

State Water Planning 101

TCAA Summer Conference June 18-20, 2014 South Padre Island, Texas

> Emily Rogers 512-472-8021 erogers@bickerstaff.com

3711 S. MoPac Expwy. Bldg. 1, Suite 300 Austin, TX 78746 www.bickerstaff.com

RB	icke	ers	taff
Hea	th Delg	ado Ac	osta LLP

Why is there a State Water Plan?

- Strategies to address water supply needs in drought.
- Formal water resource planning started in 1950's and used a topdown approach.
- 1961 1st State Water Plan.
- Other plans published in 1968, 1984, 1990, 1992, and 1997.
- 1997 Legislature passed SB 1 and the new process for preparing and adopting state and regional water plans. SB 1 water resource planning uses a bottom-up approach.



What is in the State Water Plan?

- Answers the following: "If we have a repeat of the worst drought, given the state's population and demands for water now and in the future, and given the state's existing water supplies, will we have enough water? If not, how much water will we need to meet demand?"
- State Water Plan is essentially a state-wide summary of the regional water plans.
- These plans are prepared every 5 years.
- The plans prepared by the TWDB after the submission of and approval by the TWDB of the regional plans.
- The currently adopted plan is the 2012 State Water Plan. The next State Water Plan will be issued in 2017.



What are the Regional Water Plans?

- On a regional and local basis, the regional plans address three basic questions:
 - o How much water do we need?
 - Evaluation of water supply demand using population projections, and other non-municipal water demand projections
 - o How much water do we currently have?
 - Evaluation of current water supplies
 - o How will we meet the projected demand?
 - Evaluation of water management strategies to meet current and future water demands

Bickerstaff Heath Delgado Acosta LLP

<u>How are the Regional Water Plans</u> <u>prepared and adopted?</u>

• Plans prepared by the 16 Regional Planning Groups



Bickerstaff Heath Delgado Acosta LLP

How are the Regional Water Plans prepared and adopted? (con't)

- Each group is composed of representatives from various sections or interests (i.e. counties, cities, river authorities, utilities, industries, agricultural interest, environmental interests, electric utilities etc.)
- Operate under a set of bylaws, and comply with the open meeting requirements



<u>How are the Regional Water Plans</u> <u>prepared and adopted?</u> (con't)

- Tasks of the Regional Planning Groups
 - Describe the regional area
 - Develop population projections
 - Assess current water supplies
 - Evaluate water surpluses and shortages
 - Develop water management strategies
 - o Address water quality concerns
 - Address the protection of water, agricultural, and natural resources
 - o Recommend policy changes
 - Recommend strategies for financing

RB	icke	ers	taff
Hea	th Delg	ado Ac	osta LLP

<u>How are the Regional Water Plans</u> <u>prepared and adopted?</u> (con't)

- Process for Preparing Regional Water Plans
 - Upon the adoption of the 2011 Regional Water Plans, the next planning session (2011-2016) began.
 - Initially Prepared Plans are due to the TWDB on May 1, 2015
 - Draft list of prioritized projects due to TWDB on May 1, 2015
 - Final Adopted Plans are due to the TWDB on November 2, 2015
 - Final list of prioritized projects are due to the TWDB on
 - TWDB will approve the regional water plans in late 2015/early 2016
 - TWDB will prepare and adopt the 2017 State Water Plan in December 2016

R	Bickerstaff
	Hooth Dolgodo Acosto LLD

How are the Regional Water Plans prepared and adopted? (con't)

- o Timeline for the preparation of the Regional Plans:
 - 2012-2013 Prepare and adopt water demand projections
 - 2012-2013 Evaluate existing water supplies
 - 2013 Identify water supply needs
 - 2013 Identify potentially feasible water management strategies
 - 2014 Evaluate water management strategies and determine feasibility
 - 2014-2015 Prepare draft regional plan for submission to the TWDB

\mathbf{R}	Bic	ker	sta	ıff
	Heath [)elaada	Acost	allP

How are the Regional Water Plans prepared and adopted? (con't)

- Current progress:
 - The regional and state population and water demand projections have been adopted.

	2012 State Plan	Proposed 2016 Plan
Population Projections for 2060	46,323,725	46,354,818
Water Demand Projections for 2060	21,952,198	20,825,829

- Regional groups have requested entities within the region provide the planning group with proposed strategies.
- The TWDB has completed the utility water loss audits for each region.

Bickerstaff Heath Delgado Acosta LLP

What are Water Management Strategies?

- Supply projects that will extend or further utilize existing supplies, or will create new water supplies to meet demands

 Examples:
 - - Reservoirs
 - Conservation Wastewater reuse
 - Aquifer storage and recovery facilities

 - Interbasin transfers
 Brackish groundwater desalination
 Sea water desalination
 Weather modification

 - Salt cedar/ash juniper control

 - Conjunctive use
 Water supply contract
 Conversion of irrigation rights to municipal rights

R	Bickerstaff
	Heath Dolgado Acosta LLD

Is my city in the Plan?

- Yes. The City, depending on the size, will be in the Plan either individually or a part of "County-Other."
 - For example:
 - City of Bryan (2012 Plan)

Year	Projected Population	% Per Capita Water Use
2020	84,038	140
2030	92,672	137
2040	99,339	135
2050	107,239	134
2060	109,881	134

Bickerstaff Heath Delgado Acosta LLP			
	Is my city	y in the Plan? (con't)	
	Year	Water Demand Projections (ac/ft)	
	2020	13,179	
	2030	14,221	
	2040	15,022	
	2050	16,096	
	2060	16,493	
	Varia	Dunington d Dulance (Chautana	
	Year	Projected Balance/Shortage	
	2020	2,505 af	
	2030	1,463 af	
	2040	662 af	
	2050	(412) af	
	2060	(809) af	



Is my city in the Plan? (con't)

- Recommended Water Management Strategies
 - o Conservation (supply from strategy in 2050 122 af, and in 2060 248 af)
 - Wastewater reuse (supply from strategy in 2050 and 2060 605 af)
- Alternative Water Management Strategies
 - Additional Carrizo-Wilcox Aquifer Development
 - o BRA System Operation Permit
 - o Millican Reservoir
 - Little River Off-Channel Reservoir



How did my city get into the Plan?

- Participation in the Process
- Wholesale Providers
- Information from the TCEQ, the county, or other entities

R	Bi	icke	rst	aff
	Hea	th Delga	do Aco	sta LLI

<u>Is it important to be in the Plan?</u>

- Yes
 - Water Rights Permitting application must be consistent with the plan to be granted – Tex. WATER CODE § 11.134
 - Financing the project must be consistent with the State Water Plan - TEX. WATER CODE §§ 15.995, 16.053(j)(1), 17.124, 17.125
 - Consistency is a fairly low threshold to meet
 - Generic/broadly applicable water management strategies

R	Bic	kers	taff
	Heath [Delgado A	costa LLP

My project isn't in the Plan. Can I get it in the 2012 State Water Plan?

- Possibly. There are two amendment processes to the Plan between adoption years:
 - Minor amendments
 - o Major amendments



What is SWIFT?

- State Water Implementation Fund of Texas
 - Set aside \$2 billion for loans
 - o 20% of the funds must be for water conservation projects
 - o 10% of the funds must be for rural Texas
 - Establishes a prioritization system
 - Decade project needed
 - Feasibility
 - Viability
 - Sustainability
 - Cost-effectiveness



What is SWIFT? (con't)

- Regional Planning Groups will prioritize water management strategies each planning cycle.
- The TWDB will then rank the projects, giving highest consideration to:
 - Projects serving large populations
 - Assist a diverse urban and rural population
 - Provide regionalization
 - Meet a high percentage of water supply needs of the water users served by the project

R	Bickerstaff Heath Delgado Acosta LLP
L	Heath Delgado Acosta LLP

What is SWIFT? (con't)

- Provide local contribution
- Demonstrate the ability to repay loan
- Are able to leverage state financing with federal financing
- Address an emergency
- Demonstrate a readiness to proceed
- Address water conservation
- Are on the Regional Planning Group's priority list
- Public input on rules currently ongoing
- TWDB to propose rules in June 2014
- Final Rule adoption in December 2014



<u>How does my city make sure that its water supply project will qualify for SWIFT?</u>

- Tailor the project to fit the priority requirements.
- Make sure the project is in the Plan, and not part of a generic strategy.



State Water Planning 101

TCAA Summer Conference June 18-20, 2014 South Padre Island, Texas

> Emily Rogers 512-472-8021 erogers@bickerstaff.com

3711 S. MoPac Expwy. Bldg. 1, Suite 300 Austin, TX 78746 www.bickerstaff.com