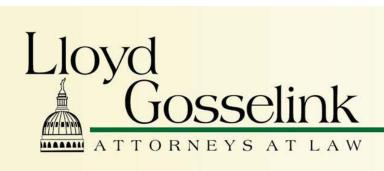


# The State Water Plan – What Cities Need to Know

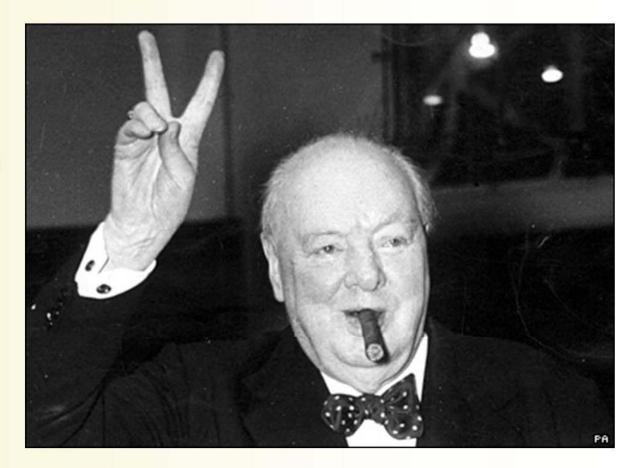
Texas City Attorneys Association
Summer Conference
South Padre Island
June 6, 2012

Presented by:

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"He who fails to plan, is planning to fail."





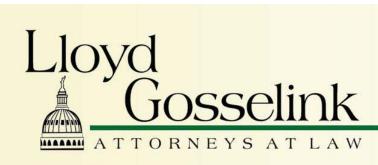
### Importance of State Water Plan

- Most severe one year in recorded Texas history in 2011
- Explosive population growth in Texas
  - 2010 Population = 25.4 million
  - 2060 Population = 46.3 million
- Largest job growth of all 50 states
- Time required to bring water supply projects on-line

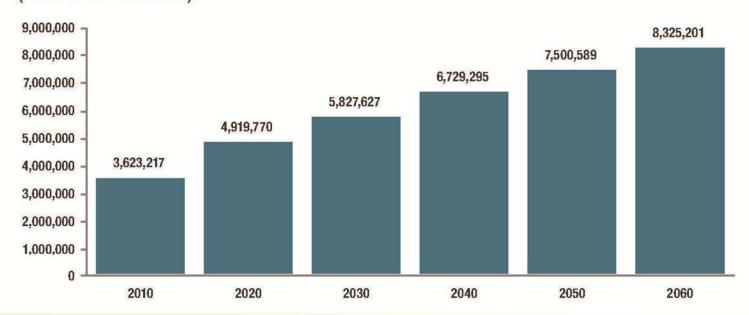


#### Drought in Texas

- State Climatologist, John Nielsen-Gammon, declared the most severe one year drought on record in 2011.
- In 2012 State Water Plan, Regional Water Planning Groups (RWPGs) identified 1,587 municipal user groups.
- 470 municipalities (30%) currently have water supply needs facing drought conditions.
- 825 municipalities (52%) will need water supplies during a time of drought in 2060.

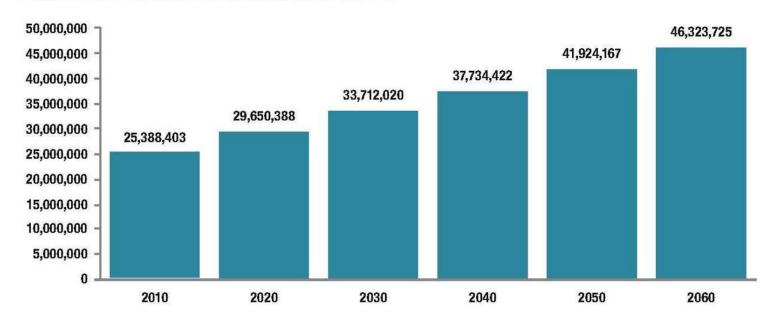


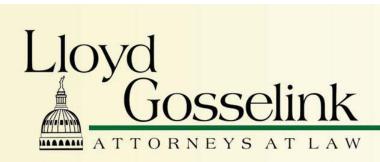
# FIGURE ES.3. PROJECTED NEED FOR ADDITIONAL WATER IN TIMES OF DROUGHT (ACRE-FEET PER YEAR).



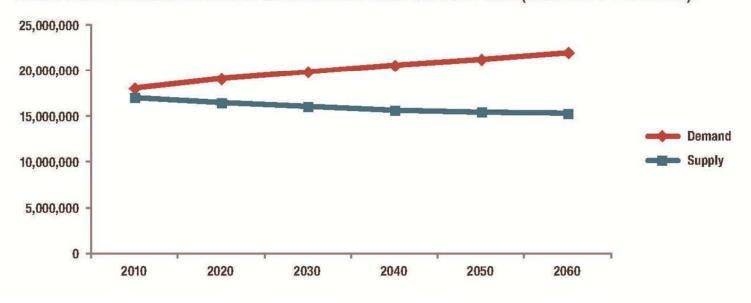


#### FIGURE ES.1. PROJECTED POPULATION GROWTH.





#### FIGURE ES.2. PROJECTED WATER DEMAND AND EXISTING SUPPLIES (ACRE-FEET PER YEAR).





## History of State Water Planning

- 1917 The voters of Texas approved a constitutional amendment, the Conservation Amendment (Article XVI, Section 59), that declared that the conservation and development of the state's natural resources was a public right and duty.
- 1949 U.S. Senator Lyndon B. Johnson asked the U.S. Sec. of Interior to provide guidance to Texas to achieve a comprehensive water program.
- 1953 U.S. Bureau of Reclamation published a document entitled "Water Supply and the Texas Economy: An Appraisal of the Texas Water Problem."



## History of State Water Planning

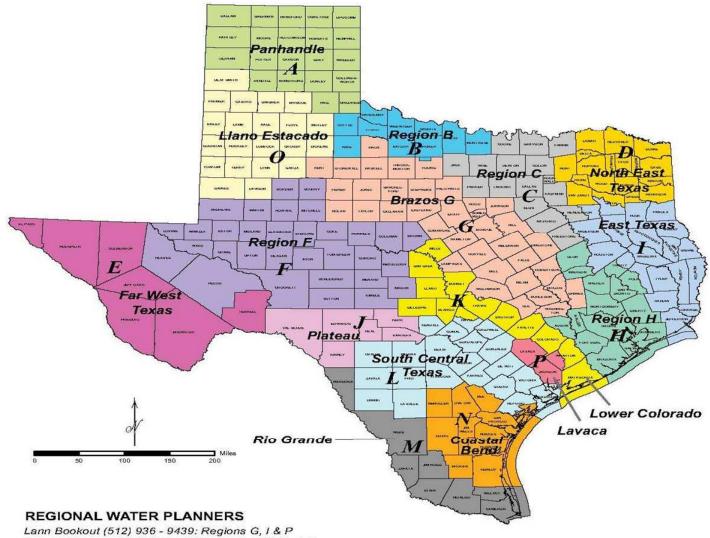
- 1957 Governor Price Daniel worked with Texas Legislature to pass the Water Planning Act.
- 1961 Gov. Daniel requested the Board of Water Engineers prepare a report to detail of municipal and industrial water needs would be met at in 1980.
- The State of Texas went on to develop and adopt state water planning documents in 1968, 1984, 1990, 1992, and 1997.



#### Senate Bill 1 - 1997

- Lt. Governor Bob Bullock and the Texas Legislature enacted SB 1 in 1997 to create a "ground up" approach to water planning.
- SB 1 provided for the establishment of 16 regional water planning areas.
- A regional water planning group (RWPG) was created in each planning area to identify water supplies, water demands and water management strategies to meet future water needs.

#### Regional Water Planning Areas



Lann Bookout (512) 936 - 9439: Regions G, I & P Angela Kennedy (512) 463 - 1437: Regions C, N, & O Temple McKinnon (512) 475 - 2057: Regions D & H David Meesey (512) 936 - 0852: Region K Matt Nelson (512) 936 - 3550: Region L Doug Shaw (512) 463 - 1711: Regions A, B, & F Connie Townsend (512) 463 - 8290: Regions E, J & M

Texas Water

Development Board

Updated by Erik O'Brian Mapping Coordinator 11/07/2011



#### Timing of State Water Plan Process

- The RWPGs were originally required to adopt a Regional Water Plan by January 5, 2001 and every 5 years thereafter.
- The Texas Water Development Board (TWDB) was required to prepare a comprehensive state water plan using regional water plans not later than January 5, 2002 and every 5 years thereafter.
- TWDB has adopted State Water Plans in 2002, 2007, and 2012.



## Regional Water Planning Process

- TWDB designed the 16 regional water planning areas based on numerous factors, including river basin and aquifer delineations, water utility development patterns and political subdivision boundaries.
- RWPGs meet consistently during the 5 year Regional Water Plan planning cycle.



## Regional Water Planning Groups

RWPGs must have representatives from the following interest groups:

Municipalities

- Small Businesses

Counties

Electric Generating Utilities

Industries

- River Authorities

Public

- Water Districts

Agricultural Interests - Water Utilities

Environmental Interests



# Tasks of Regional Water Planning Groups

- Describe the regional water planning area.
- Quantify current and project population and water demand over a 50-year planning horizon.
- Identify current and projected water supplies, demands, and needs.
- Evaluate and recommend strategies to meet the identified needs.
- Describe how sponsors of strategies will finance projects



# Notice & Hearings for RWPG Actions

- At start of 5-year RWPG planning process must hold at least one properly noticed public hearing.
- After the Regional Water Plan is initially prepared, the RWPG must hold at least one properly notice public hearing.
- Notices of RWPG public hearings must meet certain requirements.
  - Published in a newspaper of general circulation in each county within the planning area.
  - Mailed to each mayor of a municipality within the planning area with a population of 1000 or more.



# State Water Plan Issues and Implications for Municipalities

- State Funding for Water Supply Projects
- Surface Water Rights Permitting Decisions by the TCEQ
- Groundwater Management Area Process / Groundwater Availability
- Water Conservation



## State Funding for Water Projects

- The TWDB can only provide funding for a water supply project if:
  - The TWDB determines the needs addressed by the project will be addressed in a manner consistent with the State Water Plan.
  - The TWDB has an approved Regional Water Planthat includes the area benefitting from the project.
  - The TWDB determines the needs addressed by the project will be addressed in a manner that is consistent with the Regional Water Plan.



# Surface Water Rights Permitting Decisions by the TCEQ

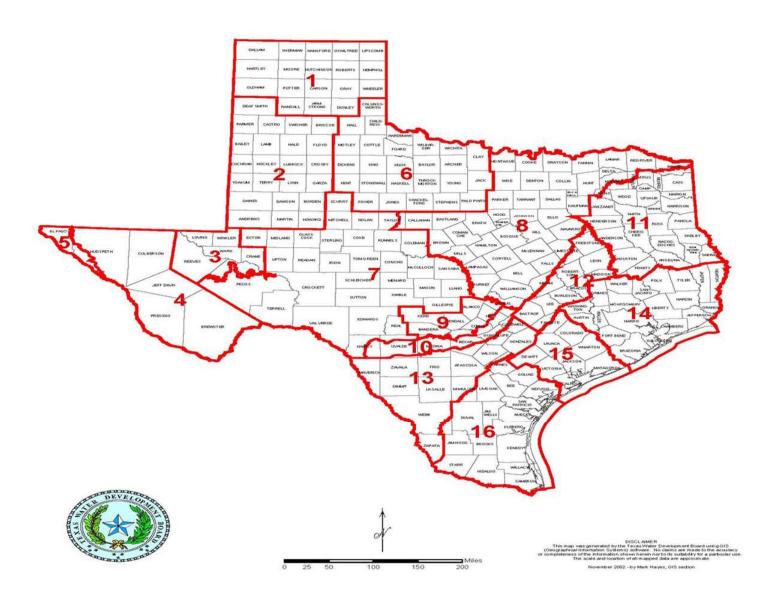
 The Texas Commission on Environmental Quality (TCEQ) can only grant an application to use unappropriated state water (surface water) only if the proposed appropriation of state water addresses a water supply need in a manner consistent with the State Water Plan and the relevant Regional Water Plan(s).



# Groundwater Management Area (GMA) Process / Groundwater Availability

- Texas Legislature created a process in Chapter 36 of the Texas
   Water Code to determine the desired future conditions (DFCs) of the
   aquifers in Texas over a specified time period.
- Legislature requires the groundwater conservation districts in each GMA to meet and make decisions on the DFCs for the aquifers within the respective GMAs.
- The DFC decisions help determine groundwater availability and are a management tool.
- DFC decisions are relevant to RWPGs and SWP because each Regional Water Plan must be consistent with the DFC decisions made by the GMAs.

#### **Groundwater Management Areas in Texas**





#### Water Conservation

- Water Conservation looked at as one of the most cost efficient means to address water supply issues.
- In 2011, the Texas Legislature enacted SB 181
  which requires the TWDB to work with the TCEQ
  and the Water Conservation Advisory Council to
  develop a standard formula for calculating and
  reporting municipal water use in gallons per
  capita per day (GPCD) to create consistency.

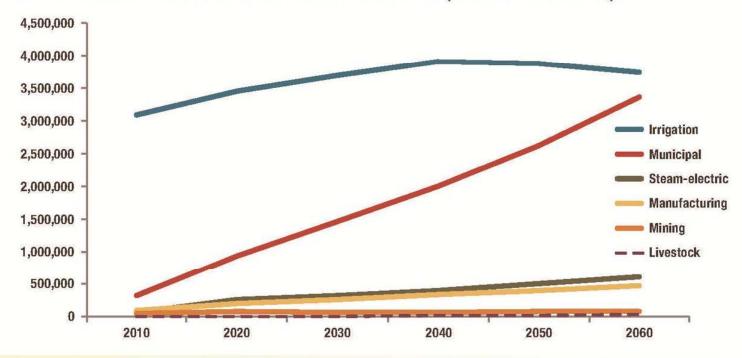


## Funding Issues Associated with SWP

- Each RWPG is required to examine the financing needs to implement the water management strategies and projects identified in the most recently adopted Regional Water Plan.
- RWPGs also identify how local governments and political subdivisions propose to pay for water infrastructure projects identified in the Regional Water Plan.



#### FIGURE 6.2. PROJECTED WATER NEEDS BY USE CATEGORY (ACRE-FEET PER YEAR).





#### Thank You

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