve. Clarification will be needed when reviewing nominations. Mr. Cruz then stated that Jaime Flores took a position with the Brownsville Public Utilities Board. Marilyn Gilbert asks Would it be a problem if he joins a similar environmental organization, resulting in two individuals from the same organization? The response to that question from Mr. Cruz would be, in my opinion, it would depend on the duties and responsibilities of the individual, as we already have a PUB representative. This can be worked out, but typically, we adhere to the bylaws and remain within the same category, which in this case is the environmental category. A question was raised about whether an individual working in the environmental division within an organization would be classified under municipalities or environmental. Mr. Cruz responded that having two individuals from different agencies would not disqualify someone, as it is not explicitly addressed in the bylaws, and he is unsure if there would be any objection. Jim Darling then states that we will continue to solicit in stay in contact with everyone on the board.

Lastly, they moved on to the membership attendance. They decided to act in the next meeting. They were the following members: Commissioner Fuentes and Carlos Garza. Mr. Cruz mentioned that according to the bylaws, members who have unexcused absences from three consecutive meetings or hearings are automatically removed. Two individuals were identified as having missed three consecutive meetings based on an end-of-year assessment. To address this, moving forward, we will notify members after each missed meeting to reiterate the bylaws. It is important to ensure that any conflicts are addressed, and members can obtain an excused absence from the chairman or the board if necessary. The goal is to accommodate members' schedules, as securing participation in these positions can be challenging. Mr. Carlos Garza

addressed the board, stating that he has only missed one meeting out of the last three and has attended remotely. He mentioned being slightly under the weather and currently participating from his office. He noted that he missed the call by a few minutes but emphasized that he has been attending the meetings. Mr. Cruz then stated It was noted that situations may arise where members arrive a few minutes after the roll call has been taken, which could lead to their absence being recorded even though they are present later in the meeting. A question was raised by Mr. Garza regarding the bylaws, asking for clarification on whether arriving after the call has been taken after the call has been taken would result in being considered absent, even if the member attends the entire meeting. The member mentioned being on another conference call that ran over, which caused the delay in joining. It was acknowledged that attendance can be challenging in Zoom meetings, as it can be difficult to track who is present despite the requirement to show a picture. A recommendation was made to table the issue and for Commissioner Fuentes to notify the board in advance if he misses a meeting, so that an excused absence can be granted.

There were no other questions and comments.

6. Status Reports

Jaime Burke, Black & Veatch Water Planning Leader, was recognized and reported on the following items.

6.A. Status on Current TWDB Contract Activities.

1. Schedule and Progress Update: The overall schedule for the planning cycle was presented, noting that the process is now in its final year. The initially prepared plan is due by March 3rd, with efforts focused on completing and finalizing it for submission. A public hearing will be held in the spring or early summer, followed by finalizing the plan for submission to the board in October. The anticipated schedule for 2025 was reviewed, with a meeting this month and another scheduled for February 5th to finalize edits to the draft chapters and, if possible, adopt the initially prepared plan. If adoption does not occur at that meeting, an additional meeting will be scheduled before March 3rd. Since the last meeting, draft chapters 1-5, 7, and 8 have been sent to members for review, with chapters 6, 9, and 10 expected to be sent soon. Members are asked to submit comments by January 26th to be incorporated into the February meeting's adoption of the plan. Chapter 9 includes an implementation survey regarding projects from the 2021 plan, and responses are being collected from project sponsors. Additionally, water management strategy data is being entered into the TWDB database. An update was provided on the Laguna Madre Water District's seawater desalination project, with changes to the yield and online date, which have been incorporated into Chapter 5.

2. Summaries of Draft Chapters: A summary of each chapter in the draft plan was provided to give members an overview of what to expect when reviewing the chapters.

Chapter 1: Describes the regional water planning area, offering a comprehensive look at the region.

Chapter 2: Focuses on population and water demand projections, including municipal and non-municipal demands and an introduction to major water providers.

Chapter 3: Covers water availability and supply analysis, including surface and groundwater availability, as well as water reuse and major water providers.

Chapter 4: Identifies water needs in the region, highlighting areas where supply falls short of demand, and discusses water management strategies to meet those needs.

Chapter 5: Evaluates and recommends water management strategies, organized into sections based on feasibility, recommendations, alternatives, and considered strategies. A new section on the implementation of strategies is included.

Chapter 6: Discusses the impacts of the regional water plan and its consistency with natural resource protection, including socioeconomic impacts and unmet needs.

Chapter 7: Focuses on drought response, including triggers, actions, and preparation for future droughts.

Chapter 8: Outlines policy recommendations and unique sites, with updates provided by the Executive Committee and a call for member feedback.

Chapter 9: Reviews the implementation of the 2021 regional water plan and compares it to the current plan, detailing changes in demands, water needs, and new strategies.

Chapter 10: Describes the public participation process, including rural outreach, public hearing documentation, and plan adoption details, to be finalized after the prepared plan is completed.

3. Consideration and ACTION regarding and RWPG member comments on draft chapters received by December 20, 2024. NO ACTION WAS NEEDED AT THIS TIME.

6.B Status of Joint Groundwater Area Planning in GMA's 13 & 16. Debbie Farmer gave the following:

GMA 13 – Ms. Debbie Farmer: In 2023, the TWDB adopted a new groundwater availability model for the southern portion of the Carrizo-Wilcox, Queen City, and Sparta aquifers (Panday and others, 2023). This model had several model limitations and known issues. To address those issues, the district representatives of groundwater management area 13 contracted with Dr. Bill Hutchison to recalibrate the model with new data and parameters. The recalibrated model addresses the following concerns:

- High transmissivity estimates in some areas
- High storability/specific yield estimates in some areas
- High pumping estimates in some areas during the calibration period

The recalibrated model incorporates new aquifer test data in the Sparta and Carrizo aquifers in Webb County in addition to new pumping estimates in Wintergarden Groundwater Conservation District, Gonzales County, and Bexar County.

The district representatives of groundwater management area 13 have submitted this recalibrated model to the TWDB for formal adoption intended to be used for the upcoming round of joint planning. As part of this submittal process, TWDB requires that the model and model report be sent to all interested stakeholders and that those stakeholders be provided the opportunity to review and provide comments to TWDB.

· Model files: https://gw-models.s3.amazonaws.com/Download_GAMs/czwx_s/czwx_s_update_GMA13_ModelFiles.zip

· Model Report: https://gw-models.s3.amazonaws.com/Download_GAMs/czwx_s/GAM%20Update%20for%20GMA%2013%20-%20Final.pdf

Please email at daryn.hardwick@twdb.texas.gov or at gam@twdb.texas.gov with any comments or concerns by end of day on February 20, 2025.

The next meeting will be on April 11, 2025, at 10:00 a.m. at the Evergreen Underground Water Conservation District in Pleasanton.

GMA 16 – Louie Pena: The next meeting is January 28, in Falfurrias @ 1:00 PM, at 732 West Rice Street at the Brush Country Groundwater Conservation District Building.

6C. Reports from other Regional Water Planning groups.

1. Reports from Liaisons with Region J, Region L and Region N. No reports currently.

6D. Report on water Conservation Plans and Drought Management Plans. No reports currently.

6E. Report on Notices of Applications for Funding and Grants. No applications currently.

6F. Report on Regional Water Resource Advisory Committee (RWRAC).

Melisa reported that the next meeting is scheduled for March 12, 2025 @ 2PM, at the LRGVDC Small Board Room and also has virtual option.

7. Reports from Federal and State Agencies.

A. TWDB.

1. 2025 SWIFT Timeline:

- December 17, 2024, abridged application solicitation period begins
- February 3, 2025, abridged applications due to the TWDB
- April 2025 Invitations extended to submit complete applications
- May 2025 Complete applications due
- July 2025 Projects recommended to the Board for commitment

2. Financial Assistance Workshop:

- When: Tuesday, January 21, 2025, 1:30 p.m.
- Where: Pharr One Community Center
 - 1121 East Nolana Loop, Pharr, TX 78577
- Discuss specific projects and answer questions about following financial assistance programs:
 - Drinking Water State Revolving Fund (DWSRF)
 - Clean Water State Revolving Fund (CWSRF)
 - State Water Implementation Fund for Texas (SWIFT)
 - Texas Water Development Fund (DFund)
 - Flood Infrastructure Fund (FIF)
 - Texas Water Fund (TWF)

B. TCEQ Watermaster:

Ms. Georgina Bermea provided an update based on IBWC data, which is available on their public website. As of December 28th, 2024, the U.S. combined ownership at Amistad and Falcon reservoirs stands at 20.65% of normal conservation capacity, impounding 696,937 acre-feet. This is a decrease from the same time last year when the U.S. held 22.03% capacity, impounding 743,611 acre-feet. The combined usable storage at Amistad and Falcon is at 20.10% of normal capacity. Overall, the system is at 17.21% capacity, with Amistad at 20.80% and Falcon at 12.87%. Mexico holds 12.61% of normal capacity, impounding 317,340 acre-feet at both reservoirs. Regarding water master operations, releases are currently 15 cfs from Amistad, 2 cfs from Falcon, and 23.75 cfs from Anzalduas. There is a request for 25 cfs from San Juan. The monthly report to finalize the 2024 water year is in progress and is expected to be released by the 15th. Marilyn Gilbert raised a question regarding the operational status of the usable storage, seeking clarification on whether the U.S. Penstock being non-operational is the reason why usable storage is lower than available storage. This inquiry was made for a better understanding of the situation. Georgina answered with Correct, our debt storage increased to \$18,394. Ms. Gilbert then raised 1 more question regarding the timeline for replacing and repairing the U.S.

Penstock, which is located below the Mexican Penstock and would provide access to additional water. It was requested that if the timeline is not available at the meeting, it be shared with the group later to provide clarity on the repair plans and the expected completion date. Geogina responded that it would be a IBWC question.

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

Next meeting would take place on February 5th, 2025, at 9:30 AM.

9. Adjourn

Mr. Jim Darling, Chairman

ITEM 4.

**CONSIDERATION and ACTION to
APPROVE NOMINATIONS for
ANNUAL ELECTIONS of
OFFICERS /EXECUTIVE COMMITTEE**



*Jim Darling, *Chairman*
Rio Grande Regional Water Authority

*Sonny Hinojosa, *Vice-Chairman*
HCID #2, San Juan,

*Donald K. McGhee, *Secretary*
Hydro Systems, Inc., Harlingen

*Frank Schuster
Val Verde Vegetable Co., McAllen

*Nick Benavides
Nick Benavides, Company, Laredo

Glenn Jarvis
Attorney, McAllen

Marilyn Gilbert
Brownsville PUB

Tomas Rodriguez
Public, Laredo

Carlos Garza, P.E.
AEC Engineering, LLC., Edinburg

Joe Rathmell
Zapata County Judge

Jaime Flores
Arroyo Colorado Partnership, Weslaco

Louie Pena
Brush Country GCD, GMA 16

Dale Murden
Texas Citrus Mutual, Mission

Vacant
City of Laredo,

Neal Wilkins, Ph.D.
East Foundation

Jorge Flores
Eagle Pass Water Works

David L. Fuentes
Hidalgo County Commissioner

Tom McLemore
Harlingen Irrigation District

Debbie Farmer
Wintergarden GCD, GMA 13

Robert Latham
Magic Valley Generating Station

Steven Sanchez
North Alamo Water Supply Corp

***Executive Committee**

MEMORANDUM

TO: RGRWPG Voting Members

FROM: Manuel Cruz, LRGVDC Executive Director

DATE: January 3, 2025

SUBJ: **Annual Election of Officers & Approval of Executive Committee**

According to the Region M Bylaws:

ARTICLE VII. OFFICERS

Section 1. Officers, Restrictions and Terms of Office

Voting members of the RGRWPG shall select from the voting membership a Chair, a Vice Chair, and a Secretary to serve as officers. *Each officer shall serve a term of one calendar year.*

Section 6. Executive Committee

The Executive Committee shall be composed of five RGRWPG 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.*

Those currently serving on the Executive Committee are:

NAME	OFFICE	CATEGORY	COUNTY
Jim Darling	Chair	River Authorities	Hidalgo
Sonny Hinojosa	Vice Chair	Water Districts	Hidalgo
Don McGhee	Secretary	Industries	Cameron
Frank Schuster	Member-at-Large	Other	Hidalgo
Nick Benavides	Member-at-Large	Small Business	Webb

Stewards of water resources from Amistad to the Gulf

ITEM 5.

**CONSIDERATION and ACTION to
APPROVE MEMBERSHIP
RENEWALS for MEMBERS WHO
HAVE EXPIRED TERM DATES**

RGRWPG - REGION M - MEMBERS & TERM EXPIRATION DATES

	Name	Category	1st Term Began	Current Term Ends September 1st
1.	Glenn Jarvis	Other	3/25/1998	2025
2.	Sonny Hinojosa	Water Districts	3/25/1998	2025
3.	Donald K. McGhee	Industries	6/27/2001	2028
4.	James Darling	River Authority	11/17/2004	2024
5.	Tomas Rodriguez	Public	7/30/2008	2028
6.	Carlos Garza	Small Business	7/30/2008	2028
7.	Judge Joe Rathmell	Counties	6/1/2011	2026
8.	VACANT	Environmental Interests		
9.	Frank Schuster	Other	1/4/2012	2027
10.	Nick Benavides	Small Business	6/5/2013	2028
11.	Dale Murden	Agriculture	3/9/2016	2026
12.	Marilyn Gilbert	Municipalities	8/2/2023	2028
13.	Dr. Neal Wilkins	Agriculture	7/13/2016	2026
14.	Jorge Flores	Municipalities	1/24/2018	2023
15.	Commissioner David Fuentes	Counties	8/1/2018	2023
16.	Tom McLemore	Water Districts	3/20/2019	2024
17.	Robert Latham	Electric Generating Utilities	1/12/2022	2027
18.	Steven Sanchez	Water Utilities	1/12/2022	2027
19.	Louie Pena	GMA Category	8/2/2023	Term limits Do Not Apply to GMAs
20.	Debbie Farmer	GMA Category	9/29/2021	Term limits Do Not Apply to GMAs

ITEM 6.

**REVIEW and DISCUSSION on
REGION M BYLAWS MEMBERSHIP
and ATTENDANCE**



**Texas Water Development Board
Planning Area Region M**

BYLAWS

ADOPTED
4/15/1998

RESTATED
3/31/2010

AMENDED
7/13/2016

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ARTICLE I. NAMES

Section 1. Organization

The official name of this organization shall be the "Rio Grande Regional Water Planning Group", Texas Water Development Board, Planning Area Region M (hereinafter "RGRWPG").

Section 2. Regional Water Planning Area

The Official name of the regional water planning area designated as "Region M" Texas Water Development Board 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 "Rio Grande Regional Water Planning Area" (hereinafter "RGRWPA").

ARTICLE II. ESTABLISHMENT AND PURPOSE

The RGRWPG was established by appointment of an initial coordinating body by the TWDB on February 19, 1998, and at a meeting held by the initial coordinating body on April 15, 1998, three (3) additional appointments were authorized by the initial coordinating body so as to bring the membership of the RGRWPG to a total of nineteen (19) members. The purpose of the RGRWPG 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 335, 357, and 358, in and for the RGRWPG.

ARTICLE III. PRINCIPAL ADMINISTRATIVE OFFICE

The principal administrative office of the RGRWPG shall be the principal business office of the Lower Rio Grande Valley Development Council (hereinafter "LRGVDC"). The administrative officer of the RGRWPG for purposes of the Texas Open Records Act shall be the Executive Director of the LRGVDC. The Chair of the RGRWPG shall insure that the mailing address and physical address of the principal office and administrative officer are provided to all members of the RGRWPG and the Executive Administrator of the TWDB.

ARTICLE IV. RESPONSIBILITIES

The RGRWPG shall have the responsibilities 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 RGRWPG. Foremost among those responsibilities shall be the regional water plan for the RGRWPG 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 RGRWPG shall include the initial coordinating body appointed by the TWDB on February 19, 1998, plus the three (3) additional voting members appointed by the initial coordinating body to ensure adequate representation of the interests comprising the RGRWPG stated in Texas Water Code 16.053(c), if present, and other interests determined by the RGRWPG. Thereafter, the voting membership of the RGRWPG shall be consistent with actions by the State Legislature and include persons added or removed as provided under this Article and any 31 TAC 357.11(e)(4) member selected for voting membership under Article VI. (Amended 10/5/2011)

Section 2. Terms of Office

The 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 the lots are drawn, one more than half shall draw lots for the two-year terms. No later than ninety calendar days prior to the end of the two-year terms, the voting members shall initiate procedures to appoint successors for the voting members drawing two-year terms, utilizing the process set forth under Section 4 of this Article. 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. At the conclusion of 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. All persons shall be eligible to serve a maximum of two (2) consecutive five-year terms as a voting member of the RGRWPG. (Amended 7/16/2003). Those persons completing two consecutive terms may petition the RGRWPG to serve additional terms. A two-thirds (2/3) vote of the voting members present is required for approval of a petition for additional terms. (Amended 4/16/2008)

Section 3. Conditions of Membership

In order to be eligible for voting membership on the RGRWPG, 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

No later than ninety days prior to the expiration of a voting member's term, or within forty-five calendar days of the removal of a voting member, the RGRWPG shall post public notice in a newspaper of general circulation in each county located in whole or in part in the RGRWPG soliciting nominations for a successor, identifying the particular interest for which nominations are sought, stating the conditions of membership, delineating the method for submitting nominations, and establishing a deadline for submission of nominations between thirty and forty-five calendar days from the date that public notice was posted. Members of the RGRWPG may also submit nominations in the manner prescribed in the public notice.

The Executive Committee shall receive and process the nominations and, no sooner than ten calendar days after the deadline for submitting nominations, 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 Executive 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 Executive Committee and may consider any person who meets the conditions of membership as a nominee.

The voting members shall attempt to make a decision for a successor by consensus of at least two-thirds (2/3) of the voting members present. If efforts to reach consensus fail, the Chair shall call for a vote on a nominee. An affirmative vote of two-thirds (2/3) of the voting members present of the RGRWPG shall be required to appoint a nominee as a new member. If voting fails to select a new voting member, the voting members shall consider other nominations until a new member can be selected by consensus of affirmative vote of two-thirds (2/3) of the voting members present.

In addition to selecting new voting members to fill vacancies caused by removal or the expiration of a term, the voting members may add members to ensure adequate representation of the interests comprising the RGRWPG by generally utilizing the selection process set forth in this section, with the exception of the ninety and forty-five day posting deadlines which shall not apply. If such a new member is added, the existing voting members shall determine by consensus, by not less than agreement of two-thirds (2/3) of the voting members present, the exact applicability of the membership term provisions and restrictions to the new member at the time of the new member's selection.

In both the consideration of nominees and the selection of new voting members, the Executive Committee and other voting members shall strive to achieve geographic, ethnic, and gender diversity.

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. However, no member shall participate in a vote in which he or she is a nominee. 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 RGRWPG meetings and hearings. Records of attendance shall be kept by the Secretary at all RGRWPG meetings and hearings and presented as part of the minutes. Voting members of the RGRWPG that have recorded unexcused absences from three consecutive meetings and/or hearings, or at least one-half of the sum of all meetings and hearings in the preceding twelve months, shall be considered to have engaged in excessive absenteeism and shall be subject to removal from membership under Section 7 of this Article. (Amended 3/31/2010) The Chair shall excuse an absence if it is made known to the Chair prior to the beginning of the meeting or hearing that the absence is related to one of the following with support documentation made available to the Chair: personal illness, family emergency, or jury or military duty. An excused absence will not be recorded as an absence. Representation by a designated alternate does not excuse a member's absence.

Section 6. Code of Conduct

Members and designated alternates of the RGRWPG shall ethically conduct the business of the RGRWPG 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 RGRWPG shall:
 - 1. Solicit or accept gratuities, favors, or anything of monetary value from suppliers or potential suppliers of services, materials, or equipment, including subcontractors under recipient contracts; or
 - 2. Participate in the selection, award, or administration of procurement where the member or designated alternate has a financial or other substantive interest in the organization being considered for award. Such conflict may be due to any of the following having a financial or familial relationship with the organization:
 - i. the member or designated alternate;

- ii. the member's or designated alternate's family;
- iii. the member's or designated alternate's business partner(s) or
- iv. a person or organization that employs, or is about to employ, any of the persons listed in (i) – (iii), above.

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 therefore shall be noted in the minutes.

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. engaging in excessive absenteeism as defined under Section 5 of this Article;
- 2. death;
- 3. resignation;
- 4. failure to abide by the code of conduct provisions set forth under Section 6 of this article;
- 5. appointment of a successor by the voting members upon expiration of a member's term;
- 6. change in status so that the member no longer represents the interest he or she was selected to represent;
- 7. falsifying documents;
- 8. any other serious violation of these bylaws as may be determined by the voting members; or
- 9. the voting member's designated alternate engages in any acts described in subdivisions 4, 7, or 8 of this subsection.

B. Process for Removing Voting Members. Voting members may be removed at any time for any of the grounds for removal members set forth in subsection A. of this section. Any member with knowledge or suspicion that a voting member or designated alternate has engaged in acts or that events have occurred constituting a ground for removal under subsection A of this section shall report such information or suspicion to the Chair. The Chair, upon discovering or receiving such information, shall make a written request to that member for an explanation as to why he or she should not be removed from voting membership. The member shall make written response to the Chair within fifteen calendar days from the date of the receipt of the Chair's request. Within five calendar days of receipt of the member's response, the Chair shall forward copies of the response to the voting members. If the Chair continues to suspect that a ground for removal may exist, if the member fails to make timely response to the Chair's request, or if a voting member requests its inclusion on the agenda after reviewing the written response from the accused member, the Chair shall place an item on the next subsequent meeting agenda calling for the removal of the member. At the meeting, the member subject to the possible removal action may present evidence of why he or she should not be removed. The voting members may remove the member by consensus, but not less than agreement of two-thirds (2/3) of the voting membership. The member subject to the removal action shall not participate in any way in the removal decision, nor shall his or her membership count as part of the total voting membership for purposes of calculating a two-third vote.

Section 8. Designated Alternates (Amended 8/31/2001)

The RGRWPG may, on a case-by-case basis, consider designation of an alternate to represent a voting member.

In order to qualify, the voting member must submit his/her Designated Alternate nomination in writing to the RGRWPG Chair for consideration by the Executive Committee for the purpose of formulating a recommendation to the voting members at a regularly scheduled meeting.

No more than one Designated Alternate is allowed per member at any given time.

To be eligible as a Designated Alternate, a nominee must have attended no less than half of the sum of all RGRWPG meetings held in the twelve (12) months prior to the date of submission of nomination.

A request for a Designated Alternate must be approved by at least a two-thirds (2/3) vote of the voting members present.

The Designated Alternate shall enjoy the same voting privileges, and shall be bound by the same duties, terms, and conditions as the member they represent, except as may be otherwise provided in these Bylaws.

However, a Designated Alternate for a voting member who serves as an officer or member of the Executive Committee shall not be allowed to serve as an officer or voting member of the Executive Committee in the member's absence.

ARTICLE VI. NON-VOTING MEMBERSHIP

Section 1. Mandatory Members

- A. The voting members of the RGRWPG shall add the non-voting members set forth in 31 TAC 357.11(e)(1-3, 5) 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 designated entity. However, if the voting members decide by consensus, but not less than agreement of two-thirds (2/3) of the voting members present, that a particular designee is hindering the regional water planning efforts of the RGRWPG 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 RGRWPG shall add at least one non-voting member as set forth in 31 TAC 357.11(e)(4). Within thirty (30) calendar days of adoption of these bylaws, or within forty-five (45) calendar days of the removal of a 31 TAC 357.11(e)(4) member, the RGRWPG shall post in public notice in a newspaper or general circulation in each county located in whole or in part in the RGRWPG soliciting nominations for persons to serve as a 31 TAC 357.11(e)(4) member, stating the conditions of membership, delineating the method for submitting nominations, and establishing a deadline for submission of nominations of no later than twenty-one (21) calendar days from the date notice was posted. Members of the RGRWPG may also submit nominations in the manner prescribed in the public notice.

The Executive Committee shall receive and process the nominations and, after the deadline for submitting nominations, 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). The Executive 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 Executive Committee and may consider any person who meets the conditions of membership as a nominee.

The voting members shall attempt to make a decision for a new member or successor by consensus of at least two-thirds (2/3) of the voting members present. If efforts to reach consensus fail, the Chair shall call for a vote on a nominee. An affirmative vote of two-thirds (2/3) of the voting members present of the RGRWPG shall be required to appoint a nominee as a non-voting 31 TAC 357.11(e)(4) member. If voting fails to select a member, the voting members shall consider other nominations until a 31 TAC 357.11(e)(4) member can be selected by consensus or affirmative vote of two-thirds (2/3) of the voting members present.

Once selected, a 31 TAC 357.11(e)(4) non-voting member shall have no term of office and shall serve until removed by the voting members by consensus, but not less than agreed of two-thirds (2/3) of the voting members present.

- C. The voting members may at any time, including the time of initial selection of a 31 TAC 357.11(e)(4) member, convert the membership of a 31 TAC 357.11(e)(4) non-voting member into a voting membership by a two-thirds (2/3) vote of the voting membership. If selected to be a voting member, a 31 TAC 357.11(e)(4) member shall have the rights, duties, terms, conditions, and other privileges and obligations of regular voting members. The voting members, excluding the 31 TAC 357.11(e)(4) member subject to the possible membership conversion, shall determine the exact applicability of the membership term provisions and restrictions to the 31 TAC 357.11(e)(4) member at the time of such conversion by consensus, but not less than agreement of two-thirds (2/3) of the voting membership.
- D. The voting members, excluding the 31 TAC 357.11(e)(4) member subject to the possible membership conversion, may at any time convert the membership of a 31 TAC 357.11(e)(4) voting member into a non-voting membership by consensus, but not less than agreement of two-thirds (2/3) of the voting membership, not including the voting membership of the 31 TAC 357.11(e)(4) member subject to the possible conversion.

Section 2. Discretionary Members

The voting members of the RGRWPG may add or remove as a non-voting member an entity set forth in 31 TAC 357.11(g) by two-thirds (2/3) vote of the 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 designated entity or until removed as a non-voting member. However, if the voting members determine by a two-thirds (2/3) vote of the voting membership that a particular designee is hindering the regional water planning efforts of the RGRWPG 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. Code 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. OFFICERS

Section 1. Officers, Restrictions and Terms of Office

Voting members of the RGRWPG shall select from the voting membership a Chair, Vice Chair, and a 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.

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 consensus, but not less than agreement of two-thirds (2/3) of the voting members present.
- 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 mailed to all members of the RGRWPG by the current Secretary thirty (30) calendar days prior to the meeting. Nominations shall be made from the floor by voting members. The voting members shall select officers from among the nominees by consensus, but not less than agreement of two-thirds (2/3) of the voting members present.

Section 3. Removal of Officers

An 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 consensus, but not less than agreement of two-thirds (2/3) of the voting members present. 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. The Chair or Secretary receiving the request shall notify the officer in writing that he or she shall be subject to a removal action at the next scheduled meeting. At the meeting, the officer subject to the possible removal action may present evidence of why he or she should not be removed. 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 any way in the removal decision, nor shall his or her membership count as part of the total membership for purposes of calculating a two-thirds (2/3) vote. The notice of the meeting shall be posted in accordance with the Open Meetings Act and shall state that the issue of possibly removing the officer will be on the agenda. 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 within thirty days of the event causing the vacancy. Nominations shall be made from the floor by voting members. The voting members shall select a replacement officer from

among the nominees by consensus, but not less than agreement of two-thirds (2/3) of the voting members present. 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. Duties of Each Officer

- A. Chair. The Chair shall be the executive officer of the RGRWPG. The Chair will preside at all meetings of the RGRWPG and perform all duties provided by these bylaws. If the Chair is unable to carry out his or 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 or 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 or her duties, the Vice Chair shall serve as Chair until the RGRWPG 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 RGRWPG meetings. The minutes and attendance shall be kept as part of the RGRWPG 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 RGRWPG 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 RGRWPG may delegate any administrative decisions to the Executive committee unless provided otherwise in these bylaws.

All meetings of the Executive Committee shall comply with the provisions related to meetings generally as set forth in Article IX of these bylaws.

ARTICLE VIII. MEETINGS

Section 1. Open Meetings and Notice

All meetings of the RGRWPG, its committees and/or sub-groups, 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 RGRWPG shall be deliberated and undertaken in open meetings, 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 RGRWPG.

Section 2. Regular Meetings

At least one regular meeting of the RGRWPG shall be held in each calendar month unless; a monthly meeting is waived by a majority of those voting at a regular meeting of the RGRWPG. At the first meeting after the adoption of these bylaws and the first meeting of each calendar year thereafter, the RGRWPG shall establish and adopt a regular meeting schedule for the ensuing year. The Secretary shall insure that an advance notice and an agenda for regular meetings will be provided to the full membership of the RGRWPG at least ten 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 RGRWPG may call special meetings of the RGRWPG. The Secretary shall insure that advance notice and an agenda for the called meeting is provided to the full membership of the RGRWPG at least five 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 meetings, as deemed appropriate by the Chair.

Section 4. Agenda

The Secretary of the RGRWPG 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 RGRWPG. 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 RGRWPG.

Section 5. Quorum

A quorum of the RGRWPG shall be a simple majority of the voting members present at a meeting. At least a quorum shall be necessary to conduct any business of the RGRWPG.

Section 6. Applicability of Robert's Rules of Order

Except as otherwise provided in these bylaws, meetings of the RGRWPG 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 RGRWPG.

Section 7. Public Hearings/Meetings Required By Law

The RGRWPG 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 the relevant state law and/or TWDB rules. Notification requirements may be different than those specified in Section I of this Article and are specifically delineated in Texas Water Code § 16.053 and/or 31 TAC § 357.21.

Section 8. Minutes

- A. The Secretary shall insure that minutes of all meetings of RGRWPG 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 meetings' 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 calendar days prior to the next regular meeting of the RGRWPG.

ARTICLE IX. MAKING DECISIONS

Section 1. Applicability; No Written Proxies

- A. Unless the method for making a particular decision is set forth in these bylaws, the RGRWPG, 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 RGRWPG, its committees, or its subgroups. 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 RGRWPG shall attempt to make decisions using a consensus decision making process. Consensus is an agreement built by identifying and exploring all members' interest 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 the following:

1. a motion to put the issue to a vote to be conclusively decided by agreement of not less than two-thirds (2/3) of the voting members present; or
2. a motion to put the issue to a vote as to whether to submit the issue to Alternative Dispute Resolution (ADR) as set forth under Section 3 of this Article and identifying the members that shall participate in the ADR procedure (ADR members), such motion to be decided either by consensus or agreement of not less than two-thirds (2/3) of the voting members present.

Section 3. Alternative Dispute Resolution

A. If a vote under section 2.B.2. of this Article prevails, the ADR members shall agree upon the method of ADR and the use of a mutually acceptable impartial third party, to facilitate resolution of the dispute. The ADR procedures shall be in writing, shall be executed by all ADR members before ADR begins, and shall include the following:

1. the type or series of ADR criteria determined by all ADR members to be appropriate for the size and complexity of the issue, project, or proposed action in dispute;
2. the length of time to be allowed the parties to engage in any ADR procedure;
3. the names of the impartial third party to be utilized in facilitating any process, procedure, or method by which a resolution may be agreed upon;
4. an agreement between all ADR members as to the method of payment for any costs associated with an ADR procedure;
5. an agreement between all ADR members, that impartial third party may not compel the ADR members to enter into a binding agreement, nor shall the impartial third party have the authority to sanction or penalize any ADR member;
6. an agreement between all ADR members that, by mutual consent, they may permit persons who are not ADR members to be included as participants in discussion and as experts;
7. an agreement between all ADR members that they will continue with ADR procedures through the time frame established in subdivision 2 of this subsection until a settlement is reached, one of the ADR members withdraws from the process, or the impartial third party concludes and informs the parties that ADR measures are not necessary or desirable; and
8. an agreement between all ADR members that any ADR procedure used shall provide the method(s) by which any agreement between the parties shall become effective, such as a change order to a plan, or a written agreement governing the issue.

- B. An agreement or settlement arrived at under this section shall not become binding on the ADR members until all ADR members agree in writing to all of the terms of the agreement or settlement.
- C. If the ADR members reach an agreement on the issue, the voting members shall once again consider the issue utilizing the decision making process set forth under Section 2 of this article. However, if the voting members fail to reach consensus on the issue a second time, the Chair shall call for a vote as provided under Section 2.B.1. of this Article. The parties shall utilize the procedures set forth in this Article until the issue is resolved or abandoned.

Section 4. Final Adoption of Regional Water Plan; Amendments

The voting members of the RGRWPG shall finally adopt the regional water plan for the RGRWPG and any amendments thereto by consensus, but not less than agreement of two-thirds (2/3) of the voting members present.

ARTICLE X. BOOKS AND RECORDS

Section 1. Required Documents and Retainment

Records of the RGRWPG, including a current membership list with addresses, affiliations, and phone numbers, if not unlisted; the current roster of officers; a copy of the written record of designation of the political subdivision(s) as representative(s) of the RGRWPG; minutes; agendas; notices; contracts; subcontract, annual financial statements, and any and all financial records and supporting information; bylaws; records of public hearing; correspondence; memoranda; phone logs; committee or subgroup recommendations or findings; draft and final plans; studies; data of any sort; computer records or model; executive summaries; other work products; and any other pertinent information of a public nature shall be kept at the principal office of the RGRWPG for a period of at least five years.

Section 2. Inspection and Copying

Records of the RGRWPG shall be available for inspection and copying at the principal place of business of the representative political subdivision during normal business hours. Procedures and fees for copying and inspection shall be the same of those used by the political subdivision housing the principal office of the RGRWPG for inspection and copying of its own public records.

Section 3. Availability of Reports

All reports, planning documents, and work products resulting from projects funded by the TWDB shall be made available to the TWDB, the Texas Parks and Wildlife Department, and the Texas Commission on Environmental Quality or their successor agencies. At least one copy of the approved regional water plan shall be placed in the county clerk's office of each county and in at least one public library of each county having land within the RGRWPG, in accordance with state law.

ARTICLE XI. COMMITTEES

Section 1. Establishment

The RGRWPG may, by motion, establish committees and subgroups to assist and advise the RGRWPG in the development of the regional water management plan. The committee or subgroup may be formed to address specific issues assigned by the RGRWPG and may have a specified term of membership.

Section 2. Membership

Membership in the committees and subgroups shall generally follow the requirements and procedures of Article V of these bylaws, membership of the committees and subgroups 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. Appointment to committees or subgroups shall be made by consensus, but not less than agreement of two-thirds (2/3) of the voting members present. The terms of office for all members of committees and subgroups shall be either upon the expiration of the term, if any, specified by the RGRWPG in the establishing motion for the committee or subgroup, or upon the expiration of the person's membership in the RGRWPG.

Section 3. Officers

The Chair, Vice Chair, and Secretary of a committee or subgroup established by the RGRWPG shall be selected from the duly elected members of the respective committee or subgroup. The Chair, Vice Chair, and Secretary of the committee or subgroup established by the RGRWPG shall be elected to their respective offices by a majority affirmative vote of the members of the committee or subgroup. Additional committee or subgroup officers with associated responsibilities may be created as necessary by a majority affirmative vote of the members of the committee or subgroup. The additional officers shall be elected by a majority affirmative vote of the members of the committee or subgroup.

Section 4. Meetings

Requirements and procedures for committee or subgroup meetings shall follow those established in Article IX of these bylaws, including requirements for notice. Committees or subgroups may adopt their own rules of procedure, if authorized by the RGRWPG and the rules are not in conflict with state law, TWDB rules, or these bylaws.

Section 5. Books and Records

Requirements and procedures for committee or subgroup books and records shall follow those established for the Model RGRWPG in Article XI of these bylaws.

Section 6. Code of Conduct

Members of a committee or subgroup are subject to the requirements of Article V, Section 6 of these bylaws.

ARTICLE XII. COMPENSATION

Members of the RGRWPG are not to be compensated for their expenses by the State of Texas. All travel expenses will be documented by the members and submitted to the political subdivision designated by the RGRWPG to apply to TWDB for funding. The political subdivision contracting with the TWDB for the Model RGRWPG 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 XIII. COST ALLOCATION

The voting members of the RGRWPG shall develop and approve an equitable method of formula for the allocation of costs associated with the local match for state funding.

ARTICLE XIV. CONTRACTUAL SERVICES

The voting members of the RGRWPG shall make all decisions related to final approval of persons or entities selected by an eligible applicant to provide contractual services for the RGRWPG, including all services related to preparation, development, or revisions of the regional water plan for the RGRWPG. However, the voting members may delegate to the Executive Committee the authority to make all 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 XV. ADOPTING AND AMENDING THE BYLAWS

The bylaws shall have full force and effect upon approval and adoption by the voting members of the RGRWPG, acting on behalf of the interests comprising the RGRWPG, and upon submission to the TWDB in compliance with 31 TAC § 357.11.(c) The voting members shall adopt these bylaws and any amendments thereto by consensus, but not less than agreement of two-thirds (2/3) of the voting members present.

ARTICLE XVI. RESOLUTION ADOPTING BYLAWS ADOPTED APRIL 15, 1998 AND AMENDED MARCH 31, 2010

WHEREAS, no bylaws prior to April 15, 1998 have been adopted governing the conduct of the internal affairs of the RGRWPG; and

WHEREAS, the set of bylaws presented to this meeting are suitable for the purpose and their adoption is in the best interests of the RGRWPG: it is therefore

RESOLVED, that the members of the RGRWPG this 31st day of March, 2010 approve and adopt as amended, the bylaws presented to this meeting as the bylaws of the RGRWPG; and it is

ARTICLE XVII. RESOLUTION ADOPTING BYLAWS ADOPTED APRIL 15, 1998, AMENDED MARCH 31, 2010, AND AMENDED JULY 13, 2016

WHEREAS, no bylaws prior to April 15, 1998 have been adopted governing the conduct of the internal affairs of the RGRWPG; and

WHEREAS, the set of bylaws presented to this meeting are suitable for the purpose and their adoption is in the best interests of the RGRWPG; and

WHEREAS, the members of the RGRWPG on the 31st day of March, 2010 approved and adopted as amended, the bylaws of the RGRWPG;

IT IS THEREFORE RESOLVED, that the members of the RGRWPG this 13th day of July, 2016 approve and adopt as amended, the bylaws presented to this meeting as the bylaws of the RGRWPG; and

IT IS FURTHER RESOLVED, that the bylaws be authenticated as such by the Chair of the RGRWPG and placed in its minute book, and that a full and true copy of the bylaws, certified by the Secretary, be kept at the principal office of the RGRWPG for inspection by members of the public at all reasonable times during business hours.

7/13/2016
Date

Tomas Rodriguez
Tomas Rodriguez, Chairman

ATTEST:

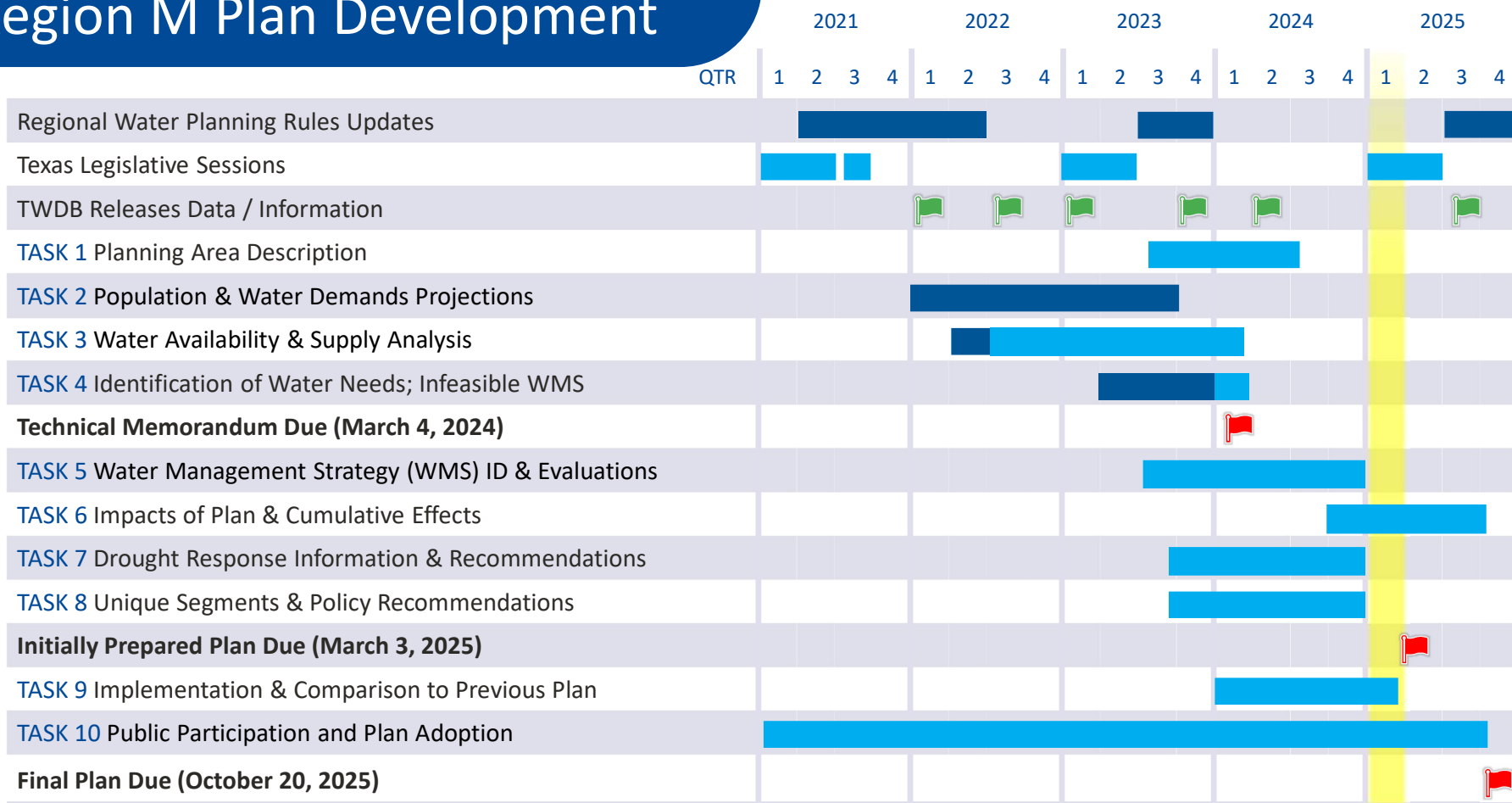
Don McGhee
Don McGhee, Secretary

ITEM 7A.

**STATUS ON CURRENT
TWDB CONTRACT
ACTIVITIES**

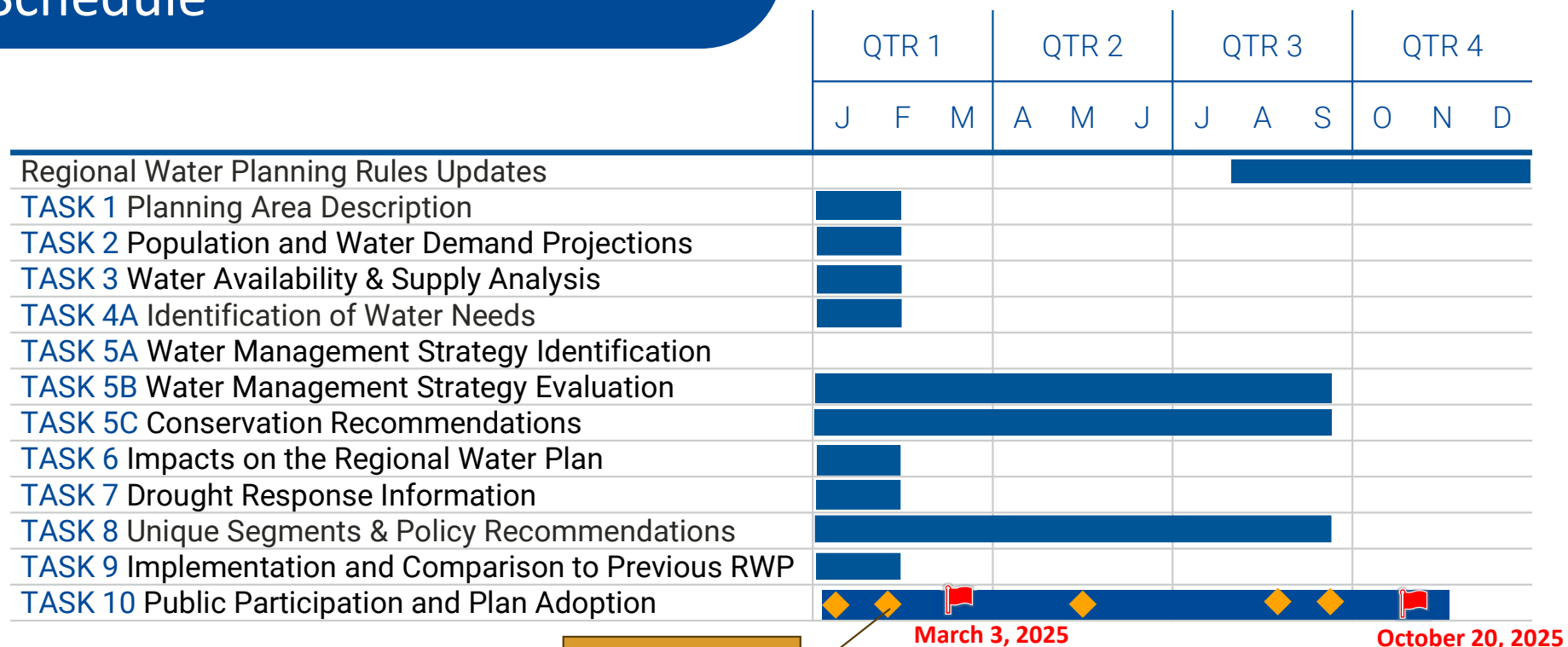
Agenda Item 7.A.1: Schedule and Progress Update

Conceptual Schedule for Region M Plan Development



■ TWDB Conceptual Schedule
 ■ B&V Planned Schedule
 🚩 TWDB Data Release
 🚩 TWDB Deadline

2025 Region M Anticipated Schedule



LEGEND

Region M RWPG Activities
 Tentative Region M RWPG Meeting
 TWDB Deadline

Progress Since Last Meeting

- Continued work on draft chapters
 - All Chapters have been sent out for RWPG review
 - Initial Draft Chapters 1-4 were sent out by Valerie Ramos on November 22, 2024**
 - Initial Draft Chapters 7 and 8 were sent out by Valerie Ramos on December 5, 2024**
 - Initial Draft Chapter 5 was sent out by Valerie Ramos on December 30, 2024**
 - Initial Draft 6 and 9 and the Executive Summary were sent out by Valerie Ramos on January 21, 2025**
 - Initial Draft Chapter 10 and Updated Chapter 8 were sent out by Valerie Ramos on January 24, 2025**
 - DB27 data entry being completed
 - Additional tweaks to chapters to try to meet all TWDB requirements

Upcoming Efforts

- Complete water management strategy data entry into the TWDB Database (DB27)
- Finalize IPP deliverables package for submittal to TWDB
- Deliver IPP package to TWDB by March 3, 2025
- Begin planning public hearing

Agenda Item 7.A.2:

Presentation, Consideration and ACTION
Regarding any RWPG member comments on
draft chapters

Comments and Proposed Changes Since Last Meeting (Received by January 29)

1. Brownsville PUB provided some typo corrections to Chapter 10
 2. Sonny Hinojosa provided suggested edits to the Executive Summary and Chapters 1, 3, 5, 7, 8, and 10
 3. We developed proposed edits and responses for some Chapter 7 and 8 comments that were presented at the January RWPG meeting
- Sent out comments and proposed responses for some of items 2 and 3 above on January 24th.
 - Including all of comments and responses for items 2 and 3 as **Handout A** for today's meeting materials.
 - Is there any discussion on any of the comments or proposed changes to the chapters?
 - How to handle comments that come in before the IPP is submitted?

RWPG Chapter 1 Comments and Proposed Responses

RESPONSE TO COMMENTS: All suggested edits to Chapter 1 made below have been agreed to and added/deleted as suggested.

Chapter 1 Initial Draft Comments:

Page 1-9

I believe a better explanation could be offered to describe the allocation of U.S. water in storage. Beginning with the 2nd sentence in the 1st paragraph:

“With the amount of U.S. water in storage in the Amistad-Falcon Reservoir System on the last Saturday of each month, the Rio Grande Watermaster performs the following calculation:

4,600 acre feet is deducted for Dead Storage, 225,000 acre feet is deducted to re-establish the Domestic, Municipal, and Industrial Reserve, from the remaining storage, the end-of-month account balances for all Lower and Middle Rio Grande irrigation and mining accounts is deducted, and from the remaining storage, 75,000 acre feet is deducted for the Operational Reserve. If there is water remaining after the computation, it may be allocated to the Class A and Class B (irrigation and mining) accounts with Class A receiving 1.7 times more than Class B accounts.

Delete the 2nd paragraph in the Initial draft.

Page 1-19

Last sentence: delete “River” from Rio Grande River.
The name of the river is the Rio Grande.

Page 1-25

1.3.4.1 Drought and Inflows from Mexico

“The terms of the 1944 Treaty grant a minimum of 350,000 acre feet/year.”
Please insert “minimum”.

Page 1-29

Table 1-7

Santa Cruz Irrigation District No.15 has recently converted to “Santa Cruz Water Control and Improvement District No.15”.

Sonny Hinojosa

RWPG Chapter 3 Comments and Proposed Responses

RESPONSE TO COMMENTS: All suggested edits to Chapter 3 made below have been agreed to and added/deleted as suggested, with one exception. The change requested by the last comment regarding removing the word “Lake” from the table in Appendix 3A could not be made because the TWDB said their guidance requires the word “Lake” to be included in the database.

Chapter 3: Water Supply Analysis – Initial Draft Comments

Page 3-1

3.0 2nd sentence “Rio Grande River...”
Please remove “River”

Chart Legend: “Amistad-Falcon Lake Reservoir System”
Please remove “Lake”

Page 3-5

Bottom paragraph. 3rd sentence.
“The cycle lasts either 5 years or until the U.S. conservation capacity at both reservoirs is filled with waters belonging to the U.S.”

Page 3-10

2. “From the remaining storage...”
Please remove the subsequent sentence. It is not so.

“Steps 2 through 4 are iterative...”.
Please delete the subsequent sentence. It is not so. The deduction for the end-of-month account balances is accomplished before the Operating Reserve.

Last sentence –
DMI water right accounts have no storage, thus cannot roll over any unused water each year.
Please insert “have no storage”.

Page 3-11

3rd paragraph. Please consider replacing with the following.
“The DMI water users can draw their maximum authorized water right from the DMI Reserve”.
Please delete rest of sentence.

Page 3-15

Santa Cruz Irrigation District No.2 is now Santa Cruz Water Control and Improvement District No.15.

RWPG Chapter 3 Comments and Proposed Responses

3.1.1.6 Drought and Push Water

Substitute the opening sentence with “The Rio Grande allocation system fulfils the DMI Reserve monthly.”

Page 3-16

Top sentence: Suggest replacing with “To date, there has not been a drought severe enough to impact the DMI Reserve. It is considered 100% reliable.”

Question: in parenthesis in the top paragraph – should “uses” be “users”?

Page 3-24

2.2.1.4 “Rio Grande River”.

Please delete “River”.

Tables: WUG Existing Water Supply

Pages 1 of 12 through 12 of 12 Source Description

“Amistad-Falcon Lake Reservoir System”

Please remove “Lake”. (This change could not be made. See note at top of first page.)

Sonny Hinojosa

RWPG Chapter 5 Comments and Proposed Responses

Chapter 5 Initial Draft Comments

Page 5-16

Page 5-39

Page 5-46

Page 5-75

Santa Cruz ID No.15 is now Santa Cruz Water Control and Improvement District No.15

RESPONSE TO COMMENTS: Will make the change.

Page 5-34

2nd paragraph from bottom of page:

Should “supplies” be “supplied”?

RESPONSE TO COMMENTS: No, should be supplies, but will edit to say “Infrastructure and distribution systems increase their water supplies...”

Sonny Hinojosa

RWPG Chapter 7 and 8 Comments and Proposed Responses

Chapter 7 Comments and Proposed Responses/Edits

1. Pages 7-1 - 7-4 dealing with the drought of record seem outdated and just a repeat of the last two 5- year cycles with the only updated is table 7-1 firm yield projections from 2030 to 2080.

Response: Drought of record has been updated this cycle based on the newer TCEQ Water Availability Model than was used last cycle. The Amistad-Falcon Reservoir System firm yields reflect that, as well as Figure 7-1 being extended out to 2018. The Potential Drought of Record and Drought Indices sections have also been updated to reflect current conditions.

2. RWP is not defined and used in the Demand Management Measures first paragraph at the bottom of page 7-5.

Response: Thank you. The acronym will be defined in that paragraph and added to the list of abbreviations.

3. On page 7-7 above Table 7-2 there is a discussion about dropping below 20% in 2024 for the Reservoirs, but if you look at the levels now and 1998, it would seem that even though we now have gone over 20% (but still less than 20% on usable storage -should we mention the water master now reports both gross storage and usable storage?

Response: Suggested added language in red – “Utilities within Region M may have implemented drought contingency measures in response to drought conditions during this planning cycle, as the combined storage of the Amistad-Falcon Reservoir System dropped below 20% in 2024. The TCEQ Rio Grande Watermaster now provides reports that list both the combined ownership percentage of capacity and the U.S. usable storage percent of capacity, which may be less than 20% even if the combined ownership is greater than 20%.”

4. Where do we mention to improvements to the water systems (pipes, electrical metering that deal with the consumption side and treated delivery systems as a strategy?)

Response: Improvements to the water systems that reduce leaks and reduce water use are considered conservation, rather than drought management, and are focused on in Chapter 5 with the strategies.

5. Section 7.3.2 Drought Response Triggers. Should we add river to plan delivery losses as another trigger as for some cities (Raymondville, etc.) that can be a significant amount and should be included in their calculations.

Response: Suggested added language in red - “Those entities who deliver treated water generally developed triggers that were either based on the remaining municipal water rights available to the city for that year or the capacities of their treatment plants, so that high demands on the plants trigger a conservation stage. The conditions of the reservoirs are

RWPG Chapter 7 and 8 Comments and Proposed Responses

occasionally listed among triggers in public water supply DCPs but have little bearing on the availability of municipal water. **One issue, though, is that when farmers have water shortages from lower levels in the reservoirs, there is less water in the canal pushing through the municipal water, which can result in additional delivery losses for municipal entities.** The conservation stages for cities included limitations on car washing and lawn watering, ranging from voluntary in early stages to some fines or other penalties in later stages.”

6. 7.3.2.1. For December 2014, the Water Master added additional 55K acre feet to the storage pool to take it to 280,000 so apparently that is at the discretion of the water master and maybe we should mention that in this section.

Response: Suggested added language in red - “The TCEQ Rio Grande operating rules determine how the United States’ share of surface water stored in Amistad and Falcon Reservoirs is apportioned among water right holders in the Region M planning area. A 225,000 acft storage pool within the reservoir is replenished at the beginning of each month for DMI water right accounts, **although the TCEQ Rio Grande Watermaster may have some discretion in this because in December 2014, 55,000 acft was added to the storage pool to reach 280,000 acft.**”

7. 7.5.1.1.2 2nd paragraph - re 2014 study, don't we have any current studies or info on releases? I also thought that the gauge at Rio Grande City showed pollution releases. Any way maybe we should delete the paragraph re 2014 release and mention the RGWQI data if we have it including when and if that what happened and current efforts. You can take out my comments on a 2014 fish kill at the bottom of the page as outdated too.

Response: Removed some paragraphs and the footnote referencing the older release. Could not find a more recent spill event to mention, but added some additional detail specific to water quality during drought. Revised section 7.5.1.1.2 Water Quality as shown below:

“Any emergency that impacts the quality of the water in the Rio Grande has the potential to cause significant harm to the region. Because contamination could be released from either the United States or Mexican side of the river, there is an additional level of uncertainty regarding potential contaminants. In the past, releases into Rio Grande tributaries were identified only by a widespread fish kill. No emergency response plan is currently in place to handle the release of contaminants into the Rio Grande.

In addition, drought in the region leads to low flows in the rivers and streams. Low flow in the Rio Grande leads to a concentration of pollutants, such as bacteria, nutrients, and TDS. In the tidal section, low flow rates lead to saltwater intrusion which can create high salinity levels.

As mentioned in detail in Chapter 3, a binational effort is underway to improve and protect water quality in the Lower Rio Grande below Falcon Dam to the Gulf of Mexico that currently experiences bacteria levels that have at times been higher than recommended for

RWPG Chapter 7 and 8 Comments and Proposed Responses

approved water uses of the river. The effort, the Lower Rio Grande Water Quality Initiative, is intended to serve as a pilot project to develop the binational mechanisms necessary to improve water quality throughout the Rio Grande.

Regular water quality testing and reporting is already in place in some locations to alert farmers of high total dissolved solids in the river. This type of system could be expanded upon to provide regular reports of water quality to utility managers and agencies such as IBWC and TCEQ. This kind of water quality analysis is complicated by the fact that the potential contaminants are not known in many cases. Understanding the timing of contaminant transport through the system could allow entities to pump enough water to fill reservoirs before the contaminant has reached that location. However, the success of this approach is contingent on timely information about releases. At a minimum, information must be communicated to utilities and to the public in an accurate and timely manner so that safe drinking water can be provided immediately.

RWPG Chapter 7 and 8 Comments and Proposed Responses

Chapter 8 Comments and Proposed Responses/Edits

1. Section 8.1.3: Since there is no mention post-2005 in the previous sections (8.1.2) do you have the dates for the 8.1.3 sections? If no action, can we eliminate the paragraphs and say we haven't done anything relating to the issues since that time and no action is proposed for this planning cycle?

Response: No action has been taken since 2005. Suggested change below.

The Rio Grande RWPG also received suggestions from the US Fish & Wildlife Service (USFWS), Zapata County, and the Texas Shrimp Association through two stakeholder focus group meetings during previous planning cycles. The focus group meetings were held in December 1999 and January 2000, and more than 200 individuals representing local, state, and federal agencies, environmental groups, and other parties with a known interest in the subject received written invitations to attend and provide input.

Subsequent to the 2006 plan, a request for additional consideration of unique stream segments was made. An environmental subcommittee to the Rio Grande RWPG was formed to look in greater detail at various environmental issues related to WMSs, unique stream segments, and other items affecting environmental considerations. The subcommittee met on several occasions to discuss the unique stream segments on the Rio Grande. The USFWS and the TPWD made formal requests for designation of unique stream segments on the Rio Grande. A workshop was held by the Rio Grande RWPG for a presentation by the TPWD on January 25, 2005. No action was taken then. A meeting of the subcommittee was held February 16, 2005, to consider the proposals. A motion was made to accept the designation of the segment of the Rio Grande from the mouth of the Rio Grande upstream to the upstream boundary of the USFWS Tulosia tract. The motion died for a lack of a second. No further appeals for designation of unique stream segments were made in the fourth or fifth cycles of planning.

Action was considered as part of the 2006 planning cycle to accept the designation of the segment of the Rio Grande from the mouth of the Rio Grande upstream to the upstream boundary of the USFWS Tulosia tract. The motion died for a lack of a second. No action has been considered since, including during the 2026 planning cycle.

8.1.3 Recommendation

The Rio Grande RWPG reviewed the nominations submitted by TPWD and others with regard to legislative designation of river or stream segments as ecologically unique. The Environmental Subcommittee had no recommendation for the Rio Grande RWPG for inclusion in the plan. Designation would have the advantage of allowing entities to receive federal and state financial assistance for the preservation of lands adjoining these segments. The perceived disadvantage to the Rio Grande RWPG would be that a designation could cause that segment to be more susceptible to such issues as environmental flows and water quality issues upstream of the designation.

Lack of action by the Rio Grande RWPG indicates a non-designation of unique stream segments recommendation at this time. It was agreed that the issue could be brought up and considered in the future.

RWPG Chapter 7 and 8 Comments and Proposed Responses

2. Section 8.2.3: When did the RWPG endorse the Lower low water weir project - can you please put the year in?

Response: I am not sure of the year, but it appears to have been done during the 2021 planning cycle so suggest this change below.

During the 2021 planning cycle, at the request of Laredo, the Rio Grande RWPG endorsed further investigation of the feasibility of the Laredo low water weir and any potential groundwater recharge associated with the weir. This would include more detailed evaluation of project costs, benefits, impacts, and permitting requirements.

3. In Chapter 8, I believe there is a conflict between statements in paragraph 8.2.1 on page 8-5 dealing with the Brownsville Weir and Reservoir and the statement on Federal policy statement number 5 on page 8-11 dealing with the 1944 Treaty and the taking of water by Mexico at Anzaldua Dam and the Anzaldua Canal in Mexico. I believe at this point it might be resolved by deleting from the first paragraph of Paragraph 8.2.1 the following 2 sentences: "The agencies from the U.S. and Mexico would need to form a partnership for the project to determine how the two cities would share in the benefits of the project. One of the benefits includes capturing releases from the Rio San Juan, which is downstream of the Falcon Reservoir." This conflict could result in an adverse impact in accounting of the water allocation of a Texas water rights holder in Region M of water diverted that would otherwise flow unused to the Gulf.

Response: My understanding is that Brownsville PUB is comfortable making the change recommended by the above comment. The revised paragraph will read as follows:

An overview of the proposed Brownsville Weir and Reservoir is provided in Chapter 5 of this plan. The City of Brownsville Public Utilities Board (BPUB) has acquired the required state water right permit and the federal Section 10/404 permit for this project. Implementation of the project is a federal project that requires bi-national sponsorship and support from federal agencies, such as the IBWC, and Mexico. ~~The agencies from the U.S. and Mexico would need to form a partnership for the project to determine how the two cities would share in the benefits of the project. One of the benefits includes capturing releases from the Rio San Juan, which is downstream of the Falcon Reservoir.~~ There is currently no timetable set for this project.

Additional RWPG Chapter 7 Comments and Proposed Responses

RESPONSE TO COMMENTS: All suggested edits to Chapter 7 made below have been agreed to and added/deleted as suggested.

Additional Chapter 7 Initial Draft Comments

Page 7-2

Paragraph below Figure 7.1

“The deliveries from Mexico.....which establishes a minimum 350,000 acft/yr to be delivered....”.

Please insert “minimum”.

Page 7-8

7.3.2.1 Irrigation Districts

1st sentence – please insert “usable” in between “of” and “surface” to read:

The TCEQ Rio Grande operating rules determine how the United States’ share of usable surface water stored....”.

3rd sentence should read “After the DMI Reserve is re-established, the end of month account balances for Class A and Class B accounts is reserved, then a 75,000 acft Operating Reserve is met. The Operating Reserve may fluctuate between 75,000 acft and zero but cannot go below zero.”

Page 7-9

Top paragraph – last sentence.

“This means that the district’s available water is allocated to their active flat rate acreage.”

7.3.2.2 Retail Public Water Suppliers

2nd sentence should read “Because the DMI Reserve has priority in the Amistad-Falcon Reservoir system, municipal rights have historically been considered “guaranteed” in their full authorized diversion volume.”

Page 7-11

McAllen Public Water Supply System also has an interconnect with Hidalgo County Irrigation District No.1.

I believe H3 is a Water Improvement District.

McAllen connected to 4 districts.

Page 7-17

Last paragraph, last sentence

“.....although for this planning cycle, as irrigation water diminishes it is challenging to deliver the DMI.....”

Sonny Hinojosa

Additional RWPG Chapter 8 Comments and Proposed Responses

RESPONSE TO COMMENTS: All suggested edits to Chapter 8 made below have been agreed to and added/deleted as suggested

Chapter 8 Initial Draft Comments

Page 8-12

12.far West Texas

“F” should be capitalized.

RWPG Chapter 10 Comments and Proposed Responses

Chapter 10 Initial Draft Comments:

Last page/paragraph talks about the inability for agriculture to gain access to state funds.

Could Region M recommend that the Texas Water Fund allocate/dedicate funds to TWDB's Agriculture Water Conservation Grant Program?

RESPONSE TO COMMENTS: Suggest modifying last sentence to say: Because agricultural water conservation is a central element of this RWP – and is essential to maintaining the viability of this sector of the regional economy – the Rio Grande RWPG recommends that the Texas Legislature create new public funding sources to assist IDs and farmers with the implementation of conservation programs and consider including the Agricultural Water Conservation Fund as a recipient of the Texas Water Fund monies.

Sonny Hinojosa

RWPG Executive Summary Comments and Proposed Responses

RESPONSE TO COMMENTS: All suggested edits to the Executive Summary made below have been agreed to and added/deleted as suggested.

Executive Summary Initial Draft Comments

Page ES-9

2nd paragraph, 4th sentence:

Should read: “After this, the end-of-month account balances for Class A and Class B are reserved. After these two pools are reserved, an Operational Reserve is established. Severe drought will impact farmers and the functionality of the delivery systems, many of which rely on irrigation water for the operational baseline flows.”

Page ES-10

Bottom paragraph:

Please delete “River” from Rio Grande River.

Page ES-14

Bottom paragraph, 2nd sentence:

Suggested language.

“The district’s conveyance infrastructure is comprised of mostly earthen canals....”

Sonny Hinojosa

Agenda Item 7.A.3:

Discussion and ACTION to Adopt and Certify
as Complete the Region M 2026 Initially
Prepared Plan (IPP)

Agenda Item 7.A.4:

Discussion and ACTION to Authorize Black & Veatch to Make Non-substantive Revisions and Any Revisions Requested by the RGRWPG

Agenda Item 7.A.5:

Discussion and ACTION to Authorize Black & Veatch to Submit the Initially Prepared Plan (IPP) to the TWDB on Behalf of Region M

Agenda Item 7.A.6:

Discussion and ACTION to Schedule Public Hearing (s) for Initially Prepared Plan (IPP)

Agenda Item 7.A.7:

Discussion and ACTION to Authorize LRGVDC
to Prepare, Post, and Mail out the IPP Public
Hearing(s) Notice